

Carlos Bosch García

*Documentos de la relación  
de México con los Estados Unidos  
(noviembre de 1824-diciembre de 1829)  
Volumen I. El mester político de Poinsett*

México

Universidad Nacional Autónoma de México,  
Instituto de Investigaciones Históricas

1983

476 p.

(Serie Documental, 13)

ISBN 968-58-0552-0

Formato: PDF

Publicado en línea: 15 de abril de 2016

Disponible en:

<http://www.historicas.unam.mx/publicaciones/publicadigital/libros/docsmexeu/01mester/politico.html>



INSTITUTO  
DE INVESTIGACIONES  
HISTÓRICAS

DR © 2016, Universidad Nacional Autónoma de México-Instituto de Investigaciones Históricas. Se autoriza la reproducción sin fines lucrativos, siempre y cuando no se mutile o altere; se debe citar la fuente completa y su dirección electrónica. De otra forma, requiere permiso previo por escrito de la institución. Dirección: Circuito Mario de la Cueva s/n, Ciudad Universitaria, Coyoacán, 04510, México, Ciudad de México

*12 de enero de 1828. México. Tratado de límites entre los Estados Unidos y México*

The limits of the United States of America with the bordering territories of Mexico having been fixed and designed by a solemn treaty concluded and signed at Washington on the twenty second day of February, in the year of our Lord one thousand eight hundred and nineteen, between the respective plenipotentiaries of the government of the United States of America on the one part, and 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 the United Mexican States.

With this intention, the President of the United States of America has appointed Joel Roberts Poinsett their plenipotentiary and the President of the United Mexican States their Excellencies Don Sebastian Camacho and Don José Ignacio Esteva: and the said plenipotentiaries, having exchanged their full powers, have concluded and agreed upon the following articles:

*Article First.*—The dividing limits of the respective bordering territories of the United States of America and of the United Mexican States being the same as were agreed and fixed upon the above mentioned treaty of Washington, concluded and signed on the twenty second of February, in the year of our Lord one thousand eight hundred and nineteen, 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:

*Article Second.*—The boundary line between the two countries west of the Mississippi shall begin on the Gulf of Mexico at the mouth of the River Sabine, in the sea, continuing North along, the western bank of that river to the 32nd degree of latitude: thence by a line due north to the degree of latitude where it strikes the Río Roxo of Nachitoches, or *Red River*; then following the course of the Río Roxo westwards, to the degree of longitude 100 west from London and 23 from Washington, then crossing the said Red River, and running thence by a line due north to river Arkansas; thence, following the course of the southern bank of the Arkansas to its source in

latitude 24 north, and thence by that parallel of latitude, to the South Sea. The whole being as laid down in Melis' map of the United States, published in Philadelphia improved to the first of January 1818. But if the source of the Arkansas river shall be found to fall north or south of latitude 42, then the line shall run from the said source, due south and north, as the case may be, till it meets the said parallel of latitude 42 and thence along the said parallel to the South Sea. All the islands in the Sabine and the said Red and Arkansas rivers, throughout the course thus described, to belong to the United States; but the use of the waters and the navigation of the Sabine to the sea, and of the said rivers Roxo and Arkansas throughout the extent of the said boundary, on their respective banks, shall be common to the respective inhabitants of both nations.

The two high contracting parties agree to cede and renounce all their rights, claims and pretensions to the territories described by the said line, that is to say the United State of America hereby cede to His Catholic Majesty and renounce forever all their rights, claims and pretensions to the territories lying west and south of the above described line: and in like manner, His Catholic Majesty cedes to the United States all his rights, claims and pretensions to any territories east and north of the said line; and for himself, his heirs and successors, renounce all claims to the said territories forever.

*Article Third.*— To fix this line with more precision, and to place the land marks which shall designate exactly the limits of both nations, each of the contracting parties shall appoint a commissioner and a surveyor, who shall meet before the termination of one year, from the date of the ratification of this treaty, at Nachitoches on the Red River, and proceed to run and mark the said line from the mouth of the Sabine to the Red River, and from the Red River to the river Arkansas, and to ascertain the latitude of the source of the said river Arkansas, in conformity to what is above agreed upon and stipulated, and the line of latitude 42 to the South Sea; they shall make out plans and keep journals of their proceedings, and the result agreed upon by them shall be considered as part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree respecting the necessary articles to be furnished to those persons, and also as to their respective escorts, should such be deemed necessary.

*Article Fourth.*—The present treaty shall be ratified and the

ratifications shall be exchanged at Washington within the term of four months, or sooner if possible.

In witness whereof, we the respective plenipotentiaries have signed the same and affixed hereto our respective seals.

Done at Mexico the twelfth day of January, in the year of our Lord, one thousand eight hundred and twenty eighth, of the independence of the United States of America the fifty second, and eighth of that of the United Mexican States.

J. R. Poinsett

S. Camacho

J. I. Esteva.

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

154

*20 de enero de 1828. México. J. R. Poinsett a J. de D. Cañedo*

The undersigned has the honor to make known to H. E. the Secretary of State, that he has received a memorial from the American merchants residing in Vera Cruz remonstrating in strong terms against the order published by the *administrador* of the custom house in that port requiring the merchants to furnish him with inventories of their stock on hand, within the term of eight days. This order is declared to be in conformity with a circular addressed by the department of the Treasury to the commissary which further requires that security should be exacted and as short a term as possible allowed for the payment of the internation duty upon these goods, the existance of which is to be ascertained upon the oath of the parties who hold them.

The memorialists set forth the extreme hardship and injustice of this order, and the undersigned cannot refrain from observing that it is contrary to the interests of trade, and to the usage of all commercial nations, to compel merchants to exhibit inventories of the goods they have on hand, nor does the spirit of the law justify this measure. The twentieth article of the new tariff declares 'that effects imported previously to this law going into operation, are subject to payment

of the internal duty actually established, and the government will take the necessary measures to recover the payment thereof. Now it is manifest that the law never contemplated the recovery on the part of the government of duties upon goods not intended to be sent into the interior, because no such duty existed at the time of the passage of the law, and yet the circular of the department of Treasury makes it imperative upon the commissary to cause good security to be given for the payment of the international duty within as short a term as possible, and moreover declares that such goods as are imported and such as are sent into the interior until the day before the new tariff goes into effect, shall both pay the international duty in the manner at present established, giving security for the international duty at the same time with that of importation; surely this is contradictory. In what manner is the international duty upon goods imported and not sent into the interior, but sold and consumed in the port itself to be levied; in the same terms as are actually established when this time and on the passage of the act no such international duty was chargeable, except on goods sent into the interior? It is evident that this government interpreted this article of the law in the same spirit as the undersigned has done, because Y. E. in reply to a note of H. B. Majesty's chargé d'affaires in relation to this subject before the passage of the act here alluded to, makes use of these words: 'that with respect to the points in relation to the 19th article (now 20th) of the tariff in which it is supposed a change is made prejudicial to commerce by subjecting to the payment of the duty of international merchandise which may be consumed in the ports, there is no reason to believe so, because that article makes no change with respect to what is actually established in regard to the above mentioned duty'. Now surely the circular from the department of the Treasury and the order issued by the collector in Vera Cruz are in direct contradiction to this declaration.

The undersigned having shown, he hopes to the satisfaction of Y. E., that this order is contrary to the spirit and meaning of the law, will now attempt to prove that it is equally unjust and impolitic.

The goods on which these duties are directed to be levied were introduced upon the faith of the former tariff, by which the international duty was made payable only at the time they were sent from the port into the interior. The merchant therefore had a right to expect that he would be permitted

UNAM - IHH

to keep back goods on hand without paying any other than the importation duty until market of the interior offered a fair prospect of selling them to advantage. The order of the Treasury Department deprives the merchant of this advantage, breaks the good faith of the government and gives the law a retropective effect which is contrary to the spirit of the Mexican constitution. The exaction of immediate payment upon goods which are even intended to be sent into the interior at some future time will be peculiarly distressing at a period when all commerce is stagnated from the circumstances in which the country has been placed by the late rebellion. It will be far better for the merchants to reship their goods than to make such payments and the undersigned has good reason to believe that such is their determination. Owing therefore to his order the new tarif instead of vivifying commerce and giving a new impulse to speculation is about to paralyze all enterprize and to destroy the confidence of the merchant in the good faith of the government. The undersigned never has nor will ever object to any legal measures this government may think proper to adop in order to prevent, an evasion of the payment of duties; but he respectfully submits whether it is just or politic to enforce the execution of an order in contradiction to the spirit of the laws, and order the effects of which will diminish the imports by compelling merchants to order off all vessels briging goods, which under these regulations will pay a much higher duty than that established by the new tariff; and which will cause a heavy loss to those who may not have the means of sending off goods of this description which may now be in their stores.

The undersigned believes that this government did not perceive the ruinous consequences of this measure to the commerce of the country at the time of its adoption and he trusts now that they have been made apparent by the joint remonstrances of the native and foreign merchant residing in Vera Cruz, that its execution will not be persisted in. He begs leave respectfully to suggest, that the means which appear the best adopted to effect the end the government has in view, and to do justice to the complainants will be to carry the new tariff into effect forthwith, and to equalize the duties both on goods now existing in the port and such as may be imported before the 20th February next, so that they may all be brought into the market on a fair and equal competition. The reason for

proposing this measure in preference to any other are briefly these.

In carrying into effect a new tariff great care ought to be taken not to wrong the actual holders of effects already imported into the country between whom and the government a tacit agreement may be supposed to exist, that no new regulations shall be adopted to their injury.

Whereas the difference between the duties as they now exist and those established by the new tariff which goes into operation almost immediately is so great as to give to the new importer a manifest advantage in the market. The new duties are so much lower on some of the essential articles of commerce that the merchants who now hold such goods can better afford to send them to some port in the United States and have them returned when the new tariff goes into operation, than to send them into the interior paying the present duties, nor will the higher rate of duty which is fixed by the new tariff in some few articles compensate the merchants for the certain loss he will experience on those alluded to; for this government with a wisdom which reflects great credit on it has lowered the duties on the greater number of the most essential articles of the import into this country. If however the new duties were to be levied at once on all goods now on hand the present holders and the new importers would be placed upon an equal footing and would bring their goods into the market on the same terms, which ought to satisfy all parties.

The undersigned cannot close this communication without adverting to the impolicy of the rule laid down in the 22nd article of the new tariff. If the merchant be compelled to import exactly so much of any articles as the demand in the market will warrant he must necessarily be cautious in the shipments to this country. So that the determination on the part of this government that here shall be no drawback of duties on the reshipment of goods will effectually destroy the spirit of the enterprize, and bold speculation which is the soul of commerce. The superiority of the commerce of Great Britain and of the United States of America over that of other nations is due in great measure to the early adoption of the system of drawbacks.

The merchant ventures boldly to supply a market when he knows that if he be accidently overstocked with the same article he can only lose the freight of his goods, and the moderate duty charged on them if reshipped; but he will be cautious

how he ventures to ship goods to a country where he must pay a heavy duty whether they are saleable there or not.

I marking these suggestions the undersigned disclaims all intention of complaining of a regulation which Mexico has an undoubted right to adopt. They are prompted as much by this wish to see the general commerce of this country prosper as by this desire that the trade between the United States of America and the United Mexican States should be placed upon a footing equally advantageous to both

The undersigned avails himself... J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. sin núm. NAW.

155

*4 de febrero de 1828. México. Protocolo de la conferencia sobre renovación de negociaciones para el tratado de amistad, comercio y navegación entre los Estados Unidos y México*

Se hallaban presentes S. E., don Sebastián Camacho y S. E., don José Ignacio Esteva, y el plenipotenciario de los Estados Unidos de América.

Se leyó la nota del plenipotenciario de los Estados Unidos de América haciendo ver las resoluciones del Senado con respecto al tratado concluido y firmado en México a 10 de julio de 1826.

Después de hablar sobre los daños que podían resultar a la República Mexicana de la admisión de personas nacidas en España aunque fuesen *bona fide* ciudadanos de los Estados Unidos y de la extrema dificultad de distinguir los que han adquirido realmente este derecho de los que puedan presentarse con papeles falsos, el plenipotenciario de los Estados hizo presente que él ha exigido en su Secretaría pruebas irrecusables de ciudadanía antes de conceder un certificado para el efecto como se podía ver por los anuncios que había hecho insertar en las gacetas de los Estados Unidos; que él exigía además que las tales evidencias de ciudadanía sean visadas por el cónsul o agente comercial de esta república residente en el puerto de embarco y que la falta sería de estos agentes si alguna persona venía a este país de los Estados Unidos con



papeles falsos. Que en tiempo de revolución y guerra los Estados Unidos no podían oponerse a medida alguna respecto a pasaportes que el gobierno mexicano creyese conveniente adoptar y que exigiese la seguridad y tranquilidad del Estado; pero que era necesario que estas medidas fuesen generales porque es un principio sagrado de la Constitución de los Estados Unidos de América el extender la misma protección a los ciudadanos de adopción que la que disfrutaban los nativos. Hizo además presente que habiéndose expresado en el artículo 3o. que los ciudadanos de los países respectivos se sujetarían con sus personas y transacciones a las leyes, usos y estatutos de las dos naciones respectivamente dependía del todo del gobierno mexicano el adoptar las medidas generales que protejan eficazmente al país de los daños que temían los plenipotenciarios mexicanos por la presencia de ciudadanos americanos nacidos en los dominios de S. M. C.

Los plenipotenciarios mexicanos se manifestaron satisfechos de esta explicación y consintieron en omitir el primer artículo adicional del tratado anterior.

Por mutuo consentimiento se sustituyó con la palabra ciudadanos la de habitantes en el artículo 2º del tratado.

Propuso el plenipotenciario de los Estados Unidos de América que se sustituyesen los artículos 5º y 6º del tratado de México y la Gran Bretaña en lugar de los mismos artículos 5º y 6º del de México y los Estados Unidos y que se adoptase el artículo adicional del anterior relativo a aquellos artículos.

Dijo que aunque los Estados Unidos de América podían tener derecho a los mismos privilegios que la Gran Bretaña recibía por aquel tratado, sin embargo, él creía era mejor que las estipulaciones del tratado fuesen las mismas exactamente en este particular, que no que se reclamasen dichos privilegios en lo sucesivo en virtud de otros convenios. Con condición de que los plenipotenciarios accediesen a esta modificación que él consentiría en extender hasta diez años el término en lugar de los seis que había limitado el Senado de los Estados Unidos.

Los plenipotenciarios mexicanos contestaron que, lejos de tener el menor inconveniente en esta proposición, preferían el adoptarla pues que dicha variación hacía sus tratados uniformes habiéndolos hecho todos bajo estas bases.

Los artículos 5º y 6º en tal virtud fueron modificados.

Los plenipotenciarios mexicanos hicieron presente que la Comisión de la Cámara de Diputados se había opuesto a la parte del artículo 32 en que se habla de la existencia de varios

tratados entre una de las partes contratantes y las naciones de indios que habitan en los territorios de la otra parte y en consecuencia propusieron el omitir ese párrafo porque si no existían tales tratados era inútil mencionarlos como existentes y si existían sería necesario examinarlos antes de que fuesen reconocidos.

El plenipotenciario de los Estados Unidos de América respondió que él no sabía positivamente que existiesen tales tratados por parte de su gobierno con las tribus indias que habitaban en el territorio mexicano; pero que examinaría el punto y contestaría al día siguiente.

Se trató del principio de que los buques libres hacían libre la propiedad.

Los plenipotenciarios mexicanos no se opusieron a este principio antes consideraron más ventajoso a México adoptarlo sin la excepción introducida por el plenipotenciario de los Estados Unidos. Este, después de recapitular los argumentos que usó en otra ocasión, dijo que su gobierno deseaba hacer este principio universal y para este objeto y para hacer que obrara más justamente había resuelto no consentir en su adopción sin la excepción que si México deseaba aprovecharse de las ventajas que el principio mismo ofrecía a los Estados nuevos marítimos sólo podía hacerlo consintiendo en la excepción.

Se convino entonces que los plenipotenciarios dirijiesen una nota al plenipotenciario de los Estados Unidos sobre el particular.

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

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

156

*6 de febrero de 1828. México. S. Camacho y J. I. Esteva a J. R. Poinsett*

The undersigned have the honor to communicate to Mr. Poinsett that they have meditated with the greatest attention the reasons he advanced in the last conference in favor of the addition which the Senate of the United States wishes to

see introduced into the sixteenth article of the treaty of Amity, Commerce and Navigation, signed the 10th day of July 1826, and which has given rise to a renewal of the negotiations as Your Excellency suggested in your note to the government of the 27th May.

The undersigned have to observe, that the reasons alleged are reduced simply to the same, which were advanced by Your Excellency with the same intention in the conferences held on the 13th and 17th of June 1826, and which were extended with more exactness in your note of the last date; but as all those were refuted at that time by the arguments of the undersigned, and as Your Excellency on that account, agreed to adopt the stipulation of the principle without any limitation, they do not perceive any reasonable motive at present which could justify their conduct if they were to change their opinion and accede to the exception proposed by Your Excellency, in conformity to the wishes of your government.

It is true that the Mexican United States have not now the powerful obstacle, which, at the period of the first negotiations, prevented them from admitting an exception in some manner odious, and which might, on that account, have retarded the conclusion of the pending treaties with a third power.

But it is likewise true, that after having celebrated those treaties, the good faith and honor of the government is interested, that on the part of Mexico, there should be no variation in the principles of conduct which it had proposed to follow invariably, and which probably had an influence on the minds of the other party in settling those conventions.

The undersigned, in virtue of those reasons, cannot persuade themselves, that the government of the United States of America should insist upon the insertion of the proposed addition to the sixteen article as a *sine qua non*, as it is not absolutely necessary for the application of a principle which has not become general among nations; and as it was not introduced by the said states in their transactions with other nations until the year 1819.

The undersigned have the honor on this occasion to renew to your Excellency. . . Camacho, Esteva.

*Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121 anexo al doc. 117. NAW.*

*7 de febrero de 1828. México. J. R. Poinsett a H. Clay*

Sir,

I transmit herewith copies of the treaty of limits, and of the protocols of the conferences held with the Mexican plenipotentiaries upon that subject.

I did not insist upon introducing the article respecting the obligation of the parties to restrain the Indian tribes, residing within their respective territories, from committing hostilities against the people, Indians or territories of the other, because it is inserted in the treaty of amity, commerce and navigation, which I am about concluding.

You will perceive the protocols of our conference, that I did not not oppose any obstacles to the wishes of this government to adopt the limits as settled by the treaty of Washington. This government and people have been kept purposely in a continual state of excitement upon this very delicate question. We have been represented, by the agents of certain European powers, as the natural enemies of México; and our desire to make alterations in the treaty of limits concluded with Spain, and to deprive them of a portion of their territory, was constantly urged in proof of our bad faith and insatiable ambition. It became necessary therefore, for me to use very cautious language upon this subject, and in all my conversations and notes, in relation to the question of limits, to endeavor, if any change were made, that it should be at the suggestion of this government, so that the honorable dealing of the United States, in this respect, might at all times, be manifest.

I shall send the original treaty by my secretary Mr. Edward T. Taylor, together with that of amity, commerce and navigation. I have already succeeded in establishing all the important points, according to the resolutions of the Senate, but the exception at the close of the article which established the principles of free ships making free goods. I am in correspondence with the Mexican plenipotentiaries upon that subject, and I am confident of success.

As the President is anxious, in the treaties with these new state, to establish the principle of perfect reciprocity in commerce, in preference to that of the most favored Nation, I have thought proper to propose to substitute, for the fifth and sixth articles of the former treaty, the fifth and sixth articles

of that concluded between Mexico and Great Britain, together with the additional article of that treaty. This will render it necessary to prolong the duration of the treaty, to which, I hope Senate will not object. It is true that by the second article, whatever privileges, hereafter to be granted to Great Britain would become extensive to us, still I thought it better to be placed exactly upon the same footing as Great Britain and the Netherlands, than to have hereafter to claim those privileges upon their being acquired by those nations, according to the tenor of the treaties concluded between them and Mexico.

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

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

158

*8 de febrero de 1828. México. J. R. Poinsett a los plenipotenciarios mexicanos S. Camacho y J. I. Esteva*

The Undersigned has received their Ex's note of the 6th instant, and has given to the arguments it contains the most serious consideration.

The undersing did not consider the arguments he had used during the former conferences and in his note of the 17th June 1826, as refuted by the Mexican plenipotentiaries.

He yielded the point in dispute at that time to his earnest desire not to embarrass the negotiations then pending between México and Great Britain. Neither was he aware of the resolution of his government not to admit any nation to a participation of the advantages offered by the principle of free ships making free goods, unless accompanied with a provision, that the flag of the neutral country shall not cover the property of enemies whose government does not acknowledge this principle.

This qualification is absolutely necessary in order to render the application of the principle just and fair towards all nations. Without it, supposing that Mexico did not admit the principle, the goods belonging to citizens of this republic, on board vessels of the United States, would have been

UNAM - IIH

protected from being captured by Spanish cruisers, while the goods of Spanish subjects, in like situation, would be liable to capture by the Mexican ships. So that the nation which did not admit of free goods would have been the most favored. Whereas, by the qualification adopted in all the modern treaties formed by the United States, and existing in that with Spain, the principle is applicable to those nations only which acknowledge it, and to none other. If therefore, Mexico refuses to adopt the principle, the goods of her citizens, found on board vessels of the United States, are liable to seizure by Spanish cruisers, from which they will hereafter be free, if the Mexican plenipotentiaries agree to adopt the principle and the qualification, for the one will not be admitted by the undersigned without the other.

The undersigned will not take up Y. Ex's time by urging the vast advantages that must accrue to an infant maritime state by the adoption and extension of his important principle, whether it is considered as advancing the interest of agriculture and trade when one of the contracting parties is in a state of war, by enabling its citizens freely to export its produce through the medium of neutral vessels; or when itself neutral between the two belligerent powers, might enrich itself by carrying the produce of both of them without danger of violence from either.

These advantages are fully understood and have been acknowledged by Your Excellencies.

The rule is alike politic and humane; but to make it just, the qualification proposed is absolutely essential. It has been adopted in this manner by all the new Republics of America with whom the United States have celebrated treaties, and it would be unjust towards them to form a convention with Mexico wherein the principle was admitted without the exception.

The only alternative the undersigned can offer is to omit the principle altogether. If it be inserted at all in the treaty, it must be accompanied by the proposed qualification.

With respect to the obligation which, it is supposed that Mexico has contracted in her negotiations with Great Britain, the undersigned will merely observe, that there exists the most positive proof, that Mexico would have obtained the same terms from that nation, even if the principle and proposed qualification had been introduced into the former treaty. Great Britain had no right to exact or to expect that Mexico should renounce an important rule, affecting her most vital

interest, after having made a treaty with Colombia, subsequent to that concluded between the United States and that republic in which the principle of 'free ships making free goods'; together with the proposed qualification had been introduced. It is not probable, therefore, that the circumstance of the omission of the proposed qualification in our former treaty had any influence on the negotiations between this country and Great Britain.

If the great maritime powers, with only one exception, have deemed it politic to adopt this salutary rule, how much more important must it be to the rising but infant states of America.

To the undersigned it appears of the last importance to settle by treaty, in this hemisphere a question which has occasioned so many acts of violence and so many wars in the other. The states of America ought to be governed in their intercourse with each other by the strictest rules of humanity and justice, and every means resorted to that human wisdom can suggest in order to avoid future causes of war, of which the converse of the principle here contended for, has proved so fruitful a resource.

The undersigned avails himself of this opportunity. . .

J. R. Poinsett.

*Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, anexo al doc. 117. NAW.*

159

*9 de febrero de 1828. México. J. R. Poinsett a H. Clay*

Sir,

The result has verified my predication. The capture of General Bravo has terminated the civil war between the contending parties in this country. General Barragan is a prisoner, and all the officers of any rank or distinction, who had taken part against the government, have been taken; indeed it was impossible for them to escape or even to remain concealed in the country where the mass of the people are eager to give proofs of their attachment to the existing institutions. The general government has received congratulations from

UNAM - IIH

all the states of the union. Inded, with the exception of Vera Cruz, all of them voiced their indignation at this attempt to subvert the federation. And since the fortunate termination of the contest even the legislature of that state has retracted its opinion in the most disgraceful manner, as you will perceive by the accompanying translations of their latter to the Secretary of State of this republic, and of their manifesto to their constituents.

The country is now perfectly tranquil, and the federal government much stronger than ever. It is however to be regretted that the finances of Mexico continue in a very distressed state. By Mr. Taylor I shall send the memorials of the several ministers, and a sketch of the present state of the country.

I forward by this opportunity letters from Mr. Tudor, which will put you in possession of the present state of Peru.

Mr Tudor, in his communication to me, mentions that the government of Peru has sought the interposition of Great Britain in order to save that country from the violence threatened by Bolivar, and that it is about to claim our intervention for the same purpose. He expressed a desaire that I should give you my opinion on this delicate subject; but it is one upon which you are much more able to come to a correct decision upon than I can. It appears to me, however that Mr. Tudor is mistaken in the views and policy of Great Britain. That cabinet is much more likely to favor the designs of Bolivar that to counteract them, and in the event of a joint mediation, we might find ourselves in collision with that power, while, on the other hand, if left to herself, Great Britain, by interfering might do more harm than good to the cause of free institutions in that part of America.

I have received your despatch no. 25 and shall take an early opportunity of complying with the President's instructions, and of conveying to this government his views with regard to the conduct of the legislature of Vera Cruz.

I feel gratified that the President sees nothing to disapprove in my conduct during my residence in Mexico. It has been uniformly governed by a sincere desire to conciliate this government and people, and to destroy the false impression, respecting the United States, which they had received from Europe. I think that this desirable object has been effected, and that a strong American feeling has taken the place of the European partialities which existed in this country upon my arrival.



Although very desirous to avail myself of the permission of the President to terminate my mission, I shall wait until the treaties are ratified, and until I can leave this country without prejudice to interests which have been entrusted to me. As soon as the treaties are concluded, I shall turn my attention to the Congress of Tacubaya, and endeavor to induce the members now here to take some definitive measure in relation to it. On this subject, I shall write fully by Mr. Taylor.

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

*Mexico. Poinsett.* May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 116. NAW.

160

*10 de febrero de 1828. México. Protocolo de la conferencia entre los plenipotenciarios estadounidenses y mexicanos*

Hallándose presentes los plenipotenciarios, el de los Estados Unidos hizo presente que había examinado el asunto de los tratados existentes entre los Estados Unidos de América y las tribus indias y no había encontrado que se hubiesen hecho tratados algunos por su gobierno con dichas tribus habitantes en el territorio mexicano.

Los plenipotenciarios mexicanos contestaron que su gobierno no miraba a las tribus indias como naciones independientes y nunca había hecho algún tratado con ellas: que por lo tanto preferían que todo el párrafo se borrara, a lo que accedió el plenipotenciario de los Estados Unidos. Se renovó entonces el asunto del artículo 16º.

Los plenipotenciarios mexicanos dijeron que aunque ellos se oponían aún a la excepción, no podrían renunciar las ventajas de aquel principio y que como el plenipotenciario de los Estados Unidos de América en su nota de 8 del corriente los dejaba en la alternativa de adoptar el principio de que los buques libres hacen libre la propiedad junto con la excepción, o de omitir todo, se verían precisados a admitir la excepción más bien que abandonar la ventaja del principio. El plenipotenciario de los Estados Unidos contestó que sus instrucciones eran de insistir sobre la excepción

como un *sine qua non* si se adoptaba el principio y que creyendo, como él creía, que el principio por sí mismo era tan ventajoso e importante especialmente a los repúblicas americanas tenía una satisfacción en que los plenipotenciarios mexicanos hubiesen accedido a la inserción de la excepción.

El plenipotenciario de los Estados Unidos en seguida propuso un artículo adicional, estipulando que el tratado estará en toda su fuerza hasta que una de las partes avise a la otra con la anticipación de seis meses que desea terminarlo; al fin de cuyo plazo cesará. Los plenipotenciarios convinieron en la inserción de este artículo adicional y se mandó extender el tratado.

S. Camacho, J. I. Esteva.

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

161

22 de febrero de 1828. México. J. R. Poinsett a H. Clay

Sir,

I have the honor to transmit herewith by Mr. Edward T. Taylor a treaty of limits between the United States of America and the United Mexican States, signed on the twelfth day of January last; and a treaty of amity commerce and navigation signed on the fourteenth day of this month.

You will perceive in the latter, that all the alterations suggested by the Senate of the United States, have been introduced, except that in relation to the duration of the treaty. I have already given you my reasons for not insisting upon that alteration, which, I hope, will prove satisfactory to the President. I thought it the less important because it is provided by the thirty fourth article, that at the end of the sixth year, to be counted from the day which the ratifications of this treaty are exchanged, such important points as may require revision and special convention, shall be taken into consideration by the parties; and the articles which may then be concluded shall be considered as making a part of this treaty.

I desired to fix the term of nine years for carrying into effect the fifth and sixth articles of the treaty but the Mexican plenipotentiaries objected, that the term of ten years had been adopted in all their treaties, where the principle of perfect reciprocity had been introduced, and the alteration I proposed might occasion some difficulty and delay on the part of this Congress in the ratification of the treaty. They said, too, that it was unnecessary, as at the instant the principle went into operation with one nation, it would of course be extended to us. As this conversation was informal, it was not extended upon the protocols; nor did I think it necessary to do so, as this consequence necessarily follows upon the principle of the most favored nation.

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

*Mexico. Poinsett.* May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 117. NAW.

162

*1º de marzo de 1828. México. Protocolo de conferencia sostenida entre Sebastián Camacho y J. R. Poinsett*

S. E. el señor Camacho dijo que habiendo ocurrido varias dudas a su gobierno sobre el sentido de algunos de los artículos del Tratado de Amistad, Comercio y Navegación entre los Estados Unidos Mexicanos y los Estados Unidos de América, firmado el día 12 de febrero, había pedido esta conferencia con objeto de que fuesen explicadas y aclaradas.

La primera era sobre el sentido del último párrafo del artículo 19, en que se declara que se “consideraban solamente bloqueadas aquellas plazas que estén actualmente bloqueadas por una fuerza beligerante capaz de impedir la entrada a los neutrales”; porque en la relativa fuerza marítima de las dos partes contratantes, México podría bloquear un puerto español con dos o tres fragatas y el gobierno de los Estados Unidos de América podía romper el bloqueo con una fuerza superior. El señor Poinsett contestó que un acto semejante se consideraría hostil y que era claro que no lo daba a entender el espíritu de las palabras del artículo 19. Que el objeto principal de insertar este artículo era impedir la prác-

UNAM - IIH

tica que prevalecía en Europa de declarar un puerto y aun una gran línea de costa en el estado de bloqueo y apresar los buques que iban allí, aunque la parte beligerante no tuviese una fuerza adecuada delante de dicho puerto o frente de la línea de costa para mantener el bloqueo.

Se convino pues por ambas partes que por el sentido del artículo se entendería que era necesaria una fuerza suficiente para impedir la entrada a buques mercantes neutrales y [que] de ninguna manera se autorizaba el rompimiento del bloqueo por buques de guerra.

S. E. don Sebastián Camacho dijo que este artículo ofrecía otra dificultad; que podía suceder que una escuadra que estuviese bloqueando tuviese que separarse por causa de un temporal y que sería injusto en un caso tal que a un neutral se le permitiese aprovecharse de esta interrupción temporal del bloqueo. El señor Poinsett contestó que donde había bloqueo que se hubiese notificado y el buque neutral se hubiese hecho a la vela del puerto sabiendo que existía tal bloqueo la cesación temporal del bloqueo por causas accidentales, si no consistía en una interrupción o por haberse levantado el bloqueo no pondría a cubierto al neutral de ser apresado y condenado al salir del puerto o cuando cayese la plaza en manos de la parte beligerante, y que los casos en que se concedería protección a los neutrales estaban expresados en el artículo 21. Se estipuló que esta explicación se consideraría como el sentido correcto de las palabras del artículo.

S. E. don Sebastián Camacho añadió que se debería entender que a excepción del artículo 28 en la admisión de cónsules y vicecónsules en los puertos y plazas que no se crea conveniente se hizo solamente para los puertos y plazas de donde se excluyan igualmente cónsules y vicecónsules de otras naciones.

El señor Poinsett dijo que era bien claro que los principios bajo los cuales se había extendido este tratado eran los de una perfecta reciprocidad y de la nación más favorecida; que por lo tanto cualquier privilegio que se le concediese por los Estados Unidos de América a otra nación sin compensación sería extensivo inmediatamente a México. De manera que si se permitía residir a los agentes comerciales de cualquiera potencia en algún puerto o plaza dentro del territorio de los Estados Unidos de América, México se consideraría *ipso facto* con derecho al mismo privilegio; y que el gobierno

de los Estados Unidos de América esperaba que el de México obraría lo mismo en todos los casos semejantes.

Se estipuló que esta explicación se miraría como la verdadera significación del artículo 28.

S. E. don Sebastián Camacho hizo presente que en la opinión de su gobierno el artículo 33 ofrecía los obstáculos más serios, porque está en oposición directa a una ley del Congreso y también a la opinión pública que se había pronunciado fuertemente en favor de la emancipación de los esclavos: que él mismo veía la necesidad de algún convenio al efecto; pero que deseaba si era posible que se modificase de tal manera el artículo que se evitara el choque con los sentimientos del pueblo en este delicado asunto, ya fuese con una estipulación por parte de México a pagar por los esclavos fugitivos o de algún otro modo.

El señor Poinsett contestó que como el objeto principal de este tratado era conservar las relaciones amistosas que felizmente existían entre las partes contratantes y precaver por cuantos medios estuviesen al alcance de los plenipotenciarios todas las causas que pudiesen originar dificultades y disputas en lo sucesivo, se había insertado este artículo como esencialmente necesario a la duración permanente de paz y armonía entre las dos naciones. Que el gobierno de los Estados Unidos estaba obligado por el deber más sagrado del contrato social a proteger la propiedad de sus ciudadanos; que si este artículo se hubiese omitido y un esclavo tuviese sólo que pasar la frontera mexicana para conseguir su libertad la pérdida de propiedad en breve llegaría a ser tan grande que su gobierno se vería precisado a reclamar los esclavos o a insistir en que se pagase por ellos una indemnización, engendrando así un sentimiento hostil de parte de aquellos que hayan [*sic*] sido privados de su propiedad por la cual no se les puede remunerar una cantidad suficiente, indisponiendo a un gobierno que es el aliado natural de México, llenando este territorio de la peor clase de la población y recargando a la nación con el pago anual de una gran suma de dinero.

Que la determinación de su gobierno sobre este asunto y la pertinacia con que se ha insistido sobre que sus ciudadanos sean remunerados por tales pérdidas se ve en la estipulación hecha en el tratado de paz con la Gran Bretaña concluido en Ghent.

Los Estados Unidos jamás hubieran hecho la paz con la Gran Bretaña si ésta no hubiera consentido en pagar a los

UNAM - IIH

dueños de los esclavos, que se habían refugiado en los buques de guerra ingleses, la pérdida que habían sufrido.

La existencia de la ley a que aludió S. E. sin la inserción de este artículo se miraría como una invitación a los esclavos de los Estados Unidos para escapar a su cautiverio y refugiarse en los territorios de México. Esto se consideraría así por los esclavos y por sus amos. Aquéllos se aprovecharían de cualquier oportunidad para escaparse y éstos, irritados con lo que ellos mirarían como una injusta tentativa de México para privarles de su propiedad, podrán juntarse unos con otros, seguir y prender a sus esclavos donde los encontrasen o emplear a los indios salvajes para que los recobrasen. Que se omita el artículo y en su opinión las fronteras serán una escena continuada de carnicería y confusión que no dejaría de interrumpir la paz y buena inteligencia entre las naciones, que es tan apetecible se conserven inviolables. Pero que si el artículo queda, es muy probable que nunca ocurra el caso de llevar a efecto sus condiciones. Si los esclavos eran advertidos de que quedan igualmente expuestos a ser arrestados y entregados a sus dueños encontrados que sean en los territorios de México como si hubiesen permanecido en los Estados Unidos, no pasaran la frontera donde están expuestos al peligro de las tribus indias enemigas.

Se ha supuesto que la ley de emancipación de esclavos sin la inserción del artículo desalentaría a los americanos para colonizar en la frontera o cerca de ella y que este resultado sería beneficio a México. Ambas suposiciones son erróneas. Está fuera de toda contradicción que la política de México es proteger por todos los medios en su poder el establecimiento de colonos permanentes en la frontera, de lo contrario, aquella parte del país sería poblada por salvajes y aventureros a quienes tendría dificultad el gobierno de los Estados Unidos para impedirles que pasaran al territorio mexicano. Los dueños de esclavos son siempre una clase de colonos más ricos y pacíficos cuyo interés es mantener el orden y quienes son más capaces que cualquiera otra gente de evitar que los indios cometan saqueos ilícitos.

El señor Poinsett añadió que él no hubiera insistido en la inserción de este artículo en el tratado como un *sine qua non* aunque él lo consideraba como tal vez el más esencial a la duración de la paz y buena inteligencia entre las dos naciones, pero que si hubiera sido rechazado por los plenipotenciarios mexicanos él habría creído su deber informarles de la conducta que su gobierno se hubiera visto precisado a

seguir para proteger la propiedad de sus ciudadanos, por ejemplo, reclamar e insistir en la devolución de los esclavos fugitivos que se refugiaban en México o en una indemnización a los dueños por su pérdida.

Firma: S. Camacho.

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

## 163

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

Sir,

I have the honor to transmit herewith the protocol of a conference held with one of the Mexican plenipotentiaries at his request, in order to explain some points which had appeared doubtful to this cabinet. I hope the President will be satisfied with my explanation.

With regard to the article relative to fugitive slaves, I used very strong language, because I thought it politic so to do. I do certainly consider that article as very important to the future good understanding between the two nations, and shall use every means in my power to have it ratified by this Congress.

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

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

## 164

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

Sir,

I announced in my despatch no. 116 my intention of giving you a full account of the present political state of this country. A promise which I have been and still am prevented from fulfilling by a slight indisposition.

I regret this the less because there has been no essential alteration of late in the state of affairs in Mexico, and I believe you are fully informed with respect to every thing which has taken place here up to the moment of Mr. Taylor's departure. To that gentleman I refer you for any details of which you may desire to be informed, as I am confident that he is sufficiently well acquainted with Mexican affairs to give you the most correct information regarding them. I beg leave to avail myself of this occasion to recommend Mr. Taylor to the President as a young gentleman qualified in every respect to fill the office of secretary of this Legation.

The cabinet of Mexico has again undergone a change and in my opinion an advantageous one. You are aware that Mr. Camacho was the Secretary of State, when he went to Europe to negotiate the various treaties with which he returned. Before his departure, he published a paper under an anagram of his own name, in which he identified himself with the Scotch or European party, and spoke very unfavorably of the United States and of me personally, using the absurd arguments which were afterwards brought forward in a more formal manner by the legislature of Vera Cruz. Upon his return, the liberal party used every exertion to prevent his again filling the office and after a long struggle, the President has yielded to their wishes, and appointed Don Juan de Dios Cañedo Secretary of State, and Camacho minister plenipotentiary to the Congress of Tacubaya. Dominguez the former colleague of Michelena in that mission is appointed to London.

The cabinet now consists of Don Juan de Dios Cañedo Secretary of State and Relations, Don José Ignacio Esteva of the Treasury, Don Miguel Gomez Pedraza for War and Marine, and probably Don Juan José Espinosa de los Monteros for Grace and Justice. I believe the latter appointment is determined upon, and that at length Don Miguel Ramos Arispe will go out of the administration.

Cañedo is a man rather of specious than of solid talents, and wants stability of character. He was a deputy in the Spanish Cortes for Mexico, and was distinguished there for the characteristics I have here attributed to him, and which have marked his course since his return to his native country. He represented the state of Jalisco in the Senate of the Mex-



ican United States. He called upon me immediately after his nomination. Our interview was perfectly satisfactory, and I entertain hopes of bringing to a speedy issue some of the many trifling claims which I have advanced against this government, by instructions, and which have remained unanswered from the dilatory manner in which the business of that Department of Foreign Relations has been conducted for twelve months past.

I received some days ago memorials from the American merchants residing in Vera Cruz and Tampico on the subject of the operation of the new tariff. The officers of the Treasury and Customs in my opinion misinterpreted the law and attempted to compel the foreign merchants to pay at once the international duty upon all goods at this time in several ports of the republic. I addressed a note to the Secretary of State on the subject and the matter was arranged to the satisfaction of the merchants by the Congress. I will send you copies of this correspondence as soon as I am able to do so.

General Rincón, a liberal and a friend of the administration left this city a few days ago to take possession of the governorship of Vera Cruz, to which office he had been elected by that legislature. It is to be hoped that he will be able to restore order in that state. The people there still refuse to obey the laws of the actual government.

The insurgents on the coast of the Pacific still continue in arms, but without committing any acts of hostility. They insist upon the expulsion of all Spaniards from the Mexican territories. The government has sent a commissioner to treat with them.

The civil war still rages in Guatemala with various success. It is extremely difficult to foresee how this struggle will terminate.

My last advices from them are of the 18th of January. My correspondent, the former Minister from that republic to this court says, that the parties are still so violent and operated upon by virulent personal hatreds, that he has very little hope of a speedy termination of the present disorders.

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

*Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 119. NAW.*

165

*15 de marzo de 1828. México. J. R. Poinsett a H. Clay*

Sir,

Owing to the unusual delay of the New York packet I did not receive your communication n<sup>o</sup> 26 dated twelfth of January until yesterday. Sensible that the resolution of the House of Representatives which assumes the existence of some impediment in the courts of justice of this country to the recovery of debts and property due and belonging to citizens of the United States from Mexican citizens originated in some mistake or in some partial act of injustice, I immediately demanded a conference of the Secretary of Foreign Relations of this government, in order to give the earliest information upon this subject. Upon my stating the question, he assured me that the tribunals of this country were open to foreigners for the recovery of their debts and property; whether from each other, or from Mexican citizens, and that to the best of his knowledge and belief no distinction had ever been made in the courts in this country between a native or foreign suitor; and that in particular cases, injustice has been committed, this government on good and sufficient proof of such injustice, would take the requisite measures to afford redress to the aggrieved party and to punish the offenders. As far as I am acquainted with the manner in which justice is administered in the courts of this country, there exists no impediment to the recovery of debts by our citizens from Mexicans, and therefore I expressed myself satisfied with the explanation given by the honorable Mexican Secretary of Foreign Relations. I regret that the particular case which gave rise to the resolution in the House of Representatives, had not been communicated to me, that I might have inquired into the facts, and have stated them to this government. You will perceive that in the treaty lately concluded by me with Mexico, it is provided in the 14th article that the tribunals of justice shall be free and open to the citizens of both countries respectively for the judicial recourse on the same terms which are usual and customary with the citizens of the country in which they may be.

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

*Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 120. NAW.*

## 166

*19 de marzo de 1828. Washington. Pablo Obregón a H. Clay*

Honorable señor:

El infrascrito, enviado extraordinario de la República Mexicana, tiene el honor de poner en conocimiento del señor secretario de Estado que el gobierno de México ha nombrado al general Terán con objeto de practicar las operaciones científicas y reconocimientos necesarios para proceder a celebrar el Tratado de Límites entre los Estados Unidos de América y los Estados Unidos de México; y que al efecto pidió del señor Poinsett, enviado extraordinario de esta república en México, los correspondientes pasaportes, quien los expidió desde luego, acompañando al mismo tiempo cartas de recomendación para los gobernadores del territorio fronterizo de Arkansas y del Estado de Luisiana.

El infrascrito, al hacer esta comunicación al señor secretario de Estado, desea saber si será necesario el pasaporte del señor secretario de Estado para el general Terán y los individuos de su comisión, de que es adjunta lista, y demás personas que para su seguridad puedan acompañarle, procedan sin obstáculos a desempeñar los trabajos que se les ha encargado. En caso de que sea así, el infrascrito espera del señor secretario de Estado le remita los pasaportes y le manifieste además lo que le parezca conducente para que en esta operación en nada se turbe la buena armonía que existe entre ambos gobiernos.

El infrascrito aprovecha esta ocasión para...

Pablo Obregón

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

## 167

*19 de marzo de 1828. Washington. Anexo a la carta de Obregón a H. Clay*

Lista de los individuos que componen la Comisión encargada de los reconocimientos, previos a la negociación sobre límites entre los Estados Unidos de América y México.

El General D. M. Terán.  
 El Teniente Coronel D. C. Jarnaba.  
 El de la misma clase D. S. Batres.  
 El Subteniente de Artillería D. J. Ma. Sánchez.  
 D. R. Chovel, Mineralogista.  
 D. Luis Berlandier, Médico Botánico.  
 Es copia, Washington 19 de marzo de 1828. Firma J. M. Montoya, Secretario de Legación.

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

168

24 de marzo de 1828. Washington. H. Clay a Pablo Obregón

I have the honor to acknowledge the receipt of your note etc. . . *en que le dicen que el gobierno de México ha nombrado al general Terán para proceder a las operaciones científicas necesarias para fijar la ejecución del tratado de límites que se ha firmado en México y que le pide pasaportes con cartas de recomendación para los gobernadores de la zona a la vez que se pregunta si además de los pasaportes entregados por Poinsett en México hacen falta otros firmados por el departamento.*

The treaty to which you are understood to refer lately concluded at Mexico has not yet been received and consequently not yet ratified by this government. Any joint measures therefore, in relation to its execution, would be premature until that ceremony is performed. But as the operations and surveys, contemplated by Gral Teran's appointment, are presumed to be intended for the satisfaction of the government of the United States of Mexico, the President has no objection to them. I have therefore the pleasure of transmitting the passport requested.

H. Clay.

*Foreign Legations, Notes to.* March 18' 1828-August 1' 1831. Department of State. Vol. 4, p. 2-3. NAW.

169

8 de abril de 1828. México. Juan de Dios Cañedo a J. R. Poinsett

*Se había recibido información de que algunos barcos de los Estados Unidos hacen el comercio llegando a Matagorda y vaciando sus bodegas allí, la cosa se ha repetido por varias ocasiones y el gobierno de México protesta porque se hace en un puerto no habilitado por la ley para ese comercio pues no cuenta con aduana. La población ha favorecido ese comercio resguardándose en el decreto del Congreso número 141 de 27 de septiembre de 1823, que permitía durante un espacio de siete años a partir de la fecha el comercio nacional o extranjero sin ningún pago de impuestos mientras se destinara al consumo por los habitantes de Texas. Pero el decreto sólo resguardaba aquellos bienes que estaban destinados al consumo y no al comercio en general. Por otra parte se consideraba que la forma impropia de introducir las mercaderías infringía las leyes del Departamento del Tesoro Nacional y por ello era necesario que las mercancías pasaran por puertos habilitados para el propósito, pues de lo contrario se calificaría de contrabando con las consecuencias lógicas.*

J. de Dios Cañedo.

Mexico. Poinsett. April 24' 1828-January 3' 1830. Department of State. Vol. 4, Docs. 124-198, anexo al doc. 138. NAW.

170

11 de abril de 1828. México. J. R. Poinsett a Juan de Dios Cañedo

Most Exc. Sir,

I transmit to my government without delay the determination of the Most Exc. President respecting the vessels of the United States that may be found trading to the ports of this republic where custom houses are not established, as communicated to me by Your Exc.'s note of the 8th instant. Y. E. will however be injust to pursue and treat as smugglers

vessels that may be found upon the part of the coast alluded to in Y. E.'s note or that may enter the port of this republic where customs houses are not established until a sufficient time has elapsed for the determination of the government of Mexico to be communicated to the merchants of the United States.

It is evident that the law of Congress of 27th Sept. 1823 admitting into the province of Texas all effects free of duty is liable to be misunderstood and the example of the successful voyages made by the vessels to which Your Excy. alludes may induce others to attempt to profit by the favorable disposition of the ayuntamiento of Matagorda.

The merchants of the United States will not doubt the fairness of a trade sanctioned by such high authority as the municipal power of the port when they should pay the penalty of the illegal conduct of that corporation.

I would therefore respectfully suggest that all such vessels should be warned off until a sufficient term has elapsed for this order to become generally known in the United States, say three months from this date, when there can be no objection to its execution; unless indeed it can be clearly proved that the vessel found near such ports or havens was driven there by stress of weather.

I avail myself... J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 12. NAW.

171

*12 de abril de 1828. México. Juan de Dios Cañedo a J. R. Poinsett*

Most Excel. Sir,

The most Ext. President has received intelligence that at four days journey beyond the lake of Timpanagos there is a fort situated in another lake, with a hundred men under the command of a general of the United States of North America having with them five wagons and three pieces of artillery; that they arrived at the said fort in May and left it on the 1st of August of the year last past with a hundred

horses loaded with otter skins, that the said general caused a peace to be made between the barbarous nations of the Yutas, Timpanagos and the Comanche Sosones, and made presents of guns, balls, knives etc. to both nations; that of the above mentioned hundred men, five and twenty separated themselves to go into the Californias; that the Yuta Timpanagos Indian called Quimanuapa was appointed general by the North Americans and that he states the Americans will have returned to the fort by the month of December.

As these movements, if they have been correctly reported and the irruption of the twenty five men into the Californias, may disturb the tranquility of the territory of this republic, the Most Exlt. President has ordered that the necessary measures be taken to avoid this result, and has directed this communication to be made to Y. E. in order that by yourself transmitting the same to your government such measures may be resorted to as may be requisite to prevent such movements as may disturb the tranquility of the frontiers of the two republics.

I repeat to you the assurances . . . J. de Dios Cañedo.

*Mexico. Poinsett. April 24' 1828-January 3' 1830. Department of State. Vol. 4, Docs. 124- 198, anexo al doc. 133. NAW.*

172

*12 de abril de 1828. México. Juan de Dios Cañedo a J. R. Poinsett*

Most Exct. Sir,

The Most Excellent President has received intelligence that a party of fifteen adventurers have entered the territory of this republic by Nacogdoches, calling themselves the advanced guard of a Republican army of two or three undred men as it is stated, and that their intention is to march upon Bejar or town of Guadalupe Victoria in case they should not be able to assemble a sufficient force calling off the attention of the garrison of Necogdoches by means of disturbances to be excited on that frontier by certain emissaries on whose assistance they rely. It appears that a Doctor Dayten is at the head of this party.

Although His Excy. has ordered that the necessary measures be taken for the chastisement and expulsion of these and any other adventurers, he has directed at the same time, the present communication to be sent to Y. E. in order that the government of the United States may correct abuses of this description which only serve to disturb good order on the frontier to the prejudice of the peaceful citizens of both republics who inhabit it.

I repeat to Y. E. the assurances. . . J. de Dios Cañedo.

*Mexico. Poinsett. April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 136. NAW.*

## 173

*19 de abril de 1828. México. J. R. Poinsett a Juan de Dios Cañedo*

Most Excellent Sir,

I have the honor to acknowledge the receipt of your Excy's note of the 12th instant communicating the disagreeable intelligence of an irruption of adventurers into the territory of the United Mexican States, from the United States of America.

I shall submit this communication to my government without delay and beg Your Excy. to be assured that the most prompt and efficacious measures will be taken to repress any infraction of the public law or of the laws of the United States by irregular and unauthorized incursions into the territory of this republic, from that of the United States of America.

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

*Mexico. Poinsett. April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 80 anexo al desp. 130. NAW.*

## 174

*20 de abril de 1828. México. J. R. Poinsett a Juan de Dios Cañedo*



Most Excellent Sir,

The undersigned has received Your Excellency's note of the 12th instant informing him that the Most Exct. President of these states has had intelligence of a party of citizens of the United States being posted in a fort situated four days journey beyond the Lake of Timpanagos for the purpose of hunting beaver and that they have detached twenty five of their number into California, and have caused to be made treaties between the Indian tribes of Yutas and Timpanagos.

Upon examining the map of North America published by Melish in 1821 it appears that a portion of the dividing line, established by the treaty of Washington in 1819, between the United States and Mexico which runs from the Arkansas to the Pacific Ocean, passes through the lake of Timpanagos. Any point therefore four days journey beyond that lake must be situated within the territory of the United States; and the only act set forth in Your Excellency's note of which this government has any right to complain is that of the entrance of the 25 men into California without passports.

On this subject it is to be remarked that the citizens of the United States inhabiting a remote frontier may commit infractions of the laws of Mexico without any intention of doing so.

Notwithstanding the utmost pains taken by the undersigned to communicate throughout the union the regulations respecting passports adopted by this government a large proportion of the people of the United States are ignorant of their existence on passing the wild and unsettled country which borders the whole of the extensive frontiers of our states, they can receive no information respecting the regulations alluded to. They pass the boundary of the United States ignorant that they are doing wrong and they pursue their hunting excursions within the territories of this republic without being aware that they are committing a trespass.

The undersigned is not acquainted with the laws and regulations that have been adopted by this government respecting the pursuit of game within the Mexican territories by foreigners and request that they may be communicated to him in order that he may make them public in the United States.

Feeling every desire to preserve the tranquility of the frontiers of the respective countries Your Excy. may be assured that the undersigned will use every effort in his power

to prevent infractions of the laws of this country by citizens of the United States.

He avails himself of this opportunity. . . J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 133. NAW.

175

23 de abril de 1828. México. J. R. Poinsett a H. Clay

Sir,

I have this instant closed a correspondence with this government upon the subject of our vessels trading to Matagorda and other ports, and havens situated on the coast of Texas which are not legally opened to foreign commerce. By a law passed on the 27th September 1823 all effects imported into the *province* of Texas for the consumption of its inhabitants were declared free of duty for six years; and upon that authority our vessels have frequented that coast and landed and sold their cargoes wherever they have found a market.

This government has resolved to put a stop to this practice and so informed me. I suggested the justice and propriety of granting sufficient time to allow me to notify the merchants of the United States of this determination; but the government considering the practice to have been illegal from its commencement has resolved to pursue and treat as smugglers all foreign vessels found in the ports and havens of the coast of Mexico, which have not been legally opened to foreign commerce (*habilitados*) or in their immediate vicinity.

I shall address a note to the Chambers of Commerce of New York and New Orleans in order to inform the merchants of these places of this determination of the Mexican government which ought to be made public as early as possible, otherwise great injury might result to the commerce of the United States on that part of the Mexican coast.

I have likewise received very lately three other notes from the Mexican Secretary of State, one complaining of the conduct of the master of the American merchant ship *Courier*, for having evaded the revenue laws on the coast of California and afterwards escaping with his ship from the port of Ma-

zatlán after the officers of the Customs at that port had taken possession of her and were proceeding to institute an inquiry into the circumstances of the case.

I replied that the facts as set forth in His Excy's note should be submitted to the President.

The second note contains a complaint of a more serious nature viz: that a party of adventurers had made an irruption into the territory of this republic from the United States, calling themselves the advanced guard of the Republican army said to be commanded by a Dr. Clayton. The advanced guard consists of fifteen men and main body of the army of two hundred.

I assured his Excy. The Secretary of State of the earnest desire of the President to preserve the peace of our respective border countries, and that every proper step would be taken to repress these unauthorized incursions into the Mexican territory and to punish the offenders.

The third note complains of an American general having situated himself with a party of one hundred men in a small fort four days journey beyond the lake of Timpanagos for the purpose of hunting weaver and having detached twenty five men of his party on a hunting excursion into California.

To this I replied that, according to Melish's map of North America, that part of the dividing line between our respective territories as agreed upon by the treaty of Washington, which runs from the river Arkansas to the Pacific Ocean, passes through the lake Timpanagos. Any point therefore situated four days beyond that lake must be within the territory of the United States, and with respect to the entrance of the twenty five men into California without passports, it was probable, that they had infringed the laws of this country through ignorance; as it was extremely difficult to inform the citizens of the United States who reside near our remote and unsettled frontier of the regulations adopted by the government with respect to passports.

I am sorry to be compelled to send you this brief sketch of my correspondence with this government. In the absence of all assistance I have not had time to prepare the translations and copies for the mail. They shall be sent by the next hatches.

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

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

176

24 de abril de 1828. México. J. R. Poinsett a H. Clay

Sir,

The treaty of limits has been ratified by the House of Representatives and is now before the Senate. You will perceive, that it will be impossible to send the ratification of this government to Washington in time for the exchange of ratifications to take place within the term designated by the treaty.

This delay has originated from the extreme indolence of the person, who formerly filled the office of Secretary of State of this republic. He kept this treaty in his office upwards of two months without submitting it to Congress; although I repeatedly represented to him, the prejudice that would result from this delay, especially to the Mexican government which had already dispatched its commissioner to the frontiers. The treaty of commerce is now under discussion in the House of Representatives. I hope in the course of the next month to send you the ratification of both treaties.

Three of the principal considerations taken at Tulancingo were condemned to death, when the Congress of Mexico, which absorbs all the powers, passed a law bannishing the whole of them for the term of six years. It is the intention of the government to send them to different parts of the world. The Vice President Bravo, Gen. Barragan and some others will be sent to some distant point on the western coast of South America, probably to Chile.

Domínguez formerly the representative of this government at Panama was lately appointed by the President minister to London. This nomination has been rejected by Senate on the ground that until the dividends due on the Mexican stock in London be paid, this government ought not to send an envoy there, lest he should not be well received at that court, in consequence of their having failed to comply with their engagements.

I have some reason to believe that this government contemplates a secret operation viz: to send money to Europe in order to buy in their own stock at the present reduced prices. Not for the purpose of redeeming it; but on paying the dividends, which they will ultimately be able to do, to sell out and leave the profits of this operation which if concluded on a large

scale will be considerable in bank to pay future dividends with.

The treaty of commercial arrangement entered into between this country and France will not be carried into effect. The present Secretary of State will not even submit it to Congress. The fact appears to be that Mr. de Villèle engaged that if the influence of France be exerted to prevent Spain from sending more troops to Havana or to any other point where they might be employed to the annoyance of these countries. If this influence has been attempted to be exerted on the part of France it has not been successful. The policy of not entering into any commercial arrangements with France or with any other nation which does not virtually imply acknowledgement of their independence is so obvious, that I believe Cañedo would have acted in the same manner even if the french government had failed to comply with the secret stipulations made by Mr. Villèle.

This government is about to appoint another envoy to Rome Bocanegra, a distinguished member of the House of Deputies. Indeed they ought to be well represented at that court and not by a clergyman. Bocanegra is as good choice as the president could well have made. It has been resolved likewise to send an envoy to Paris in order to explain the motives of this government in not ratifying the engagements entered into by Mr. Camacho: and to propose to treat with that court on the terms of one independent nation with another. It is supposed that France can no longer refuse to do so, as the principal objection made by Mr. Villèle to adopt that cause was stated by him to be the occupation of Spain by the French forces.

This country is slowly recovering from the shock it received by the late violent political movements. The expulsion of a certain class of Spaniards and the consequent extraction of a large floating capital will be sensibly felt here for a short time. But I feel confident, that this country will soon be restored to a much more healthy state, than that which it enjoyed previously to the adoption of this measure.

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

*Mexico. Poinsett. April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc., 124. NAW.*

177

26 de abril de 1828. México. J. R. Poinsett a H. Clay

Sir,

The treaty of limits between the United States and Mexico concluded and signed on the 12th January last, was yesterday ratified by the Mexican Senate. The period fixed by the treaty for the exchange of ratifications being four months from the date of its signature, I shall not transmit the ratification of this government by express. It could not possibly arrive at Washington in time. I regret the delay which has occurred here, because I am aware it will render it necessary to submit the Treaty a second time to Senate. This Congress despatched it with tolerable promptness. The delay, as I before observed; was occasioned by the dilatory habits of the former Secretary of State.

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

Mexico. Poinsett. April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 125. NAW.

178

30 de abril de 1828. Washington. H. Clay a P. Obregón

*Le comunica que el presidente ha ratificado el tratado de límites concluído en México el 12 de enero pasado. El Tratado indica que se cambiarán las ratificaciones dentro de cuatro meses de esa fecha y como falta poco para que llegue a su término ese periodo se muestra dispuesto para intercambiar la ratificación cuando lo disponga dentro del límite de tiempo prescrito.*

Foreign Relations, Notes to. March 18' 1828-August 1' 1831. Department of State. Vol. 4, p. 15-6. NAW.

14 de mayo de 1828: México. J. R. Poinsett a H. Clay

Most Excellent Sir,

I have the honor to transmit a copy of a note addressed by me to the commander in chief of the naval forces of the United States in the Gulf of Mexico.

The subject of this note is of deep importance to the peace and harmony which now so happily exists between the two countries and which our respective governments are so desirous to maintain.

The notice issued by Commodore Porter that vessels, having on board effects belonging to the enemies of Mexico, shall be brought into the port of Vera Cruz for condemnation or acquittal, carries the obnoxious doctrine that the flag does not cover the property, further that it has ever been condemned by any nation. For the proclamation is so worded as to lead to the conclusion that the vessel itself is to be tried, I presume, however that this is an error in the wording.

This order is said to be founded upon the ordinances and laws of Spain which govern in the matter and which are declared by the laws of Mexico to be in force when not repugnant to the constitution of these Mexican United States.

On this principle I claim for the vessels of the United States an exemption from the application of the principle involved in these Spanish laws and ordinances.

By the 15th article of the treaty between the United States of America and his Catholic Majesty signed on the [*falta el día*] day of October 1795 at San Lorenzo, it is agreed by the high contracting parties that the flag of neutral shall cover enemy's property on the high seas.

This treaty is paramount to all the laws and ordinances of Spain and according to the rule adopted by this government must govern in this matter.

I abstain from bringing to Your Excy's notice the vexations which would arise from the execution of Capitan Porter's orders.

It is unnecessary because this government convinced of the policy and advantage of the liberal peaceful and humane rule, that neutral vessels shall cover enemy's property, has adopted it in the treaty concluded and signed by the plenipotentiaries of the respective governments at Mexico in February last. But as some time must elapse before the ratifi-

cation of that treaty can be exchanged at Washington, I have thought it proper to bring this subject to Your Excy's notice and to request that the stipulations of the treaty of San Lorenzo el Real as contained in the 15th article may be observed by the Mexican government.

Etc... Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo C al doc. 126. NAW.

180

*21 de mayo de 1828. México. Guadalupe Victoria al cerrar las sesiones ordinarias del Congreso*

Han sido aprobados en este tiempo los tratados de límites entre la república y los Estados Unidos de Norteamérica; y después de ratificados por el gobierno se han remitido para su canje a nuestro ministro plenipotenciario en aquellos Estados.

Los de Amistad, Navegación y Comercio, celebrados con los mismos, se discutieron en la Cámara de Representantes, y cuando obtengan la aprobación del Congreso General se robustecerá la franca armonía que hoy existe entre ambas naciones.

Se ha otorgado el *exequatur* a los cónsules nombrados por aquel gobierno para nuestros puertos de Campeche y Matatlán.

Genaro Estrada, *op. cit.*, p. 25.

181

*21 de mayo de 1828. México. J. R. Poinsett a H. Clay*

Sir,

The Mexican Congress adjourned today, and I regret to say without having ratified the treaty of amity, commerce and navigation.



The House of Representatives rejected two articles: the one for the restoration of fugitive slaves, and the other providing for the maintenance of peace between the Indians of our respective territories.

The first was rejected on philanthropic principles altogether, such are likely to influence the young legislators of a young nation. With the other question many considerations were urged. Among them the fear of our armed population. The fact however is that at this moment the public mind is violently excited by the publication of a pamphlet being a translation of the article on Mexico published in the 4th number of the *North American Review*.

Those people are like spoiled children and cannot bear to be chided.

I think during the extraordinary session to take place in August I shall be able to carry both articles.

Some alarm has been excited by the reports of an intended invasion from Cuba. Laborde's squadron is expected daily but I do not think any attempt will be made to land troops on the Mexican shores. In other respects all is tranquil here. The treasury still empty. I am ashamed to say that the law permitting the exports of silver in bars or ingots, has not yet passed. It was sent to me by authority as having passed. It will remain over to the next session when its passage will certainly take place.

I am etc... J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 127. NAW.

182

23 de mayo de 1828. México. Juan de Dios Cañedo a J. R. Poinsett.

Most Excellent Sir,

The Most Excellent President has thought proper to extend through the Minister of the Army and Navy a general order, that when commissions for privateers properly authorized are granted security shall be exacted from those who have kept them out and such other formalities as are provided for by

UNAM - IIH

the laws respecting privateering passed in 1797, which are still in force. In order that in the ports where they are fitted out there may be persons responsible for excesses, which may call for repayment or punishment and be subject likewise to all precepts of the law, for which purpose and in order that they may not plead ignorance they will be compelled to carry with them on their cruisers one copy at least of this law which if they have not already in their possession they will have printed correctly.

His Excellency has likewise resolved that whenever vessels of war, or national privateers, meet with vessels belonging to enemies, on board neutral vessels they shall be taken their invoices and other papers, the freight being paid either in money or in the aforesaid merchandise according to their value discreetly ascertained by common consent in order that the neutral vessels may proceed to its place of destination, without interrupting its voyage or causing the least extortion.

His Excellency has likewise determined that the effects aforesaid shall be deposited in a manner to insure that they shall not be damaged or lost and without being condemned until it shall be ascertained, whether our enemies (Spain) acknowledge and observe the immunity of the neutral flag. This determination shall not apply to such neutral vessels as may have on board, officers, troops, arms, articles of war etc., naval stores, for enemies. These provisions which the government judges to be of the highest importance will be strictly observed so as to avoid all reclamations, which otherwise privateers might produce if they were not complied with.

I have the honor to communicate this for the information of Your Excy. and at the same time reiterate etc. . .

J. de Dios Cañedo

*Mexico. Poinsett.* April 24, 1828-February 3, 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 128. NAW.

Most Excellent Sir,

I have the honor to acknowledge the receipt of Your Excellency's note of the 17th instant in which you are pleased to inform me, that the Most Excellent President of this States has been advised that one of the prizes captured by a notional vessel of war belonging to this government has been detained by the authorities of Key West. And in reply to your inquiry what are the laws in the United States which govern the subject of prizes made by belligerent parties towards whom my government is neutral? I beg leave to state that vessels of one belligerent captured by a regularly commissioned vessel of the other, without the jurisdiction of the United States is held to belong to the captor, and cannot be seized or detained in our ports except for some violation of the municipal or revenue laws of the country. I am at a loss to understand on what grounds the authorities of Key West have detained the prize to which your Excy. alludes, unless the captors have attempted to violate the revenue laws.

I have stated particularly that its is necessary that the prizes to be so regarded, should be captured by a regularly commissioned vessel, because our courts have decided that a capture made by a citizen of a neutral state although he may set up an act of expatriation to justify it, is unlawful where the removal from his own country was by sailing *cum dolo et culpa*, in the capacity of a cruiser against friendly powers.

Such cases may arise under the commissions to cruize against the enemies of Mexico which Captain Porter is authorized to grant to all applicants and I have thought it proper to state to Your Excey. the law in the United States on that subject.

I avail myself of this opportunity to renew to Your Excy.  
J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 142. NAW.

Sir,

I transmit herewith a translation of the President's discourse on closing the session of the Mexican Congress.

The ample authority with which he says Congress has invested, the executive for the purpose of repelling the enemies of Mexico, is the power to call into service as many battalions of militia as he may think proper, and to employ the troops of the nation on foreign service if he judges necessary.

The last clause is directed towards the island of Cuba but it is an idle threat. This government does not possess the means to set on foot any expedition. I have received your despatch núm. 27 and have had a conference with the Secretary of Foreign Relations on the subject of the surrender of persons accused of murder. I am not certain of succeeding and at all events there will be great delay in the proceedings of the general government. I intend therefore to apply to the government of the state of Texas through the medium of a friend and in that manner endeavour to have these men secured until the decision of this government shall be known.

The violent excitement and, I may even say, animosity excited in the population by a translation of the article on Mexico published in the 2th number of the *American quarterly Review* has somewhat subsided.

It has been answered and they are soothed by the style of defense, especially as it was written by an American.

This paper was translated and published at the instigation of the Colombian minister Santa Maria and thrown out in order to produce the effect it really did produce at a moment that the treaty was before the House. Strange and even silly as it may appear in Washington that pamphlet occasioned the rejection of the two articles. I did not think proper to urge the treaty, thus mutilated through the Secretary of Foreign Relations, who most ably and zealously, defended those articles, thinks that we shall succeed in passing them through the Senate in a manner that will insure their passage in the House on a question of reconsideration. I regret this delay extremely but shall not relax my exertions until I finally succeed.

I send you herewith copies marked A and B of my further correspondence with this government on the subject of neutral flags covering the property of belligerents.

This country is tranquil just now and will very soon recover from the shock it received by the expulsion of a certain class of Spaniards.

The number of these and the capital they carried with them out of the country has been very much exaggerated, and I am certain that in six months their loss will not be felt. Very few of the merchants, who possessed capital have been banished. The effect the law has produced on the commerce of the country has arisen more from the apprehensions of those that remain, than from the number or character of those expelled.

The Spaniards in the country have hitherto acted as middlemen between the foreign importer and the retail dealers in town, and in the interior provinces. The removal of this class produced some temporary embarrassment. There still exists a strange excitement against them which the threatened invasion from Cuba served to increase. They are to a most extraordinary degree obstinate and loyal to their country. They all without exception regard the creoles as rebels and most of them still cherish hopes of seeing the dominion of Spain restored in these countries; and never will cease to do all they dare toward affecting this object. I should not be surprised if their conduct were to produce another movement against them, which would certainly terminate in their total expulsion.

The treasury remains empty and no permanent measures are thought of to replenish it. They continue to pay and clothe the troops, and so keep things quiet.

A colonel Mayer in the Colombian service has arrived here with the ratifications of the treaties of Panama. I perceive a great inclination on the part of that government to interfere with the affairs of Guatemala which by the last advices are as bad as possible.

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

*Mexico. Poinsett. April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 128. NAW.*

185

*5 de junio de 1828. México. J. R. Poinsett a Juan de Dios Cañedo.*

UNAM - IIH

Most Excellent Sir,

I have the honor to acknowledge the receipt of Your Excy's note of the 13th May in which Your Excy. is pleased to inform me of the wise and necessary precautions adopted by this government in order to prevent the excesses which might be committed by the private armed vessels of this republic.

Your Excy. further informes me, that the Most Excellent President of these states has resolved that whatever effect belonging to the enemies of Mexico shall be found on board neutral vessels the freight shall be paid and the goods transferred on board the Mexican captor to be brought to one of the ports of the republic, there to be kept in deposit until it be ascertained whether Spain acknowledges and observes the principle of neutral flags covering enemies property.

I had the honor to remark to Your Excy. on a former occasion that this order of the government of Mexico being predicated upon the laws and ordinances of Spain which govern the subject of cruisers does not apply to the vessels of the United States of America in as much as the same rule makes the realities in existence between the United States of America and Spain, binding upon the Mexican government in preference to all other laws whatsoever, The provisions of existing treaties being paramount to all other laws of the country.

Spain by treaty is not bound to respect the property of Mexican citizens found on board of American vessels because in the treaty of Washington there is an express provision by which the principle of free ships making free goods is made to apply to such nations as recognize this principle; and to none other.

I have the honor to transmit herewith copies of the treaties here alluded for the information of the Most Exct. President.

I avail myself. . . J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 31' 1830. Departmet of State. Vol. 4. Docs. 124-198, anexo al doc. 128. NAW.

Sir,

I transmit herewith copies of my correspondence with this government on the subject of a party of citizens of the United States having made an irruption into the state of Coahuila and Texas.

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

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 156. NAW.

187

15 de julio de 1828. México. J. R. Poinsett a H. Clay

Sir,

I transmit herewith copies of the two notes addressed by me to this government on the subject of adopted citizens of the United States born in Spain. As the law of expulsion of Spaniards makes no distinction in favor of such persons but included all of a certain class born in Spain, Florence Delahaute received a passport and was ordered to leave the republic in thirty days.

After addressing the accompanying note to the Secretary of Foreign Relations I had a conference with him on the subject. It was agreed that all adopted American citizens who were born in Spain should be permitted to remain in the country and that on the exchange of the ratifications of the Treaty of Amity Navigation and Commerce they should receive the usual *cartes de sureté*.

I am respectfully etc. . . J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 143. NAW.

188

15 de julio de 1828. México. Juan de Dios Cañedo a J. R. Poinsett.

UNAM - IIH

Most Exct. Sir,

The authorities of the state of Chihuahua and territory of New Mexico have made known to the general government that a party of the Panana Indians subject to the government of the United States of America, has invaded the territory of this republic and carried off horses from the villages of the Comanche nation friendly to México. Although the Comanches have requested assistance of the nearest military officers to follow the Pananas and recover their horses, it has been denied to them from the respect due to the limits a friendly nation.

The Most Exct. President has directed me to make this known to Y. E. in order that you may bring it to the notice of the government of the United States which hopes will take the most efficient measures to prevent these irruptions which may seriously compromise the tranquility of the coterminous points of the two republics.

J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 145. NAW.

189

*16 de julio de 1828. México. J. R. Poinsett a H. Clay*

Sir,

The President has nominated D. Jose Maria Bocanegra to be. Envoy extraordinary and Minister Plenipotentiary to Washington. It was intended to send this gentleman to Rome, but Senate would not have confirmed his nomination to the Holy See. A senator by the name of Rodriguez will probably be sent on that mission. Bocanegra is a deputy from the state of Zacatecas; he is a shrewd man of tolerably good education, and has been classed among the leaders of the popular party.

J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 144. NAW.



190

16 de julio de 1828. México. J. R. Poinsett a H. Clay

Sir,

I transmit herewith a translation of a note addressed to me by this government on the subject of hostilities having been committed by a tribe of our Indians against the Comanches who reside within the Mexican territory. I have not had time to reply to it as I wish to avail myself of this opportunity to discuss the subject of that article of the treaty which has been rejected by the House of Representatives.

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

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 134-198, doc. 145. NAW.

191

22 de julio de 1828. México. M. Gómez Pedraza, secretario de Guerra y Marina al secretario de Relaciones Exteriores

Secretaría de Guerra y Marina

Sección de Reserva

N. 9

Excelentísimo señor

El gobierno sabe positivamente que muchos españoles residentes en Nueva Orleans, han propuesto al jefe de la isla de Cuba hacer una incursión con cuatrocientos o quinientos hombres en las costas de Texas para internarse y sublevar la indiada, cuya propuesta la repiten con esfuerzo ofreciendo dar fondos para la empresa que organizarán pronto y sin ruido. lo que tengo el honor de comunicarle a V. E., para su conocimiento y fines que juzgue conducentes.

Dios y Libertad. México, julio 22 de 1828.

Gómez Pedraza

[Al margen.]

Julio 26/828.

Con la misma calidad trasládese al gobierno de Coahuila y Texas para que en el momento que se avisten algunos ene-

migos disponga la internación de todos los españoles 20 leguas distantes de la costa, se sirva auxiliar todas las providencias de la Comandancia general, franqueándole los auxilios que estén en sus facultades y dictando todas las del resorte de sus atribuciones para conservar la independencia y libertad de la república y la tranquilidad de aquel Estado, dando subsecuentes avisos de todo cuanto ocurra digno de la atención del Supremo Gobierno. Dígase esto en contestación a Guerra para que por su parte acuerde las providencias que corresponden a aquel ministerio.

Exmo. Sor. Secretario de Relaciones.

*ASREM.* Sucesos entre México y los Estados Unidos de A. relacionados con Texas y su Independencia. Guerra con los Estados Unidos de América. Diversos asuntos relacionados. (T. I). Foja 182.

Clasificación nueva H/200 (72:73) /1

Clasificación vieja L-E-1055. Véase también mi *Historia de las...*, p. 92, cit. 107.

192

23 de julio de 1828. México. J. R. Poinsett a H. Clay

Sir,

...This country will not be perfectly tranquil until the elections are over, nor then, if the choice should not fall upon General Guerrero. It has been proposed to elect Victoria, the actual President, Vice President of the Republic and although this measure is declared to be contrary to the letter and to the spirit of the constitution, I have reason to believe that an effort will be made with the state legislatures to induce them to vote for him. The mighty question of these elections excites the public mind throughout the whole republic most powerfully, and the candidates with their several partisans are at open war with each other. I am in a daily expectation of the ratification of the Panama treaties, by this Congress but the period of assembling the Congress of Tacubaya is as remote as ever. Mr. Larrazabal the plenipotentiary from Guatemala to that assembly proposes to return to those states as soon as the rainy season is over. Mr. Gual the plenipotentiary from Colombia is only waiting the same period to return to Bogota and as soon as my negotiations are concluded here

I shall avail myself of the President's permission to leave this country. The Congress of Tacubaya will in that case be virtually dissolved. I have verbally proposed to the ministers now how to meet at Tacubaya, in order solemnly to adjourn the assembly and to state our reasons for doing so. It does not appear to me decorous that we should separate without assigning any reason for doing so. I found them not disposed to adopt this measure.

The neglect which this government has manifested with regard to the treaties of Panama, has excited a feeling of resentment in the minds of these gentlemen which affects their resolutions on the subject of the Congress of Tacubaya. I do not think it belongs to the plenipotentiary of the United States, to take the lead in this matter; nor do I think the dispersion of the members now assembled on the spot without any previous understanding with each other, as to the reasons for abandoning the project, by any means decorous or proper. I feel therefore somewhat at a loss how to act in this affair. Mr. Guales's report to his own government will be a violent diatribe against that of México. He told me that General Bolivar had proposed to submit the disputes on boundaries and respecting other subjects, existing between the republics of Colombia and Peru, to the decision of the Congress of Tacubaya.

This question and that of the disputed territory between Mexico and Guatemala would have proved very difficult to determine; and the submission of the parties to the decision of the Congress would have been problematical...

J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 146. NAW.

193

*2 de agosto de 1828. Washington. Pablo Obregón a H. Clay*

Honorable Señor.

El infrascrito, enviado extraordinario y ministro plenipotenciario de los Estados Unidos Mexicanos, tiene el honor de informar al señor secretario de Estado que el día de ayer

llegó de New York en donde recibió el tratado de límites concluido en México, ratificado ya por el presidente de los Estados Unidos Mexicanos con la aprobación del Congreso.

En esta virtud el infrascrito se halla dispuesto a canjear las ratificaciones, cuando el señor secretario de Estado lo tenga por conveniente.

El infrascrito se aprovecha de esta ocasión etc...

Pablo Obregón

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

194

2 de agosto de 1828. Washington. Daniel Brent, encargado interino del ministerio por ausencia de H. Clay, a Pablo Obregón

*Resumen:*

*Se acusa recibo de su nota donle dice haber regresado de Nueva York y se dan por enterados de que está en su poder la ratificación del tratado de límites entre los dos países, firmada por el presidente de México y aprobada por el Congreso para que se proceda al intercambio de las ratificaciones.*

*Se lo ha comunicado al presidente de los Estados Unidos y éste contesta que no cree conveniente hacer más gestiones hasta que el Senado conceda su consentimiento para lo que hay que esperar a la siguiente reunión. El término que se había indicado para efectuar este trámite expiró y además se había adicionado en México un anexo al tratado, que el Senado norteamericano tenía que revisar y ratificar. A la vez, al esperarse la próxima reunión del Senado se podrá efectuar en ella la ratificación del tratado de comercio y nevegacion.*

*Firma Daniel Brent.*

*Foreign Legations, Notes to.* March 18' 1828-August 1' 1831. Department of State. Vol. 4, p. 47-8. NAW.

## 195

15 de agosto de 1828. Washington. Daniel Brent a Pablo Obregón

*Acusa recibo de la nota donde se le anuncia que va a partir hacia México para restablecer su salud y que le sustituirá como encargado de negocios José María Montoya.*

*Daniel Brent.*

*Foreign Legations, Notes to. March 18' 1828-August 1' 1831. Department of State. Vol. 4, p. 52-3. NAW.*

## 196

16 de agosto de 1828. México. Juan de Dios Cañedo a J. R. Poinsett

Resumen.

*Siento tener que decir que en mayo pasado el barco de guerra mexicano Hermon llegó a Key West acompañado de una presa que había hecho en el mar en aguas de Cuba y que por los daños que sufría la presa no podía continuar navegando. Se dirigió a Key West para hacer reparaciones. El recaudador no sólo objetó a la venta de una parte de las mercancías de la presa para pagar los arreglos sino que desoyendo las explicaciones del comandante del Hermon, aprehendió la presa, hizo arriar la bandera mexicana y trató de detener el barco de guerra mexicano pidiendo auxilio a una corbeta de guerra que allí se hallaba. Esta corbeta, norteamericana, contestó que no intervendría y que además ayudaría al barco mexicano.*

*Más tarde el mismo recaudador aprehendió la escuna Molestado particular y mexicana, con tres presas de propiedades pertenecientes a ciudadanos mexicanos.*

*El comandante del Hermon también se quejaba de los insultos que recibió por parte del recaudador.*

*El presidente consideraba que la bandera mexicana había sido insultada y también los ciudadanos, pero ello podía originarse en las órdenes dadas por el gobierno norteamericano que, sin embargo, tenía tantas simpatías hacia el gobierno*

*mexicano. Se esperaba que el recaudador de Key West diera las explicaciones necesarias teniendo en cuenta que, si había cargos en contra de los compañeros del Hermon y del Molestado, el gobierno mexicano los sometería de inmediato a juicio.*

*Mexico. Poinsett. April 24' 1828-January 3, 1830. Department of State. Vol. 4. Docs 124-198, anexo al doc. 150. NAW.*

## 197

*25 de agosto de 1828. México. J. R. Poinsett al secretario de Estado de México*

## Resumen:

*Se queja de que una partida de cera había sido embargada por los oficiales aduanales de Veracruz donde se decía que el cargamento procedía de España a pesar de que todos los papeles y las facturas demostraban cómo esa cera había sido enviada desde Rusia a los Estados Unidos.*

*ASREM. 12-12-16, fols. 23.*

## 198

*27 de agosto de 1828. El gobierno mexicano a su cónsul en Nueva Orleans, Francisco Pizarro Martínez (reservado).*

## Reservado.

El Exmo. Sr. secretario del Despacho de la Guerra ha comunicado a este Ministerio que el gobierno sabía que muchos españoles residentes en N. Orleáns habían propuesto al jefe de la isla de Cuba hacer una incursión con 400 o 500 hombres por las costas de Texas para internarse y sublevar la indiada, ofreciendo los fondos para la empresa y que la organizarían pronto y sin ruido. En vista de esto el E. Sr. Presidente ha tenido a bien disponer se dé a V. este aviso con el objeto de

que (esté a la mira e) informe al Supremo Gobierno de cuanto pueda saber en el particular. De su orden lo comunico a V. para su cumplimiento.

D. Agosto 27/828

Sr. Dn. Francisco Pizarro

Sr. Dn Luis Ma. del Valle

ASREM. *Ibidem*, foja 186: Véase también mi *Historia de las...*, p. 94, cita 112.

## 199

15 de septiembre de 1828. México. J. R. Poinsett a H. Clay

Sir,

I have the honor to transmit herewith two notes received from the Secretary of Foreign Relations of this republic, on the subject of the instructions for the conduct of their cruisers.

The resolution which is announced in the note of the 12th September, has been produced by an order from Admiral Heming commanding H. B. M.'s naval forces in the West Indian Seas, to detain and bring into port any Mexican vessel of War, which shall take belligerent goods out of a British vessels at sea. This order has been shown to this government and produced the desired effect. They would have rescinded this part of the Spanish ordinance forthwith, but that these instructions were issued conformably to an act of Congress.

The Mexican Congress has declared that all the laws and ordinances of Spain, shall be considered valid and in full force, whenever they are not repealed by special acts and are not repugnant to the constitution of the Mexican United States. And I have always contended, that if that rule governs it must extend to the treaties made by Spain which protect us from the operation of this law respecting privateering.

I have been of opinion that it would be unwise to suffer the principles contained in these instructions to be carried into execution against commerces; and I am confirmed in this opinion both by the conduct of the British admiral and

by the effect it has produced here. I repeat therefore that it will in my opinion be equally just and politic as regards our future friendly intercourse with these people to detain and send in for trial, any Mexican private which shall have taken goods belonging to a belligerent, out of an American vessel for trial on the pretext of her having on board goods of a belligerent and to instruct me to communicate this determination to this government.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 149. NAW.

## 200

*11 de septiembre de 1828. Washington. J. M. Montoya a H. Clay*

*El encargado de negocios de México participa a Clay la súbita muerte del señor don Pablo Obregón enviado extraordinario y ministro plenipotenciario de los Estados Unidos Mexicanos acaecida "ayer".*

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

## 201

*23 de septiembre de 1828. Nueva Orleans. Francisco Pizarro a su gobierno.*

*Reservada.*

Exmo. señor:

Muy señor mío:

He tenido el honor de recibir el oficio reservado de V. E. con fecha 27 del mes próximo anterior en que se sirve decirme, que el Excmo. señor secretario del Despacho de Guerra había comunicado a ese Ministerio que el gobierno sabía que muchos españoles residentes en esta ciudad habían propuesto al jefe de la isla de Cuba hacer una incursión con cuatro-



cientos o quinientos hombres por las costas de Tejas para internarse y sublevar la indiada, ofreciendo los fondos para la empresa y que la organizarían pronto y sin ruido. En vista de lo cual el Excmo. señor presidente tuvo a bien disponer se me diese aviso, con objeto de que informe yo al Supremo Gobierno de cuanto sepa en el particular: de cuya orden me lo comunicaba V. E., para su cumplimiento.

Es ciertamente un hecho que se habló de esta empresa, y de otras aún más colosales, en las tabernas y mesones frecuentados por soldados capitulados y gente del mismo país expulsada de esos Estados, y también lo es que corrieron voces de que un hijo espurio de Campeche, llamado José Lara, tabernero antiguo y principal muñidor de la facción española, fue quien, incitado por dos visionarios llegados del Saltillo (cuyos nombres y paradero ni el mismo Lara sabe), tuvo la sandez de proponer al mencionado jefe de la Isla de Cuba la citada incursión por las costas de Texas.

Cuando esta clase de temeridades eran verdaderamente de recelarse, esto es, allá por los meses de febrero y marzo próximos pasados, llamé la alta atención del gobierno y tuve la honra de proponer a su superioridad reencargase a los comandantes de las costas y puntos fronterizos de la república, como igualmente al señor Porter, que redoblasen de vigilancia para frustrar enteramente toda intención de parte de hombres ansiosos de vengarse y que nada tenían que perder; pues en aquella época había ya en esta ciudad cerca de trescientos capitulados, que cualquiera partido habrían abrazado si el general Vives no hubiese tomado el de aceptar sus servicios: mas habiendo observado que el capitán español Sánchez despachó para La Habana a dichos capitulados, y que a medida que fueron llegando a ésta otros nuevos los recogía y embarcaba para dicho puerto el expresado José Lara, cesaron mis celos y con ellos mis comunicaciones sobre la materia, porque en mi concepto no debí dar ascenso a conversaciones de taberna, ni mucho menos molestar a V.E., relatándoselas; pues después de todo, desde las grandes remesas que hizo el citado capitán Sánchez a La Habana, no se han visto aquí, ni hay en el día, cincuenta españoles de los a propósito para una empresa como la de que se trata. Creo deber añadir que el José Lara habla de levantar el campo e irse a vivir en la isla de Cuba, donde espera será recompensado *con real* munificencia el celo que ha desplegado en estos últimos tiempos por la causa de su *amado amo*.

Deseo que lo dicho sea suficiente para satisfacer al Su-

premo Gobierno de que si no hablé en las comunicaciones que recientemente tuve el honor de dirigir a V. E., de la proyectada incursión por Texas, fue porque el plan era parte de desarreglados cerebros y no podían realizarse por falta de gente y medios pecunarios.

Dios y Libertad. Nueva Orleáns.

23 de septiembre de 1828.

Excmo. Sr.

Francisco Pizarro Martínez

Excmo. Sr. D. Juan de Dios Cañedo.

*ASREM.* Sucesos entre México y los Estados Unidos de América relacionados con Texas y otros estados limítrofes. Sublevación de los colonos de Texas y su Independencia. Guerra con los Estados Unidos de América. Diversos asuntos relacionados. (T. I.) fojas 190 a 199.

Clasificación nueva H/200 (72:73) /1.

Clasificación vieja L-E-1055. Véase también mi *Historia de las...*, p. 94, cita 113.

202

25 de septiembre de 1828. México. J. R. Poinsett a H. Clay

*Al final del documento dice:* "I am waiting with great impatience for the Senate of Mexico to conclude their discussions on the treaty, as my intention is to leave this country as soon after as possible.

I am... J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 152.

203

16 de octubre de 1828. México. Traducción y extracto del debate sobre el informe del Comité de Relaciones Exteriores relativo al tratado firmado por este gobierno y el de los Estados Unidos

A longer time than that designated by the rules of the House, having elapsed since the first reading of this report, it was brought under discussion in the secret session of the 10th instant (October) and continued in that of the 11th and 13th on which it was concluded.

The question on the consideration of the report generally was taken by ayes and noes, and decided in the affirmative. The sense of the House was taken in the same manner on the articles 1st to 15th, inclusive, which were approved.

Against the 16th which was proposed by the committee as written in the treaty and not as amended by the other House, it was said that this article was contrary to the interests of the republic, because under it, the Spaniards might introduce their goods, having previously deposited them at some point in the United States of the North, thus frustrating the object of prohibiting the introduction of Spanish goods into the Mexican republic, which was that Spain might recognize our independence from the desire of procuring an outlet for her productions, which would remain unsold upon her hands by virtue of the prohibition, to the great injury of her agriculture, commerce and manufactures. That Napoleon had attempted to establish the same principle with England, that the flag should cover the property, but this power sufficiently alive to whatever touches her interests, would never consent to it. That if the article should be approved it would be useless to issue commissions to privateers, because no inducement would be left to those who might choose to embark on such enterprizes, and there never would be time to reply to the infinite number of claims which it would give rise to, on the part of the United States of the north who, by this article, wish to appropriate to themselves the commerce of Spain at the same time that they do us injury; and that for the present we ought not to celebrate treaties with any powers whatever, but that as we had already commenced negotiations of this kind, we ought not to go beyond those entered into with England, in which no such stipulation appears. In favor of the article, it was said that it only refers to navigation and to ships on the high seas, where it was just that the two contracting powers should find all necessary safety. That the prohibition to introduce Spanish effects into the republic would still remain in force and such as might be landed would be confiscated, and that it was most unjust that the Mexican ships, privateers, should capture

vessels of the United States of the north under the pretext that they had Spanish effects on board. Being sufficiently discussed the question of consideration was taken by ayes and noes and carried by 12 votes to 11 and in the same manner the article was rejected by 18 votes to 5.

The articles 17 to 25th inclusive were rejected necessarily in the same manner, the 26th 27th 28th and 29th were approved with the same formalities.

The 30th article was also rejected in the same manner; and was then brought under discussion as amended by the other House; and it having been said that the General Congress had no power to modify or amend treaties, was also rejected in the same manner as the preceding.

The 31st was also rejected without debate. Against the 32nd it was said that we should not take upon ourselves obligations, which at a future day would only serve as pretexts for disputes and wars; besides which we cannot prevent the barbarous Indians from making occasional incursions into our own territories and we would bind ourselves to prevent their making them upon the territories of the United States of the north, when those Indians are not subject to the republic and when the lands they occupy are without the sphere of action of our authorities, and perhaps even beyond their reach. But that the government might stipulate that the United States of the north should not assist savages of whatever description they may be with arms, ammunition etc., since such as they have heretofore used against our internal provinces have been procured from the Angloamericans. This last being all that was said in favor of the article which could not be divided, it was rejected by ayes and noes.

Against the 33rd article were objected all the arguments which militate against slavery and the horror which it has always inspired in the Mexican republic and which their Congress has manifested by a multitude of decrees, and it would be most extraordinary that in a treaty between the two free republics slavery should be encouraged by obliging ours to deliver up fugitive slaves to their merciless and barbarous masters of North America. It was added that even the second part could not be approved, because a perfect reciprocity could never be effected, it being a well known custom of the United States of the north never to deliver up criminals to the powers who demand them and this it is, which has considerably augmented their population. The only reply made was, that in nations where slavery exists, the slaves are the

property of their masters, and that security for property ought to be stipulated for between two friendly nations, and that facilities ought not to be afforded to criminals to commit offences with impunity, because in that case crimes would be impossible to restrain and that this must take place if by the rejection of the articles our criminals can take refuge in the United States of the North, and those of that country, come here. Being sufficiently discussed, it was rejected by ayes and noes.

Against the 34th article it was said that it was prejudicial because if new or interesting subjects of negotiation should offer between the two republics they would find themselves with their hands tied, without having the power to take any measure until after the expiration of the long period of six years. That on the other hand the article might be considered as useless because if the two contradicting parties should judge it necessary to enter into a convention on any particular subject, no one would prevent them, although it might be prohibited by this treaty and if they should not think it useful or necessary they would not do it, without the necessity that they should be so expressed at this time. It was relied that if the article could only be useful or necessary they would not do it, without the necessity that they should be so expressed at this time. It was relied that the article could only be useful to avoid multiplying treaties, so that any new agreements might be understood to be articles additional to those now under discussion. Having been sufficiently discussed it was rejected by ayes and noes.

The 35th and the two additional articles were approved with the same formalities.

A true copy, Mexico 16 October 1828.

*Mexico. Poinsett. April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo doc. 156. NAW.*

*22 de octubre de 1828. México. J. R. Poinsett a H. Clay*

... After a long discussion Senate has returned the treaty between the United States and this country to the Chambers

of Deputies, having aproved the 1, 2, 3, 4, 5, 9, 10, 12, 13, 14, 15, 26, 27, 28, 29, 31, and 35th articles and disapproved the 16, 17, 18, 19, 20, 21, 23, 24, 25, 30, 32, 33, and 34th. The two additional articles were approved. This result was not altogether unexpected by a majority in Senate that have always been exceedingly adverse to any connection with the United States.

They dislike our republican institutions especially as they even see the ocasion of their adoption in this country. They are and ever have been essentially monarchical and European in these principles and while they effect to believe that the United States are jealous of the rising greatness and prosperity of this empire, are in reality envious and apprehensive of their neighbours.

If the treaty be again passed in the Chamber of Deputies by a mejority of two thirds, it will be returned to Senate, when one third of the votes of that body will be sufficient for its ratification.

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

*Mexico. Poinsett. April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 153. NAW.*

205

*28 de octubre de 1828. México. J. R. Poinsett a H. Clay*

Sir,

This government has received two letters from Europe which have alarmed them very much. The first from London states that Spain has effected a loan to the amount of five million sterling, on condition of applying a portion of the sum to satisfy the claims of the English and French merchants.

It is supposed that these claims will absorb about one half of the loan, and that the balance will be employed in an attempt to reconquer this country. The plan of attack is even detailed. The second latter is from Madrid. It sets forth that an expedition against Mexico has been resolved upon, by that cabinet, and that this determination was taken in consequence of a report made to the King by some inhabitants of Mexico, who had lately landed under the late law, and whose

conduct on this occasion proves the necessity that existed to adopt that measure.

These persons state that the enthusiastic feeling in favor of the independence of Mexico, has subsisted very much, while that in favor of the old country, had augmented. That the higher orders have lost all confidence in the government from the corrupt and scandalous conduct of those who are in command; and that the experience of every day, evinced the impracticability of a representative system in a country where the people besides being too ignorant to be governed by democratic institutions, have in the last twenty years learned nothing more than disorder and anarchy, and a contempt for the law and those who administer them. They represent the executive to be weak and prevaricating; and that from the wretched state of their finances and the corrupt management of them it would be impossible to offer a long or a serious resistance against a well combined attack of Spanish troops, especially if by a strict blockade, they were deprived of the resources they now derive from duties on imports. They recommend that the expedition should consist of fifteen thousand men, with a reserve of five thousand on the coast and five thousand in Havana. That they should land at or near Vera Cruz and march directly towards the capital, when they could be joined by the loyal in great numbers; and that they should confine their operations to reconquer and secure the southern and central provinces, leaving for the present independent the states of Sonora and Sinaloa, Durango, Chihuahua, Nuevo León, Tamaulipas and Coahuila and Texas. They further state the policy which in their opinion ought to be observed towards the nobility, clergy and other inhabitants of Mexico, in order to reconcile them to the change and to secure to the crown of Spain the permanent possessions of the Country.

Of the truth of these reports you are better able to judge than I can be; [aquí empieza la cifra] but I am sorry to say that I think such an expedition would have a fair chance of success; with the miserable state of their finances you are already acquainted. Their army, is as bad as it can be, and from the hatred entertained by the nobles and clergy to the republican institution, the invaders would find a numerous and powerful party in the front of the country. Twenty thousand men well commanded, well paid and well supplied with provisions

and money might march into Mexico but Spain could not keep possession of this country for any length of time. [Termina la cifra.]

I am... J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 154. NAW.

## 206

6 de noviembre de 1828. México. J. R. Poinsett a Juan de Dios Cañedo

*Se queja de que los funcionarios de la aduana de Tabasco le pidieron derechos por unos alambiques y otros objetos de cobre para usos mecánicos que la ley exceptúa de pago. Por ello pide que se le otorgue la gracia de no pagar.*

ASREM. 3-5-4385, fols 1-2.

## 207

15 de noviembre de 1828. México. J. R. Poinsett a H. Clay

Sir,

I transmit herewith a translation of an extract of the proceedings of this Senate on the subject of the treaty between the two countries. The amendments which had been made in the House of the 16th and 17th articles of the treaty were confined altogether to verbal alterations in the Spanish version of them.

I have furnished a member of the House with the necessary arguments to rebut those used by the Senate. It is very vexatious to have to contend with the extreme ignorance and presumption of this body, and it is perfectly impossible to anticipate their objections.

I am etc. . . J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 156. NAW.



*1 de enero de 1829. México. Guadalupe Victoria al abrir las sesiones ordinarias del Congreso.*

El gobierno se había propuesto poner en la mayor actividad sus negocios con Roma, para que los asuntos eclesiásticos saliesen del estado en que los ha mantenido la falta de un acuerdo armonioso con la Silla Apostólica. Con este mismo deseo, y por consideración al concepto que se había formado de las enfermedades que atacan a nuestro ministro plenipotenciario cerca de la Santa Sede, determinó proceder al nombramiento de otro enviado, pero ha quedado por ahora sin efecto, porque debiendo auxiliársele con recursos pecuniarios, se espera sólo que el erario de la federación se desahogue de las cuantiosas erogaciones que ha tenido que reportar, para dar este importantísimo paso.

Mucho adelantarian, entre tanto, los negocios eclesiásticos con la ley que constitucionalmente arreglase el ejercicio del patronato en toda la federación, y el gobierno no puede dejar de recomendar tan urgente asunto, al celo y sabiduría de las cámaras.

Los gobiernos eclesiásticos y prelados regulares, en medio de los movimientos que han ocurrido en la República han dado las más expresivas muestras de que en los ministros del altar, tienen la independencian nacional y las instituciones juradas, un robusto y firmísimo apoyo.

El tratado de límites con los Estados Unidos del Norte, aprobado por el Congreso General, y ratificado por el Ejecutivo en 28 de abril del año anterior, no ha podido ser canjeado en Washington, porque a su llegada allí había expirado el término estipulado para que se ejecutase el acto.

El de amistad, comercio y navegación aún no se ha pasado al gobierno y su conclusión por el tiempo transcurrido, y por la necesidad de fijar de una vez las bases de nuestras relaciones con dichos estados, se estima de la mayor importancia.

El señor Obregón, que había desempeñado las funciones de ministro plenipotenciario en aquellos estados, falleció el 1º de septiembre anterior. Este suceso infausto en nada ha entorpecido las funciones de la legación en Washington. El secretario de ella había sido pocos días antes presentado y

UNAM - IIH

admitido como encargado de nuestros negocios, con las formalidades de costumbre.

Colombia.—Las relaciones con esta república continúan bajo el pie más feliz de alianza y amistad. En principios del año se retiró el ministro plenipotenciario de ella, que hacía cinco años residía en esta capital. Su retiro fue solicitado por el de su gobierno, y no dejó ninguna persona encargada de los negocios políticos de su país. Antes de su partida presentó, y fueron admitidos tres vicecónsules para los puertos de Veracruz, Acapulco y San Blas; el del primero ha obtenido después, de su gobierno, patente de cónsul, que ha sido obsequiada debidamente.

Chile.—El cónsul general de dicha república ha nombrado un vicecónsul para el puerto de Acapulco, y este nombramiento ha sido obsequiado. Nuestras relaciones con esta República se estrechan cada vez más, y México tiene un deber de gratitud que satisfacer hacia Chile, por servicios generosos que le ha prestado. Las existentes con los demás pueblos del continente, no son tan activas como lo exigen la reciprocidad de nuestros mutuos intereses, y lo desea el ejecutivo. Para darles valor y consistencia será preciso nombrar agentes mexicanos que residan cerca de sus gobiernos. El ejecutivo sólo espera, para proceder a su nombramiento, que se arregle por el Congreso General la planta de legaciones.

La devolución por las Cámaras de la Unión de los tratados celebrados por nuestros plenipotenciarios en la Asamblea General Americana, reunida en el istmo de Panamá, y la situación respectiva de cada Estado, ha ocasionado el regreso a sus países de los ministros por las repúblicas de Colombia y Centro-América, que han pedido, al efecto, sus pasaportes. En consecuencia, no puede por ahora la Asamblea continuar en la villa de Tacubaya. Antes de separarse dichos ministros han protestado de parte de sus gobiernos la buena disposición que les asiste para mandar a sus ministros tan pronto como sean excitados para continuar dichas sesiones en el tiempo y lugar que se convenga entre las repúblicas que deben formarla.

Entabladas nuestras relaciones exteriores a consecuencia de la ley que facultó al ejecutivo para promover y solicitar el reconocimiento de la independencia nacional, se siguen cultivando las amistades que felizmente conserva con la Gran Bretaña. En consecuencia, México continúa manteniendo cerca de aquel gobierno su encargado de negocios, y S. M. B.

mantiene, asimismo, en la capital de los Estados Unidos Mexicanos, un agente con igual representación, sin que nada haya interrumpido ni alterado estas relaciones.

La ratificación de los tratados celebrados por S. M. el rey de los Países Bajos, que el ejecutivo espera recibir en el próximo paquete, para darles la publicación conveniente y con las formalidades de estilo, ha afirmado de un modo positivo nuestras relaciones con aquel reino, siendo uno de los resultados de esas negociaciones, entre otros, el que aquel gobierno admitiese a la persona que se tenía designada con el carácter de encargado de negocios, y que nombrase para México con igual representación al que desempeñaba el consulado general de los Países Bajos, con retención de sus facultades consulares. Este individuo ha sido admitido en audiencia pública, ejerce libremente sus dobles atribuciones, y el gobierno espera que, por parte de S. M. el rey de los Países Bajos será admitido igualmente, con calidad de cónsul general, nuestro encargado de negocios en aquel reino, a quien nombró para este encargo, previos los requisitos constitucionales.

Igual extensión tomarán las que se tenían iniciadas con Dinamarca y Hannover: los tratados celebrados con estas naciones han merecido la aprobación del Congreso General, y ya se han remitido para la ratificación respectiva.

Con respecto a la Francia se mantiene la República en el mismo pie, en cuanto a sus relaciones diplomáticas y comerciales. El gobierno está instruido de la venida de un comisionado de S. M. Cristianísima, y a su llegada se conocerá el objeto de su misión.

Las Ciudades Anseáticas se estrecharán más con la república; pero este paso depende del éxito que tengan en el Congreso General, los tratados celebrados entre ambos países, cuyo despacho está pendiente en la Cámara de Senadores. El ejecutivo ha recomendado se tome la preferencia en consideración.

La Confederación Helvética ha dado una prueba de su buena armonía e inteligencia con México, nombrando un cónsul general con residencia en la capital, y hoy se halla en el goce de sus atribuciones, después de habersele expedido el correspondiente *Exequatur*.

Lo está igualmente el acuerdo del Congreso sobre la iniciativa que ha hecho el gobierno para que no sean comprendidos en la ley de expulsión de 20 de diciembre, los naturales de las islas de Cuba y Puerto Rico.

Se ha publicado, y se está ejecutando, la ley que arregla la naturalización de extranjeros en la república.

(Era secretario de Relaciones Exteriores, don Juan de Dios Cañedo.)

Genaro Estrada, *op. cit.*, p. 26 a 29. También está en mi *Historia de las ...*, p. 96, cita 117.

## 209

1º de marzo de 1829. México. J. R. Poinsett al secretario de Estado en Washington, Martin Van Buren

Sir,

In order that the new admiration may become acquainted as early, and with as little trouble, as possible with the actual condition of this country I have determined to recapitulate the principal events which have occurred during my residence here and to trace the causes which have led to them.

The character of this people cannot be understood nor the causes of their present condition be fully developed without recurring to the oppression under which they formerly labored. It would lead you into error to compare them with the free and civilized nations of America and Europe in the nineteenth century. They started from a period nearer to the age of Charles the V, and it is even a matter of some doubt whether this nation had advanced one step in knowledge and civilization, from the time of the conquest to the moment of declaring themselves independent. No portion of the Spanish dominions in America was watched over by the mother country with such jealous care as Mexico. Its comparatively dense population, its extensive and fertile territory, its rich and varied productions, and especially its mineral wealth rendered it a source of great profit to Spain: while the history of the ancient splendour of Mexico, and the glory of its conquest could not fail to enhance the value of its possession in the eyes of that chivalrous people. In order to preserve that possession every precaution was taken that human prudence could devise to prevent the access of strangers to Mexico and to keep the people in profound ignorance of their own strength and resources as well as of their relative position with regard to other nations. Until the publication of the voyage of Baron

Humboldt, the nations of Europe and even their immediate neighbours were ignorant of the very names of the fertile districts and populous cities which the first described. In the permission granted to this gentleman to explore these countries the pride of the court of Spain appears to have overcome its habitual caution, and the baron seems to have in view the gratification of that pride in the highly coloured and exaggerated accounts he put forth of the institutions, the wealth the resources and the growing prosperity of the Spanish colonies. It is true that Baron Humboldt saw these countries before they were desolated by the wars of the revolution, still to judge from what remains, his accounts of the number and excellence of the public institutions of the very advanced state of the arts and sciences in Mexico, and the splendour and magnificence of the style of living of the nobles although they may not have been altogether creations of his imagination, are very highly exaggerated pictures.

The nobility and gentry then as now, inhabited spacious hotels, built after the fashion of those of their mother country, solid and substantial; but still more destitute of all comfort or convenience. Their style of living was not generous or hospitable although they sometimes gave costly and ostentatious entertainments. From their absurd pretensions to rank and from their unmeaning jealousy of each other, there never did exist that social intercourse among the higher orders, which in every other country forms the chief charm of life. Here every man of distinction considered it beneath his dignity to visit his friends or neighbours and remained in his own house, where in a large gloomy apartment dimly lighted and miserably furnished he received a few visitors of inferior rank who formed his tertulia of every night. It is not to be wondered at, therefore, that the sons of these men equally uneducated than themselves, fled from the gloomy mansions of their fathers to the theatre, the coffee houses or the gambling table; and this circumstance united to the absence of all excitement to industry, from the preference given by the Council of the Indies to Europeans for all appointments rendered the aristocracy of Mexico an ignorant and immoral race. The same state of society existed among the higher orders of the clergy and marked their character in the same unfavorable manner. The regular clergy formed from the very dregs of people, was then and is now disgustingly debauched and ignorant. They have lost the influence they formerly possessed over the common people and so sensible are

UNAM - IIH

they of the universal contempt which they have brought upon themselves by their unworthy conduct, that they would not oppose a thorough reform of their orders if the government had courage to attempt it.

But what more particularly distinguishes the condition of people in the Spanish colonies is the character of the laboring classes. That portion of America conquered by Spain was inhabited by a people in a high state of civilization for the age in which they lived. The higher classes fell a sacrifice to the cruelty and rapacity of their conquerors, and the common people were reduced to a state of the most abject slaving. The existence of this degraded race had a singular effect upon the character of the Spanish settler. The poorest white man scorned to be placed on a level with the unfortunate Indian. His colour ennobled him, and Spaniards and their descendants would have perished rather than degrade their "casta" in America working in the field, or by following any other laborious occupation in which the Indians are habitually employed. Here therefore is wanting that portion of a community which forms the strength of every nation, but especially of a republic, a free and virtuous peasantry. The Indians cannot as yet be regarded in that light. They are laborious, patient and submissive, but are lamentably ignorant. They are emerging slowly from the wretched state to which they had been reduced; but they must be educated and released from the gross superstition under which they now labour before they can be expected to feel an interest in public affairs. The only political feeling which they now possess is a bitter hatred of the Spaniards or Gachupines as they call them. A hatred which has never ceased to exist, and which has been kept alive both by tradition and by constantly recurring instances of cruelty and oppression. Less attention has been paid by this government to the establishment of primary schools than in any other part of Spanish America. This has been a lamentable oversight, for not only does the great mass of the population require to be educated in order that the real principles of a representative government may be carried fully into operation; but to inspire them with a decent pride and to induce them to more constant labor and to employ their earnings in rendering this habitation comfortable and in purchasing clothing for themselves and families.

At present, seven eighths of the population live in wretched hovels destitute of the most ordinary conveniences. Their

only furniture, a few coarse mats to sit and sleep on, their food indian corn, pepper and pulse [*sic*], and their clothing miserably coarse and scanty. It is not that the low price of labor prevents them from earning a more comfortable subsistence in spite of the numerous festivals in each year, but they either gamble away their money, or employ it in pageants of the Catholic Church, in which pagan and Christian rites are strangely mingled, and these evils if not cured entirely would be greatly mitigated by education.

The colleges and other academic institutions were liberally endowed; but their administration has always been defective and the education the Mexican youth receive at them is very superficial. Previous to the revolution the creoles were even discouraged from the attainment of knowledge. An acquaintance with foreign languages and general science rendered them dangerous in the eyes of their superiors and operated against their success in life. Since that event they are much changed for the better. The improvement in the condition of the lower orders of the people is very remarkable, although they are still far behind all other civilized nations.

It appears then that the successful precautions taken by Spain to prevent all intercourse between Mexico and other countries prevented the light of knowledge from penetrating into this country. Not only were the Mexicans deprived of the means of keeping pace with the rapid progress of knowledge in other countries during the seventeenth and eighteenth centuries, but the peculiar circumstance in which they were placed scarcely allowed them to retain the station they occupied at the time of the conquest. The emigrants from Spain who alone were permitted to settle in the country were among the most ignorant and vicious of that people who are notoriously a century behind the rest of Christian Europe. They were for the most part the favorites of great men, and came to lord over the creole, to occupy all the offices of honor and emolument and to keep the natives in subjection. As has been already remarked one mode of affecting this object was to keep them more ignorant than they were themselves. They even assisted in their efforts to this effect by a variety of causes. The want of means of acquiring knowledge, the absence of all excitement to exertion, the factibility of procuring the means of subsistence almost without labor, a mild and enervating climate and their constant intercourse with the aborigines, who were and still are de-

graded to the very lowest class of human beings, all contributed to render the Mexicans a more ignorant and debauched people than their ancestors had been. Another cause operated still more strongly to produce this effect; the puerile ceremonies of their worship, and the excessive ignorance and shocking profligacy of the clergy. The creoles were taught from their infancy to reverend their pastors as superior beings and it is not therefore surprising that their pernicious example should have produced such melancholy results. When therefore we examine the actual condition of this people, we ought always to bear in mind the point from which they set out. They were in every respect, far behind the mother country which is notoriously very inferior in moral improvement to all other nations. They were not even equal to the other Spanish colonies in America because their comparative importance and their vicinity to the United States rendered Spain more vigilant in preventing all intercourse with foreigners as well as the introduction of all works, which would enlighten their minds and inspire them with liberal ideas.

It was owing to these circumstances that the feeble attempts, which were made to render Mexico independent of the metropolis from the year 1810 to the year 1821, were the work of parish priest and of the Indians. Not one of the nobles and very few, if any of the gentry took part with the insurgents. It is true that the revolution was ultimately affected by them; but it was produced by different causes than those which first roused the people to take up arms against the Spaniards. The real motives of the clergy, nobles and European Spaniards to take part in the revolution of Iguala, are to be found in their desire to protect themselves against the operation of the constitution and the decrees of the Cortes of Spain, which were calculated to reduce their power and influence, as well as to deprive them of part of this vast possession. Iturbide's ambition frustrated their hopes of seeing a Bourbon seated on the throne of Mexico in conformity with the plan of Iguala, which was drawn up by them. And such of them as were not personally benefited by his usurpation became his enemies and used all their efforts to destroy him. After his downfall these same men remained united and have been unremitting in their exertions to establish a monarchy and to seat a Bourbon on the throne of Mexico. Finding public opinion opposed to their views and decidedly pronounced in favor of republican institutions, they attempted to establish a central form of



UNAM - IH

government which they were aware would ultimately lead to a consumation of their wishes. Foiled in this attempt by the adoption of the federal constitution, they strove to elect a creature of their own to be president of the newly created Mexican states. General Bravo they know would be governed implicitly by them and they spared no exertion to have him elected. They were however again defeated, and immediately formed a powerful opposition to the administration of President Victoria.

General Victoria had been himself attached to this party and had, although with different views been in favor of a central government. He accordingly chose his secretaries from among the members of that party. D. Lucas Alaman, one of the aristocracy, was made Secretary of Interior and Exterior Relations. D. Manuel Gómez Pedraza who had opposed the revolution of the people and afterwards taken part with Iturbide, Secretary of War, D. José Ignacio Esteva a personal friend of the President, Secretary of the Treasury and D. Pablo de la Llave, a high churchman, Secretary of Justice and Ecclesiastical Affairs. It is proper here to mention, that the party in opposition to President Victoria of which these persons were all members were organized and connected together in a society under the rules and regulations of the Scotch Masons, and were therefore called "escoceses". At this period the affairs of Mexico wore the most favorable aspect. Loans had been effected in London to a sufficient amount to enable the government to augment the number of their troops which they did without necessity, to arm and clothe them, and to purchase ships of war. The large sums of money introduced into the country by the English mining companies, contributed in no small degree to the prosperity of the people. Their trade increased to a surprising degree, and the whole country wore the appearance of abundance. The Treasury was overflowing, pensions and salaries were paid with punctuality, and both the government and people appeared to think that the millions they had borrowed formed part of their annual income. The escoceses considered this state of things as the effect of their political combinations and without thinking of the future called upon the people to admire their work. But the party in opposition looked upon these proceedings with gloomy forebodings. They were excluded by the President from that participation in the government to which they thought themselves entitled, and as they felt conscious of superior

strength, were resolved to overthrow their adversaries. Still in a state of revolution and ignorant of the force of public opinion, and of the means of producing a great moral change in an elective government, they determined to effect the contemplated revolution by strong arms. Such was the state of this country when we entered in the spring of 1825. We soon perceived that we were objects of distrust and dislike to the ruling party composed as it was of the aristocracy, the high clergy, the monarchical faction and the Spaniards; it was natural they should look coldly upon the representative of a republic. They did more, they displayed a hostile feeling towards us, and actually talked of receiving us in a style different from that in which the English chargé d'affaires had been received. The cabinet of St. James had been beforehand with us, they had concluded a treaty with this government and had established their relations here, on the most favorable footing. The President himself had a great partiality for that connexion. He had been the medium of the first communication between the two countries and he regarded himself as the instrument of effecting the friendly relations which had so lately been established with Great Britain. Mr. Canning too had condescended to write to him and he felt highly flattered, by the distinction. This correspondence had fostered, if it had not created, the jealousy with which he regarded the United States. He believed that we were the natural enemies of Mexico and that the aggrandizement of this country was incompatible with our interests and would be counteracted by us, by every means in our power. In combination with the Secretary of Foreign Relations, D. Lucas Alaman, he had formed a plan to negotiate a new treaty of boundaries by which we were to be reduced to the margin of the Mississippi, for they believed that by the treaty of Washington, we had unjustly deprived Spain of a large portion of her territory. They were exceedingly surprised therefore when no objection was made by this legation to renew the negotiations on that subject altogether with a declaration that in that event, the United States would assume the line of the Rio Bravo del Norte, as the boundary; as the reasons which had induced them to cede to Spain their rights to that territory did not apply to this country. They were assured that we regarded the treaty of limits as binding upon both parties, because it had been concluded when Mexico formed a part of the dominions of Spain, but that no objection would be made on our part to annul it.

The Congress more wisely compelled the executive subsequently to confirm that treaty. The party in power availed itself of this question and publicly accused us of ambitious views and of jealousy of the rising greatness of Mexico. In proportion to the repugnance with which the aristocratic faction regarded us were the cordial advances of the democratic party, and if our principles had not induced us to seek our associates among the latter, we should have been driven to do so by the conduct of the former.

Under these circumstances it became my duty to consider the policy which it belonged the United States to pursue towards these countries and especially towards Mexico, from various reasons the most interesting to us of them all: it was an undeniable fact that G. Britain had used great exertions to acquire an ascendancy in them all, and had to a certain degree succeeded in doing so. It was known to me that Mr. Canning even before my arrival in Mexico had sought to excite a sentiment of hostility towards the United States, with a view of strengthening the interests of England and the question to be resolved by me was whether I should permit a European nation the most unfriendly to our prosperity to acquire unbounded influence in a neighbouring republic or whether I ought to oppose views so hostile to the interest of America.

The great powers of Europe have established their separate influence over the inferior nations of that continent after a long struggle with each other; and it must be manifest, that the contest for power will be renewed by them in America. Are we to take no part in this contest? Are we to sit tamely by and see G. Britain and France contending for sway in the Americas, nor to concern ourselves in a question which may hereafter so essentially effect our interests? Is the policy of the United States in relation to Europe and to these countries the same? I think not, if we do not exercise a direct and salutary influence over the councils of the American states we ought not to permit any European nation to do so. It is not obvious that if Great Britain should establish such a dominion over this country as she exercises over Portugal that this state of things might prove highly detrimental to our interests. That this ambitious nation has attempted, and will continue to exact a vast means to effect this object cannot be doubted. In my opinion the United States ought not to permit it, and with this view of the subject I have acted. I found the British united with the aristo-

cratic and monarchical party who governed the country and I felt gratified that this party should act towards us in a manner which not only justified, but to a certain degree compelled us to seek our friends altogether among the creoles and democrats.

In this struggle with the English no injury was ever intended or done to their commercial interests; on the contrary, whenever mistakes occurred which was sometimes the case, from the ignorance of these people they were always fairly and frankly explained by this legation, in order that no prejudice might result to the British merchants. And the only advantage taken of our position was to warn the government against any encroachment on their rights, and to point out to them the baneful effects which must issue from permitting any foreign nation to acquire an influence over their councils.

We had not been long in the country, before we became aware of the determination of the democratic party to effect a revolution by force. On this occasion this legation felt it their duty to interfere and to advise a milder course. A revolution such as was contemplated would have plunged the country into a civil war, the result of which could not be foreseen, would have paralyzed commerce and have brought still greater discredit upon the republican institutions of the new states of America. The history of diplomacy is full of instances of the interference of foreign ministers to sustain or save the institutions of the country to which they are accredited, and few cases would be cited more important or more urgent than this. These people were told, that they had only to unite, to organize their party, to establish a press of their own and to bring the whole weight of their numbers to bear upon elections in order to effect a great moral change, which would assist their views much more effectually, that could be done by force; especially as they were disposed to sustain the federal constitution. Guided by these counsels they abandoned their intention to effect a revolution by force and their efforts to produce a change in the government by peaceable means, were crowned with the most signal success. Their triumph was so complete and from that moment the progress of the liberal principles so rapid, that the Europeans and Scotch party were induced to regard what was really nothing more than the natural course of events in a free and representative government, as the direction of some secret and able adviser; and were disposed to attribute their defeat entirely to me.

What confirmed them in this idea was the establishment of the grand lodge of Ancient York Measons, which I had installed. The circumstances attending the formation of this rite in Mexico, were fully explained to the government in my dispatch of the 8th of July 1827 num. 94. At the earnest desire of some of the most distinguished men in the country, and with the full approbation of the government, I sent for charters for the five lodges already existing in the country and installed the Grand Lodge of Ancient York Masons in Mexico. Their oponents had long been organized under the Scotch rite and had used this institution altogether for political purposes. They supposed, what proved to be the fact, that the York Masons would follow their example and, being more numerous, would be able with an equal organization to carry all their measures; with this perversion of a purely philanthropic institution to the purpose of political intrigue, I took no part, but on the contrary withdrew myself from their meetings so soon as the intentions of the party became manifest.

From this moment the europeans of every nation, who had seen in the reign of the Scotch party the probable reestablishment of a monarchical government in Mexico, and this defeated party themselves gave lose to their resentment and rancorous hatred to the government of the United States and to me by the most scandalous private and public abuse. Even the agent of France who owed this reception by the government to my advice, which was asked on that occasion, and to whom I rendered the most esential services upon his first arrival, joined the party in opposition, and has not ceased to write to his government the most exaggerated and false accounts of this state of things here and to represent me as the genius of evil, the fact is that all these gentlemen have been cruelly disappointed. They supposed that their influence would be unbounded, and the first reception of the English mission and their early success induced them to believe that their counsels would ultimately prevail. They had the hardihood to speak in loud and disrespectful terms of republican institutions, and continually practised upon the weak and vacillating Victoria, who certainly for a short period, thought himself the destined instrument, in the hands of good to restore the ancient monarchy of Mexico. He saw the triumph of republican principles with dismay, and he too became my enemy.

Attributing the failure of their plans to me, every effort was made use of, to drive me from the country. Finding

UNAM - IIH

threats of no avail, the legislatures of Vera Cruz and Puebla, were excited to remonstrate against my further residence in the country and the former published a manifest, directed principally against me for an account of which I must refer you to my dispatch num. 94. The memorable rebellion of Tulancingo in January 1828, had my expulsion for one of its principal objects, and I believe there is no instance on record of a foreign minister having been so persecuted in any country.

It is difficult to believe that this hatred has not been the effect of an improper interference in the affairs of the country. But I trust I have proved that this most singular state of things has arisen from my steady opposition to the encroachments of European powers; to my successful efforts to do away with the jealousy and hatred, with which those agents had inspired this people towards the United States, to the aid I most willingly lent to the republican party in framing their laws and illustrating their constitution which they had borrowed from us; and to my determined resistance to that superiority which European agents would fair arrogate to themselves in these countries. If this legation had consented to submit to their pretensions, and had chosen to avail itself of the kind of condescending protection which the agent of H. M. proffered it, on its arrival in Mexico we might have passed on smoothly and insignificantly. He did not think this course compatible with the dignity of our representation, nor with the interests of the United States, and under this impression has most cheerfully encountered all the obloquy and calumny to which our conduct has exposed us, and have neither felt nor expressed any other anxiety, than that the causes of the opposition we have met with, should be fully understood in the United States and especially by the government.

The revolt which terminated in the capture of General Bravo and the chief military leaders of the Scotch party at Tulancingo, must be too fresh in the recollection of every one, who has taken the slightest interest in the affairs of this country, to require any further notice of that event here. My dispatch of the 8th January 1828 num. 114, contains a full account of that ridiculous attempt to effect a revolution against the constituted authorities of the country, and against the will of the people.

Defeated in this as in every other attempt this party had made to reestablish their power, they determined to seek

out from among the predominant party some fit instrument to defeat the election of General Guerrero to the presidency. For this purpose, they fixed on the Secretary of War D. Manuel Gomez Pedraza.

This gentleman's career had been a singular one. He had been an officer in the service of Spain under the viceroys, and had taken an active part in the wars of the revolution against the independence. He was afterwards sent as deputy to the Cortes of Spain. On his return he became one of the ministers of Iturbide, and afterwards a leader of the Scotch party, which had contributed so materially to the overthrow of that chief. He took advantage of the discovery of the conspiracy of the Friar Arenas, to abandon that party. He spoke to me in terms of reprobation of the infamous attempt made by those men to induce this friar to denounce me as the principal instigator of this plot for an account of which, I must again refer you to my dispatch n. 94; and openly declared that he could no longer hold communion with men who sought by the basest means, to destroy the liberties and independence of their country. He stated that he had hitherto been deceived by them, but that having examined the evidence in the case, he was convinced of their participation in the conspiracy, and had therefore separated himself from their society forever.

In consequence of this declaration Pedraza was most grossly abused and vilified in the papers of his former friends; but when it was determined to make him the instrument of dividing the York party, of defeating the election of Guerrero, they renewed their flattery and discovered in him the virtues that ought to adorn the chief of a great nation. They certainly could not have made a better choice, to effect their purpose. Pedraza had acquired a certain degree of popularity, by this conduct in the discovery and punishment of the conspirators in the affair of the Friar Arenas; and subsequently in the defeat of the insurgents under General Bravo. He had therefore friends and partisans among the iturbidistas and yorkinos, and finally was Secretary of War, which under this government is equivalent to being commander in chief of the army.

Having made his choice various causes contributed to their success. In some states, for instances in Vera Cruz and Puebla, the legislatures which voted for Gómez Pedraza had been elected before the triumph of the democratic party in Mexico. They formed a part of the aristocratic faction, and the vote

UNAM - IIH

they gave on that occasion was in conformity with the views of their party and might be regarded as an expiring effort to reestablish their power or to revenge their fall. In all the states of the union the popular party had gained the elections and in no instance was a single one of the representatives in those legislatures reelected. The Secretary of War had taken the precaution to dismiss such officers as were not addicted to him, and especially to appoint military commandants in the several states, who were pledged to support his election and, who did not fear to use the force under their command for that purpose. The wealth of nation is for the most part in the hands of the aristocracy and of the Spanish merchants and was lavished to gain over votes where the legislatures were merely equally divided, with what success, the result has shown. To these causes is the election of Pedraza to be attributed and it was gained manifestly against the will of the people. From the moment the success of the election was known, the Senate aided by the Supreme Court, both bodies elected during the reign of the Scotch partisans, therefore most decidedly hostile to republican institutions and to the wishes of the people, commenced a series of persecutions against all persons who because of their talents, liberal principles or popularity gave them cause of alarm. The governors of several states were impeached from their employments and a determination manifested to persecute them to the death. This most unjust and violent exhibition of their inveterate hatred against the best patriots and most deserving men in the country roused that spirit of resistance in the people which led to the revolution of the 4th December. I am firmly persuaded, that if the party had used their triumph with moderation, and had conciliated instead of persecuting their adversaries, such is still the habit in this country of submission to authority, however acquired, that they would have preserved their power. Fortunately for this nation they were maddened by their success and their own ill conduct brought on their destruction. The dismissal of General López de Santa Ana from the command of the state of Vera Cruz, first induced that chief to take up arms and the false accusation against D. Lorenzo de Zavala Governor of the state of Mexico, and the apparent determination to bring him to the scaffold drove that distinguished patriot to seek his safety in rebellion. The circumstances attending his persecution and flight, as well as the occurrences of the successful attack upon the capital, are faithfully set forth in the pamphlet which ac-



companies this despatch, and to which I beg leave to refer you for some particulars which I omit, in order not to make this communication too voluminous.

Such was the disposition of the people, that wherever the standard of revolt had been created on that occasion, they would have rallied around it. The chief who guided their efforts wisely judged that it would save the effusion of blood, to effect a revolution in the capital itself, and if possible before the desultory forces which were in their march from the southern coast should approach it, as they dreaded the excesses these men might commit. So much has been said in our papers and such exaggerated accounts have been written by the Europeans in this city, of the cruelties and disorders which followed the taking of the city by the revolutionary forces on the 4th December, that it is necessary the facts should be fairly stated.

An enclosed space on the principal square, in front of the palace, called the parian, a sort of bazaar, has always been inhabited by European Spaniards, odious to the people of Mexico. It was natural therefore that the infuriated mob, which entered the city on the third day of the attack should direct their rage against this depository of the goods of their enemies. The shops in this enclosure were broken open and plundered, together with some few others in the immediate vicinity of the Parian, but no other disorders were committed. One person only lost his life on the entrance of the revolutionists. The Conde del Valle, a man on many accounts odious to the people and on whose house top a body of troops had been stationed, to defend that entrance into the city and who had galled the assailants with their fire and killed a great many of their men.

Even these disorders trifling as they were compared with what a city taken by assault generally suffers, might and ought to have been prevented by the government. All their outposts had been driven in and their defense destroyed long before the palace was assaulted. Terms of capitulation had been offered, which they were urged to accept in order to prevent any excesses being committed by the people. They were positively refused and the government troops continued a feeble resistance, until the square was taken, when they threw down their arms and joined the plunderers. Under these disadvantages order was restored in the course of two or three hours. Not a stranger was injured or insulted, a rare instance of forbearance, for there was scarcely a European in the city,

UNAM - IIH

who had not taken a part against the people. There can be no greater proof of the revolution having been in conformity with the views and wishes of a vast majority of the Mexican people than the universal joy, with which the news was hailed by the states, and the corresponding change which was immediately effected in all of them. The persecuted patriots were released from the prisons to which they had been condemned by their implacable enemies and throughout the whole extent of the empire not a cry was heard in favor of the fallen party, or of its chief, who had fled at the sight of the storm.

You will have remarked that one of the avowed objects of this revolution, and one perhaps which chiefly influenced the people, was the expulsion of the Spaniards from the country. In order to understand this feeling, it is necessary to explain, that the Spaniards who reside in Mexico have been active agents in all the political changes this country has undergone for many years past. Under the viceroys they interfered in all the affairs of the government and not only awed the creoles into patient submission, but controlled the viceroys themselves. It will be remembered that such of them as attempted to contend against this influence, were deprived of their offices and sent ignominiously out of the country by the oligarchists, who never failed to corrupt the troops of the government for that purpose. The sanction of the mother country was always given to these outrageous proceedings, to which they contrived to give the colour of excessive loyalty.

The revolution affected in this country by Iturbide, received their concurrence and support, because they considered it to be directed against the constitution which then existed in Spain, and which they could not endure to see established in America where it gave a semblance of self government to the creoles.

They therefore approved the plan of Iguala, and expected to see a Bourbon seated on the throne of Mexico. Their disappointment in this hope, their utter contempt of the creoles and their superior wealth, industry and energy of character have redereformed formidable their exertions to restore this country to the dominion of Spain, and as a preliminary step to that great end, to overturn its republican institutions, efforts which have in reality occasioned all the convulsions this country has suffered, since the declaration of its independence. From the first formation of the Scotch party, the Spaniards have formed an active and efficient portion of it; and now the

Senate which was elected at a period when the legislators of the states were composed of the same party refuses to pass a law of expulsion, although it has been so clamorously called for by the people. This resistance to the public will, may in the present state of excitement occasion some further disturbances; but what I dread most of all are the evils likely to be produced by the exhausted state of their finances. This government has been compelled for some months back to have recourse to the most ominous measures in order to procure the means of paying the troops. They have for this purpose anticipated their revenue for some time to come and have reduced themselves to the greatest distress and to the verge of ruin. With their usual want of foresight and reflexion they go headlong on without making an effort to reduce their expenses, or to organize their treasury. On this subject they are deaf to all counsel; and this alone renders me uneasy and doubtful with respect to the future tranquility and prosperity of this country.

I am. . . J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-January 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 166. NAW.

210

*15 de abril de 1829. México. J. R. Poinsett a Martin Van Buren*

Sir,

D. Lorenzo de Zavala was yesterday appointed by the President of this republic Secretary of the Treasury. This appointment will give very general satisfactions to the party in power and contribute essentially to restore this country to tranquility. Zavala unites to an excellent understanding and very respectable acquirements, indefatigable industry; and I entertain great hopes that he will be able to restore the finances of Mexico, which are now in so deplorable a condition as to threaten a dissolution of the union. After hesitating a long while Guerrero seems disposed to form his cabinet of

the principal members of the democratic party. This gives promise of stability to his government and tranquility to the country.

I am, etc. J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 168. NAW.

## 211

*16 de abril de 1829. Baltimore. J. M. Montoya a Martin Van Buren*

El infrascrito, encargado de negocios de los Estados Unidos Mexicanos, tiene el honor de informar al señor secretario de Estado, que el gobierno de México deseando por su parte llevar a efecto el tratado de límites concluído y firmado en aquella capital el 2 de enero del año pasado y aprobado por el Congreso General, le ha nombrado para que en calidad de plenipotenciario haga cuanto sea necesario para que se verifique el canje de la ratificación de dicho tratado remitiéndole al efecto el pleno poder correspondiente.

Según la nota que el anterior secretario de Estado pasó al señor Obregón, antes de abrirse la sesión última del Congreso de los Estados Unidos de América, el obstáculo que el presidente tuvo entonces para no autorizar el canje de la ratificación fue que, habiendo pasado el término estipulado en el tratado, debía someterse por segunda vez a la consideración del Senado.

El infrascrito entiende que esto se habrá verificado durante la sesión que expiró el 4 de marzo y que no habrá ninguna dificultad por parte del gobierno de los Estados Unidos de América.

En esta virtud el infrascrito espera que el señor secretario de Estado le comunique si se halla dispuesto a proceder al canje de la ratificación del referido tratado de límites.

El infrascrito aprovecha de esta ocasión etc...

*Mexico, Notes.* December 30' 1830-June 1' 1831. Department of State Vol. 1. NAW.

22 de abril de 1829. Washington. Martin Van Buren a J. M. Montoya

**Resumen :**

*Le indica que su gobierno está deseoso de llevar a efecto por su parte, el tratado de límites concluido en 12 de enero del año pasado, entre el gobierno norteamericano y el mexicano, y que se ha enterado de que está investido con los poderes necesarios.*

*Que el presidente opina que no es propio autorizar la ratificación sin volver a someter el tratado al Senado, pues el término para hacerlo expiró antes de que el antecesor suyo, Obregón, hubiera comunicado al gobierno que estaba preparado para ella.*

*Que ahora hacía falta volverlo a presentar ante el Senado y que, confiaba en que esta espera, daría tiempo a México para que enviara el otro tratado pendiente de la ratificación mexicana que fue elaborado en México: el de comercio. Esperaba que los dos se podrían someter al Senado en la misma sesión.*

*Foreign Legations, Notes to, March 18' 1828-August 1' 1831. Department of State. Vol. 4, p. 172-3.*

23 de mayo de 1829. México. Guadalupe Victoria al cerrar las sesiones de las Cámaras.

Nuestras relaciones exteriores prosiguen inspirando las más lisonjeras esperanzas al ejecutivo de la Unión. Los pueblos extranjeros, interesados en el aumento de su industria y comercio, deseando nuevos cauces para dar corriente a sus capitales, explican enérgicamente estas ideas de prosperidad universal a sus respectivos gobiernos, y éstos se inclinan visiblemente a conciliar sus sentimientos con el voto de sus pueblos. Es consiguiente, pues, que dentro de poco tiempo las relaciones internacionales de las repúblicas americanas con

UNAM - IHH

las naciones europeas, hayan sancionado el principio general de una coalición amistosa entre todos los pueblos cultos.

Nuestras relaciones con los Estados Unidos del Norte continúan bajo el pie de la más franca amistad. Para que el tratado de límites celebrado con aquel gobierno, no sufra demora en su canje, se ha autorizado competentemente a nuestro encargado de negocios en Washington, a fin de que lo verifique. Aun se halla en la Cámara de Senadores el tratado de amistad, comercio y navegación, concluído entre los plenipotenciarios de ambas repúblicas, y cada día se hace más urgente, en concepto del gobierno, el término de este negocio, sin el cual no pueden fijarse de una vez las relaciones entre los dos países.

No obstante haberse retirado el ministro plenipotenciario de Colombia, y de no haber quedado en México ninguna persona encargada de representar los intereses políticos de aquella república, no se han alterado en manera alguna las relaciones amistosas que existen entre dos pueblos, por todos títulos hermanos.

El gobierno mexicano ve con el sentimiento que caracteriza su política, esencialmente americana, las desavenencias ocasionales que se advierten entre Colombia y el Perú, y se lisonjea de que terminarán por una pronta y duradera conciliación.

El gobierno ha ofrecido sus buenos oficios de amistad a los partidos beligerantes de Centro-América, y ahora anuncia con satisfacción que, según las últimas noticias, ha tenido ya fin de una discordia tan desastrosa.

Continúan las relaciones existentes entre México y aquellos estados, y el ejecutivo ha dirigido a la Cámara de representantes la correspondiente iniciativa para que se formalice una legación que se cree de suma importancia en la insinuada república.

El estado de relaciones con los demás puntos de América se halla bastante indicado, y necesita el gobierno para llevarlas a efecto, que el Poder Legislativo determine definitivamente el arreglo de legaciones.

En Europa prosiguen en el estado más satisfactorio nuestras relaciones diplomáticas. Un encargado de negocios las desempeña cerca del gobierno de S. M. B., así como el mismo gobierno mantiene en México un agente con igual carácter.

Los tratados celebrados con S. M. el rey de los Países Bajos, que han sido ratificados por aquel gobierno, han fijado de una manera estable nuestras relaciones con aquel reino. El en-

cargado de negocios de la república ejerce allí sus funciones, así como aquí existe un agente con igual representación.

Mucho se han adelantado las negociaciones con Hannover y Dinamarca, y muy en breve se entablarán de un modo duradero nuestras relaciones con aquellos gobiernos.

No ha habido alteración alguna en nuestra buena inteligencia con la Francia. El gobierno ha expedido el *Exequatur* correspondiente a los despachos del vicecónsul, que Su Majestad Cristianísima nombró para Veracruz. Lo mismo se efectuó con los librados por el referido soberano en favor del vicecónsul existente en México, y acaba de presentarse el cónsul general de aquella nación.

Las Ciudades Anseáticas estrechan su inteligencia amistosa con los Estados Unidos Mexicanos, según lo manifiesta el tratado que se halla pendiente en el Congreso General, y cuya solución es importante.

La solicitud del gobierno se halla altamente empeñada en estrechar sus relaciones con la Silla Apostólica, a fin de remediar las necesidades que afligen a la iglesia mexicana, especialmente cuando ha perdido en estos días el último de sus pastores. El gobierno ha deplorado la muerte de León XII: este respetable jefe de la Iglesia universal estuvo siempre atento a escuchar los clamores de las repúblicas americanas, para la provisión de sus obispos. Colombia viene en corroboración de cuanto tengo la satisfacción de exponer a esta soberana asamblea.

Entre tanto, se han remitido al enviado cerca de la Santa Sede las explicaciones convenientes sobre las instrucciones dictadas por el Congreso, con órdenes positivas para que pase a Roma, y entre desde luego en negociaciones, asumiendo el carácter público que pueda convenir según las circunstancias; a cuyo efecto se le ha provisto de los documentos y credenciales necesarias, y se han dado órdenes para que se ponga a su disposición la suma que se ha considerado del caso.

*(Era secretario de Relaciones Exteriores, don José María Bocanegra.)*

Genaro Estrada, *op. cit.*, p. 29 a 31. También se encuentra en mi *Historia de las...* p. 97, cita 119.

## 214

9 de julio de 1829. Washington. Martin Van Buren a J. R. Poinsett

*Le indica que los periódicos del país publican un decreto del Presidente de México fechado en el día 22 de mayo último presentando listas de artículos cuya importación se prohíbe bajo pena de ser expropiados.*

That government has certainly the right to allow or prohibit the introduction into Mexico from foreign states of whatsoever it may think proper to admit or exclude; but in the present case, the measure which it has adopted, and which is calculated almost exclusively and injuriously to affect the United States, cannot be regarded by this government as a friendly or liberal one, on the part of that; and you will not fail, therefore, upon the first suitable occasion, in case there be no misapprehension as to the existence of such a decree, to make known to the government of Mexico, the light in which it is viewed by this. Where there is every motive, and certainly a correspondent disposition on the part of the United States, powerfully recommending the most friendly and unrestrained commercial intercourse between the two countries it is impossible to reconcile the policy of such a step on the part of either, with a spirit of kindness towards the other.

M. Van Buren

*American States, Instructions. April 27 1829-May 27 1833. Department of State. Vol. 14, p. 22-3.*

## 215

15 de julio de 1829. México. J. R. Poinsett a Martin Van Buren

... You are informed no doubt of the scandalous intrigues in Bogota. The same scenes would have been acted here if the French commissioner had arrived before the fall of Pedraza. I very much wish to know the views of the administration on this subject. I cannot think it accords with the interests of the United States to permit any European power to obtain



an undue influence in these states; but of this the President is the best judge.

The President of these states has signified to the council his desire to have the Congress concened in extraordinary sessions at an early day. One of the objects is declared to be the immediate ~~despatch~~ of the treaty of navigation and commerce between our two republics. The delay has arisen altogether from the opposition of the monarchical and aristocratic faction, who will protract by every means in their power the establishment of more friendly relations between the two countries. General Guerrero told me a few days ago, that he was determined the plans of these men should not prevail.

I will send you by the next opportunity an account of all the proceedings in these negotiations.

Etc. etc. . . J. R. Poinsett.

*Mexico. Poinsett. April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 173. NAW.*

216

*22 de julio de 1829. México. J. R. Poinsett a Martin Van Buren*

Sir,

In order that you may fully comprehend the present state of the pending negotiations between the two republics, I will throw together as briefly as possible the circumstances attending them since they were commenced.

You are already aware that the administration of this country upon my arrival here, were extremely hostile to the interests of the United States, and adverse to form any sort of connection with us. They believed or affected to believe, that the aggrandizement or even the prosperity of Mexico was regarded by the United States as prejudicial to their interests and that everything would be done by us to impede or check the progress of this colossal power, lest its growth might destroy the sister republic. They insisted that we had availed ourselves of the weakness of Spain to despoil Mexico of a valuable portion of her territory and anticipate a triumph in several of the negotiations on the subject of boun-

UNAM - IIH

daries. This became evident at the commencement of my conferences with the Mexican plenipotentiaries. They at first proposed that both parties should send commissioners to examine the country situated at and near the boundary fixed by the treaty of Washington, from sea to sea, for they had heard of neutral territory hat by the superior acuteness of Mr. Adams had wrested from Spain, and other absurd stories, which an actual examination would elucidate.

Next they proposed to me to fix previously the boundary line in the treaty of commerce, then in progress of negotiation, where it was supposed to have existed prior to the treaty of Washington. They desisted from this proposal only upon my insisting in such a case of inserting the claim of the United States to the territory north of Río Bravo del Norte. For further particularities on this subject I refer you to my dispatch dated the 20th of September 1825, and marked n. 19.

The negotiations for concluding a treaty of amity navigation and commerce were continued and after being brought very nearly to a conclusion, were broken off by me, owing to the Mexican plenipotentiaries insisting up on placing the new states of America that were formerly Spanish possessions upon a more favorable footing than the United States. This took place on the 27th September 1825 and account of the discussion will be found in my dispatch dated 28th September and marked n. 22.

The negotiations were not renewed until May 1826, some little time after the appointment of D. Sebastian Camacho to be plenipotentiary to negotiate the treaty with England. These negotiations resulted in the treaty which was signed on the 10th July 1826.

When I signed the treaty it was with a perfect conviction that it would not be ratified at Washington. I was induced to sign it because the Mexican plenipotentiaries made provisions which we thought objectionable as *sine qua non*, and I felt desirous that D. Sebastian Camacho should go to England, unshaken in the negotiations he was about to open with Mr. Canning. Mr. King had informed me that G. Britain would not object to exception in favor of the states which were formerly Spanish colonies, provided Mexico still desired to have such a provision in the treaty. It was well known to me that the President and his cabinet did wish to insert such a provision in their treaties with all foreign powers, and if not prevented by some preexisting treaty would take

UNAM IIH

advantage of the disposition of Great Britain, to fix the principle in their treaty with her. I had a right to believe from the private correspondence of Mr. Canning with President Victoria and from some public papers of that gentleman written in an unfriendly tone and spirit towards the United States, that he would gladly seize such an opportunity of preventing any treaty from being concluded between the two republics.

Even this treaty favorable as it was to this country was not acted upon until after a delay of several months, owing to the members of the Committee of Foreign Relations in the Chamber of Deputies, being composed of persons inimical to all republican institutions and especially to the United States. When their report was discussed in the House the same spirit prevailed and it was resolved that the treaty of amity navigation and commerce between the two republics should not be ratified until a provision was inserted therein making valid the treaty of limits concluded at Washington between the United States and Spain. For the substance of the report of the committee and the reasons assigned for this resolution on the part of the House, I beg leave to refer you to my dispatch dated 10 April 1827 and marked n. 82. This determination was to be attributed chiefly to the absurd attempts of Hunter and his misguided companions to create a revolution in the state of Texas, information of which reached this country about this time on the 8th of January 1828. The negotiations were renewed and in a few days the treaty of limits was signed. In my dispatches dated 8th January and 7th February 1828 marked n. 113 and 115, you will find the reasons assigned for the renewal of the treaty of Washington by the Mexican plenipotentiaries, as well as those which determined me not to resist the wishes of this government in this particular, and I am still convinced that we never can expect to extend our boundary south of the river Sabine without quarreling with these people and driving them to court a more strict alliance with some European power.

In all former negotiations in this country I had been shaken by their treaties with G. Britain in the first treaty with that government, Mexico had introduced provisions at variance with the interests of America and which occasioned the rupture of our negotiations, and after they were renewed, the dread of introducing some provisions in our treaty which might prevent them from concluding their pending negotiations with the cabinet of Saint James, threw insuperable

UNAM - IIH

obstacles in my way, and finally compelled me to conclude that treaty which was ratified in part only by the Senate of the United States. Relieved from these difficulties, I was unable to carry all the alterations proposed by Senate and on the 14th February 1828 concluded a treaty, which I believe has been ratified by Senate, for I have never been officially informed of it.

Just at the time the treaty was laid before the Mexican Chamber of Deputies, the public had been extremely irritated by some unjustly severe strictures on their national character, published in the United States, and industriously circulated in this country by the faction so distinguished for its hostility to us. Quotations from these publications were made in the course of the debate, which ended in the rejection of two articles. The one providing for the restoration of fugitive slaves, and the other for the maintenance of peace among the Indians of our respective territories. Thus mutilated the treaty was sent up to Senate, and the Congress adjourned on the 28th of May 1828 without coming to any decision on it. On the 1st July they met again in extraordinary sessions and after waiting until the 4th of October I addressed the accompanying note marked a to the Mexican Secretary of Foreign Affairs. Early in the ensuing month, the Senate did act on the treaty, and as you will perceive by my dispatch dated 15th November and marked n<sup>o</sup> 158, rejected all the liberal provisions contained in it; declaring that they would agree to no treaty with the United States, which contained any provisions other than those to be found in that concluded between this republic and G. Britain. The Chamber of Deputies influenced by the spirit of party which at that time prevailed, and by the counsels of those who ruled the cabinet, agreed to the report of Senate with some slight modifications. In this shape it was sent back to that body, where it still remains a majority of the Mexican Senate, elected during the reign of the monarchical faction throughout this union, and opposed to the establishment of friendly relations between the United States and Mexico, and now, aware of the determination of the executive to return the treaty to Congress, with such observations as will probably lead to the restoration of the liberal principles it contains, they will delay its dispatch, as long as they possibly can; both in the expectation of creating an unfriendly feel-

ing between the two countries and of wearing out my patience.

I am, etc... J. R. Poinsett

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 174. NAW.

217

*29 de julio de 1829. México. José María Bocanegra a J. R. Poinsett*

The undersigned Secretary of State and of the Department of Relations has the honor to address Y. E. by order of the Most Excellent President and to communicate that H. E. has received intelligence, that an individual named José Lara has lately enlisted in New Orleans and sent to the Havana upwards of four hundred men, and that he continued to enlist others under a commission from the government of Havana, which he has displayed publicly.

He has likewise been informed that in different parts of the United States of America bordering on the frontiers of these states provisions are storing, troops assembling and the militia training without intermission even on festivals and that everything that is observed in those parts of the country is directed to the movement of troops.

H. E. in the fulfillment of his high duties has ordered the undersigned to make these facts known to Y. E. in order that if they be true, you may be pleased to inform your government thereof. That it may adopt such measures against them as may be judged efficacious; such proceedings being contrary to the neutrality which ought to be observed by that government, and (should the intelligence be correct) can only be considered as giving aid to the expeditions against Mexico; and in the event of its not being correct H. E. hopes that Y. E. will be pleased to make known this fact to the order that this government, guided by your reply may determine upon the fixed belief which it ought to entertain on this point as well as the measures which it may be necessary to adopt.

The undersigned avails himself of this occasion to renew

to Y. E. the assurances of the distinguished consideration with which he has the honor to suscribe himself...

José María Bocanegra.

*Mexico. Poinsett. April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 175. NAW.*

218

31 de julio de 1829. México. J. R. Poinsett a José María de Bocanegra

Resumen:

*Acusa recibo de la nota del 29 del presente sobre los rumores que llegaron al gobierno mexicano sobre reclutamiento de fuerzas en Nueva Orleáns llevado a cabo por José Lara y destinado al servicio de España en La Habana, así como de la estancia de la milicia estadounidense a lo largo de la frontera de México en son de guerra y entrenamiento que se ejercitan incluso en los días festivos.*

*Asegura no tener conocimiento del asunto y que no sabe qué actos puedan dar base a tales noticias, pues hasta que recibió la mencionada nota del 29 carecía totalmente de información excepto en lo relativo a los muchos panfletos que corren en la capital con los que los enemigos de la libertad tratan de destruir las relaciones amistosas que existen entre las dos repúblicas lo que es signo de su ignorancia y de su malevolencia.*

*En cuanto a lo referente a las noticias habidas por el gobierno desde Nueva Orleáns, el infrascrito se aventura a negar que pueda ser verdad. Lara o cualquier otro puede haber estado comisionado para llevar a La Habana a los tipos que se van desde México y que por no saber la lengua y las costumbres se encuentran sin los medios necesarios para vivir en los Estados Unidos y en esa forma toman con entusiasmo los ofrecimientos que les hizo el capitán general de la isla de Cuba.*

*Pero las leyes prohíben que se hagan alistamientos de fuerzas para oponerse a ninguna fuerza e ir más allá de las fronteras de los propios Estados Unidos y declarar la guerra o servir a ejércitos extranjeros y que el agente mexicano en*

*Nueva Orleáns, en caso de que esas acusaciones fueran ciertas, debería de haberlo avisado pues va contra la legislación del país. Sin embargo le parece imposible que las autoridades de Nueva Orleáns hubieran pasado por alto tal falta y que ello, posiblemente, se debía a que todo el asunto no tenía otro contenido que el de los rumores.*

The only movements of troops towards the frontiers of Mexico have been of the escorts furnished by order of the government to the merchants and traders who pass with their goods and merchandise to and from New Mexico and the frontier states. Depredations have frequently been committed by the Indians both by those who inhabit the territory of the United States and of this republic upon these traders and the government of the United States has in consequence directed that escorts should be furnished them as far as their own frontier. This measure intended only to protect and foster a growing and important commerce between the two republics, cannot by any means be construed into movements of troops, calculated to excite the jealousy of this government.

With respect to the assembling and drilling of the militia on the frontiers, the undersigned has received no intelligence of hostile movements on the part of the Indians, in that part of the country, which could alone occasion such measures. In every state and in every territory of the United States the days on which the militias are exercised are fixed by law. It is possible that some one or other of these days may have been set apart by the ordinances of the Catholic church in Mexico as a holy day, and the militia assembling on that day may alarm the fears of the person who conveyed this intelligence to this government. But Y. E. is aware that there are no church festivals in the United States except the sabbath which is kept holy and devoted exclusively to the worship of almighty God. On that day the militias are never mustered or drilled. . .

*Continúa haciendo una serie de votos en favor de que se mantenga la paz entre las dos naciones y habla de que nunca los Estados Unidos ayudaron, ni ayudarían, a España en su lucha contra las colonias americanas.*

J. R. Poinsett.

*Mexico. Poinsett. April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 175. NAW.*

219

2 de agosto de 1829. México. J. R. Poinsett a Martin Van Buren

Sir,

I have the honor to transmit herewith copies of my correspondence with the Secretary of Foreign Relations of this Government on the subject of hostile preparations which they have been informed are made in the United States to invade the Mexican territory. The character and conduct of this government in their intercourse with foreign nations are absolutely ridiculous, and ought only to excite our compassion. They think Mexico the most favored country on earth and that its great natural advantages must excite the envy of the whole world and more especially of their neighbours the people of the United States. Like all ignorant people they see in the most simple and straightforward actions profound mysterious views, calculated to prejudice the interests of Mexico. They regard all foreign nations with distrust and I should judge from intimate acquaintance with President Guerrero, that the order in which he thinks they ought to be distrusted is first Great Britain and then France and last the United States. But I believe H. E. the Secretary of Foreign Affairs, reverses this order.

They are every day confirmed in their fears of an attack from the United States by their agents in New Orleans and Texas, especially by General Terán who has always been attached to English interests. This person assures the government in his last dispatches, that we are making vast preparations to attack that country and have already fifteen thousand men on the frontiers.

I saw some time ago a letter written by General Terán to a member of this government which contained among others the following remarks which I noted at the time: 'The extensive territory of Texas should be secured by treaty to Mexico. It contains thirty thousand square leagues, is highly fertile and produces many articles not found in other parts of our coast and besides offers great facilities for trade by means of its navigable rivers, a circumstance which renders Texas of great importance is that there where it borders on the rest of Mexico the country for many leagues is arid and unproductive, so that if our limit should be fixed on the Río Bravo del Norte as the Americans have pretended they would



gain on their side a country abundant in everything, and on our side we should find an impoverished population struggling against an unfruitful soil, and consequently weak.'

All the North Americans established in Texas by virtue of the colonization laws are firmly persuaded that they occupy a country of disputed jurisdiction and they think therefore that it may still be determined by their own interests. As it is unquestionable that these new colonies must soon ask the protection and social organization which they require and in which they are now deficient, for in fact the Mexican government is not felt among them in any manner whatever; it seems to me that the destiny which these men will choose for themselves ought at once to be considered. The North Americans cannot like the Mexican life without a fixed form of government. The latter are satisfied with their privilege of appointing an *alcalde* who can reprove them and punish their minor vices but the former are accustomed to the continual exercise of their rights, to find at hand a perfect political and social organization and resources of every description, and if these are wanting they consider themselves insecure, and as if it were in a state of barbarism. Thus the spirit which must animate these colonies with respect to Mexico is evident: in truth, who ever travels through them, must submit to hear constant complaints always uttered in very insulting terms. The foreign population in that country is to the Mexican as eight to one and to this advantage in numbers they enjoy that of the situation for they have chosen the best lands, so that for the preservation of this country it is vain to rely upon the morality or strength of its inhabitants. As to the garrison these are now a few hundred soldiers spread over a territory so immense, separated by interminable deserts, badly paid and not mounted so that they constitute no support whatever, and are even incapable of repelling the hostilities of the savages. There are three Mexican villages in this vast territory. Two are subject to tribute by the Indians and the other Nacogdoches is only exempted from this humiliation because the tribes which surround it are pacific.

This letter is dated the 3rd June 1829 and General Terán has never ceased since that period to alarm the fears of this government on the subject of Texas on which this people have become extremely sensitive from the frequent insinua-

tions made by Europeans of the ambitious designs of the United States in that quarter.

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

*Mexico. Poinsett. April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 175. NAW.*

220

*7 de agosto de 1829. México. J. R. Poinsett a Martin Van Buren*

Sir,

I should be sensibly mortified in communicating to you the violent attacks which have been made upon me of late by the aristocratic faction of this country and especially that by the legislature of the state of Mexico, if I could attribute them to any misconduct or even to any want of prudence on my part. But these attacks have been entirely unprovoked, and the conjectures, for you will perceive they are nothing more, which gave rise to them are utterly unfounded: I most certainly never have given cause for the clamors, which have been raised against me by these designing men, by interfering in the remotest degree in the internal affairs of the country; nor have I ever deviated from that frank and open and manly policy, which distinguishes the intercourse of the United States with foreign nations. All intrigue is as foreign from my character as it is from the generous policy of the government I represent. Nor have I ever condescended to conceal the views of either in my negotiations with these states. I am, I repeat entirely unconscious of having given any just motive for this excitement against me, on the part of the faction in opposition to this government, unless my uncompromising republican principles, and my friendly intercourse with some leading members of the popular party can be regarded as such. In my dispatch n. 166, I entered very fully into the causes of the enmity entertained against me by the aristocratic monarchical and European faction in Mexico. It broke out into open hostility before I had been in the country six months, and their attacks have been unceasing ever since. This party had the power in their

27

hands when I arrived in the country and by the nature of their institutions, were disposed of it shortly after. They immediately attributed their downfall to me, to the organization of masonic lodges in opposition to theirs, and which had served them as a successful instrument of political intrigue, to my superior management which they supposed had been used against them, and indeed to any other cause than the true one: namely the popular elections and form of government which must forever preclude the possibility of an oligarchy governing the people.

From the unblushing effrontery with which these people assert falsehoods and reason from them as from facts, I feared they would have exercised more ingenuity in their accusations against me.

You will perceive by the accompanying translation marked A that they speak only from conjectures as improbable as they are unfounded. They believe that I am the soul of the present administration, and its only support and that if they could succeed in removing me, they would find no difficulty in overthrowing the government and recovering their power. They excite the people therefore by the most absurd and improbable tales: they tell them that the United States are jealous of the rising greatness of Mexico and have instructed me to throw every obstacle in the way of its prosperity: they have even had the audacity to assert that the cabinet of Washington caused the death of their minister Obregon and from that to argue publicly that the people ought to assassinate me. But it is disgusting to repeat the infamous proceeding of these men, I must defer you to the papers which accompany this dispatch and to Commodore Porter whom I have charged with the delivery of them and of other dispatches which have accumulated here, for want of a fitting opportunity to forward them. Commodore Porter has been in the capital for the last four months and has witnessed the almost incredible conduct of these men. To him therefore I refer you for a more minute detail of what has passed here, during that period.

I have had frequent conferences with the President of these states, since the publication of the remonstrance of the legislature of Mexico, and have represented to him the impropriety of such an interference on the part of a state, with the diplomatic relations of the federal government: as well as the evil consequences which must spring from the example. He expressed his regret at what had taken place, and in the

warmest terms assured me that the general government was perfectly satisfied with my conduct, and was aware that the attack was directed against them, rather than against me: spoke in strong language of the infamy of those men who sought to interrupt the friendly relations between the two republics and said indeed everything that he supposed calculated to sooth my feelings, and to satisfy the United States of his friendly disposition towards them but he had not firmness enough to reply to the legislature of Mexico in a manner which would prevent a repetition of those insults from the legislature of the states towards foreign ministers. The good sense of the popular party has hitherto prevented similar attacks being made upon the agents of European powers, I know such propositions have been made and opposed here by all the influence of the ruling party.

This is to be sure, a most miserable state of misrule and cannot last long.

I am Sir etc... J. R. Poinsett.

*Mexico. Poinsett. April 24' 1828-February 8' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 176, NAW.*

221

*9 de agosto de 1829. México. J. R. Poinsett a Martin Van Buren*

Sir,

On the 25th of July the Spanish squadron consisting of a ship of the line of frigates and some small vessels of war with twenty five transports anchored off the bar of Tampico, and on the 27th landed their troops of about three thousand men at Cabo Roxo twelve leagues south of Tampico; after throwing up entrenchments at Cabo Roxo they have pushed forward an advance which has occupied Pueblo Viejo and a small fort near the bar. Indeed all the first actions must be in favor of the invading force as the Mexirans have not as yet more than eight hundred men to oppose to them. Thus far the Spaniards have acted with great moderation and policy. They pay well for the supplies they obtain, reward desertion liberally and hold out fair promises of pardon

to all who are disposed to submit to the clemency of their sovereign. That they have a party in the country, no one can doubt, but it is feeble in numbers. Their stronghold is in this capital, where every effort is making to clog the operations of the government and if possible to destroy its efforts which it is to be feared may be successful for the ignorance and credulity of these people is surprising, so that the agents of Spain and the demagogues of the faction opposed to the government find no difficulty in deceiving them.

The Congress has been convened and has been occupied in noisy debates on trifling subjects and in mutual accusations and recriminations. The committee of finance has proposed a forced loan of two millions and a half dollars to meet the immediate exigencies of the government to be raised by the states after a certain pro rata to be fixed by Congress.

Nothing but the grossest misconduct and the basest cowardies and treachery can betray this country into the hands of the Spaniards. General Santa Anna has sailed from Vera Cruz with twelve hundred men intending to land at Tuxpan. He has risked more than a prudent general ought to have done, for the Spanish squadron is cruising off Tampico and may have received advice of his embarkation, notwithstanding the embargo laid upon the shipping in the port of Vera Cruz. The troops which had been assembled in San Luis Potosí to the number of four thousand men, have marched towards Tampico under the command of Generals Garza and Valdivieso and about two thousand men under General Velasco have marched direct from hence for the same point. It is however doubtful whether these officers will act in concert. They are all of the same grade and even in the armies of more civilized nations it frequently happens that jealousy of rank and command is stronger than love of country.

I am... J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 177. NAW.

UNAM - IIH

Most Excellent Sir,

The undersigned Secretary of State and of the Department of Interior and Exterior Relations has the honor to inform Y. E. that subsequent to the note addressed to him on the 29th July last requesting explanations which according to our intelligence are making the United States against this republic, other official communications have been received from our frontier stations which speak more positively and specifically about this affair, announcing, that there exists already an assemblage of North American troops upon the Mexican territory on the frontiers of the state of Coahuila and Texas. These communications have again called the attention of the Most Excellent President of this republic more forcibly to the necessity in which this government finds itself in the discharge of its duty to request from Y. E. through the medium of the undersigned explanations more clear, positive and precise, respecting a subject so interesting and which on no account can be indifferent to the Mexican federation.

With this object the undersigned addresses Y. E. by order of H. E. requesting that he will be pleased to make known with that frankness which distinguishes him the truth of the case in order that this government with such information in its power may know how to conduct itself hereafter.

The undersigned avails himself of this occasion to renew Y. E. the assurances of the consideration with which he is your ob. servant. J. María de Bocanegra.

*Mexico. Poinsett. April 24, 1828-February 3, 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 179. NAW.*

223

*21 de agosto de 1829. México. J. R. Poinsett a J. M. Bocanegra*

Most Excellent Sir,

The undersigned envoy extraordinary and minister plenipotentiary of the United States of America, has received Y. E's. note of the 20th instant communicating to him the

renewed official communications received by this Government from their stations on the frontiers of the United States of America, which speak still more positively and more specifically of the reunion of American troops, on the Mexican territory at the frontier of Coahuila and Texas; and calling upon the undersigned to give explanations of these movements more clear specific and decided than those conveyed in his last note on this subject. With every inclination to satisfy the Most Excellent President of this republic, the undersigned is at a loss for the language more clear and precise than that he used on the former occasion. He unhesitatingly pronounced the intelligence communicated to this government, of military movements on the part of the United States on this frontier, to be unfounded, and the suppositions deduced therefrom, that the United States were making active preparations to commit hostilities upon this country to be utterly and entirely false after the repeated instances given by the United States of the friendly feelings which they cherish towards Mexico, the undersigned cannot but express his extreme surprise at the want of confidence in his government which is evinced by these continued inquiries into supposed military movements on the frontiers of the Mexican territory. Willing however to give a fresh proof of his desire to satisfy the Most Excellent President of these states, he will renew the assurances already given, that he has received no intelligence of any such reunion of United States troops upon the Mexican frontier, as Y. E.'s not supposes to exist and is of opinion that the agents of this government have given too easy credence to false or exaggerated statements. That he knows the government of the United States to be animated by the most friendly feelings toward Mexico; and that the Executive of those states besides having the best feelings and intentions towards this republic, does not possess the power, even if he were so disposed to commit hostilities against any nation without the assent of the Congress of the union, whose attribute it is to declare war.

The undersigned avails himself of this occasion to renew to Y. E. the assurance of the high respect with which he has the honor to be Y. E. . . . J. R. Poinsett.

**Mexico. Poinsett. April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, anexo al doc. 179. NAW.**

22 de agosto de 1829. México. Poinset a Van Buren

Sir,

The Spanish troops have taken Tampico de Tamaulipas, and are fortifying the place. General Santa Anna is by this time before it with a desultory force of between seven and eight thousand men. The Spanish squadron suffered him to reach Tuxpan in safety and he has been appointed general in chief of the division of operation against the Spaniards. The position occupied by the latter is very strong, having a deep and broad river in front and a lake in the rear and its only approach narrow roads across a morass. So long as they can keep up their communications with the sea, they may maintain themselves in Tampico. It is not probable that they will venture to march into the interior with so small a force.

The law for raising a forced loan of two millions and a half has passed.

Two divisions are to be organized, one to be situated between Puebla and Perote, under the command of the Vice President General Bustamante, and the other in the western provinces, under the command of General Figueroa.

The country is in my opinion in more danger from the intestine divisions of its own citizens than from any force the Spaniards can send against it.

The Senate obstinately refuse to accede to the propositions of the government for the defense of the country, and the majority of the Chamber of Deputies have resolved in the event of Senate persisting in their resolution, to secede and dissolve the government. They propose in that case to publish a manifesto, addressed to the nation, setting forth their motives for adopting this desperate measure, and in strong terms reprobating the unworthy conduct of the Senate. Some change, and that a radical one, is on the eve of taking place in this country.

Under these circumstances and considering too that the Spanish fleet will probably blockade the coast of the Gulf of Mexico, I think it my duty respectfully to suggest to the President the necessity of sending a strong naval force into the seas. The presence of an American squadron, and especially of a ship of the line, would not only protect the valuable commerce we have with this country from aggres-



sion on the part of the Spaniards, but would command respect from these people, and lead them to act with more courtesy towards our flag and our citizens.

I am dear Sir...

J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 180. NAW

225

*22 de agosto de 1829. México. J. R. Poinsett a Martin Van Buren*

Sir,

I have the honor to transmit copies of a further correspondence with the Secretary of Foreign Relations of this government on the subject of the military preparations which from intelligence received from their frontier stations, this government supposes to be making by the United States. The Senate, a majority of which is composed of a faction as violent in their resolutions and acts, as they are contemptible in their principles, called for information of the government, respecting the invasion of the Mexican territory by the United States of America, and conducted their inquiries with a degree of insolence which nothing but my compassion for their weakness and ignorance has induced me to tolerate. These misguided men would delight to plunge the country into a war with the United States, or in any event, which could overthrow the existing state of things, and trust to chance for the reestablishment of the power of the oligarchy, which formerly governed the country, and of which they are worthy members. I will not therefore suffer myself to be provoked; nor will I personally yield to their attacks, although my residence in this country has become almost insupportable.

I had a conference with the Secretary of Foreign Relations yesterday on the subject of the accompanying correspondence, I told him that the government of the United

UNAM - IIH

States cherished the most friendly feelings towards this republic, and had not the remotest intention of invading its territory, and after the many proofs of their good will towards Mexico it was insulting and indecorous to the dignity of my government to manifest so much distrust of its good faith. I reminded him of the generous manner in which the United States had yielded to the wishes of this government in concluding a treaty of limits, on the basis of that of Washington, and that the delay in the ratification of that treaty had been owing altogether to the neglect of this government. I observed to him that until the treaty of amity and commerce was ratified, this country must expect military movements upon their frontiers; that the treaty contained provision binding both contracting parties to restrain the Indians residing within their territory from committing hostilities upon the citizens or Indians residing within the territory of the other; that this provision was absolutely necessary, in order to preserve a good understanding between the two countries. For if the savages residing within the territory of Mexico, were to commit any within our territory, in the belief that they had only to pass the boundary line between the two countries, to be safe from pursuit, the government of the United States, would be compelled to destroy this delusion; and if this government could not or would not restrain their hostilities they would be pursued and chastised even under the walls of Mexico.

In reply, they assured me of the friendly disposition of this government towards that of the United States and disclaimed all distrust of the views and intentions of the latter; but assured me, he had been driven to address me those notes, by the inquiries and attacks of the Senate: that I was aware of the factious opposition which the government encountered at every step; and especially in every thing relating to me, and to my government; and concluded by saying that the government of Mexico was convinced of the necessity of concluding the treaties with the United States and had resolved to urge their prompt dispatch.

I am... J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198. doc. 179. NAW.

24 de agosto de 1829. Washington. M. Van Buren a A. Butler

**Resumen:**

*Le ordena que tome los despachos que le anexa y que se dirija violentamente a México para ponerlos en manos de Poinsett, el ministro plenipotenciario y enviado extraordinario de los Estados Unidos. A la vez le indica que nadie debe enterarse de lo que lleva ni del motivo verdadero de su viaje y que una vez en México reciba órdenes de Poinsett. También le habla de su sueldo y de sus gastos y de la forma en que se los piensan cubrir.*

*Special Missions. December 15' 1823-November 13' 1852. Department of State. Vol. 1, p. 52-3. NAW.*

25 de agosto de 1829. Washington. M. Van Buren a J. R. Poinsett

*Le indica que el deseo del presidente es que abra una negociación con el gobierno mexicano para comprar una parte de Texas, tal como le describe más tarde y, si no se lograra en su totalidad, que compre la parte que consientan venderle. El presidente conoce las dificultades que se le van a oponer pero piensa que las facilidades y especialmente las pecuniaras le ayudarán a acabar cualquier motivo que tengan para no consentir en la venta.*

*El presidente está convencido también de la necesidad que hay de llevar a cabo la adquisición para poder vigilar la frontera de los Estados Unidos y proteger Nueva Orleans, a la vez que para asegurar para siempre la vida del valle del Mississippi, su navegación y su posesión.*

The territory of which a cession is desired by the United States is all that part of the province of Texas which lies east of a line beginning at the gulf of Mexico, in the center of the desert of Gran Prairie which lies west of the Rio Nueces, and is represented to be nearly two hundred miles

UNAM - IHH

in width, and to extend north to the mountain. The proposed line following the course of the center of that desert or prairie, north, to the mountains dividing the waters of the Río Grande del Norte from those that run eastward to the Gulf, and until it strikes our present boundary, at the 42nd degree of north latitude. It is known that the line above described, includes the Spanish settlements of La Bahía and San Antonio de Bexar, comprising all the Mexican inhabitants of the province, and this may furnish an objection to so extensive a cession. If, from this circumstance, the objection should be made, and you find the Mexican government disposed to cede any portion of the territory in question, you are authorized to agree to any of the following lines, regarding those farther west as preferable. The second proposed line commences on the western bank of the Rio de la Barca, where it discharges itself into Matagorda Bay, and continuing on that river on the wester bank thereof, to the head of its most westerly branch, thence due north, until the line shall strike the Río Colorado, and thence up the Colorado River, on the western bank thereof, to the head of its principal stream, thence by most direct course that will interest our line, at the 24th degree of the north latitude, and include the head waters of the Arkansas and the Red Rivers.

The third proposal may be a line to commence on the Gulf of Mexico, at the mouth of the Río Brazos de Dios, and on the westernly bank of that river, to pursue the course of that river up to the head of its most westerly branch, by the west bank thereof, and from the head of that branch of the river by such a course as will enable us to intersect our present line at the point already indicated.

In the event of adopting either of the propositions which establish the mouth of the La Baca River, or the mouth of the Colorado River as the boundary, it must be stipulated for an extension of that line due south from the mouth of the river to the Gulf of Mexico.

The preceding boundaries are as definite, as, with the materials in the department, I have been able to make them. It is, nevertheless, probable that they may be greatly improved by a more accurate knowledge of the localities of the country. It is submitted to your discretion to make such alterations as shall appear to you to be clearly beneficial to the United States.

The boundary at present assumed by Mexico is deemed objectionable, as well on the ground of its alleged uncertainty,

as for reasons of a different character. It is represented to us that, of the two streams which empty into the Sabine Bay through the same channel, the one farthest west is the most considerable, and may, with reason be claimed to be the one referred to in the treaty. The distance between them, although only four miles where they enter the Bay, at some places approaches one hundred. That there is much ignorance of the locaties of the province, and consequently confussion and error in the maps of it which are extant, is certain. Whether the representations which have been made upon the subject to this government be founded in truth, or are the suggestions of interested individuals, to subserve particular views, remains to be seen, but this is not the only nor the strongest objection. The Sabine is a very inconsiderable stream, and only navigable by small crafts. The Bay is shallow and neither it, nor the river can ever become the seat of sufficient commerce to authorize the establishment of a custom house, or other public agency in its vicinity. Without such establishment it is impossible to prevent that frontier from becommng the seat of an extensive system of smuggling, alike injurious to the true interests of both countries.

*Las tierras al este del Sabina eran consideradas en su mayoría como pobres y tan alejadas de las facilidades comerciales que se pensaba que nunca podrían mantener una población, pero mientras la frontera continuara tal como estaba, la zona quedaría condenada a ser un refugio de piratas y contrabandistas. Y tendría que resultar a la larga el que, al depender los Estados Unidos de semejante población para proteger la frontera, esa situación motivaría refriegas entre los habitantes de ambos lados de la frontera. Al pensar en arreglar la frontera de forma definitiva había que pensar también en que esos problemas serían enormes en el futuro.*

Thus viewing the matter it is far from visionary to see in the present condition of things the germ of future discontents which may grow into national complaints and heart-burnings, and perpetually foster and inflame a spirit of jealousy to which our neighbours are already too much inclined.

*Consideraba además que la mayoría de las concesiones que se hicieron en Texas estaban en la fecha en las manos de norteamericanos y europeos. Sin tenerse en cuenta la política cauta que el gobierno mexicano escogió al prohibir que en una zona ancha de territorio se hicieran concesiones a extranjeros o se ayudara al desarrollo de los norteamericanos y*

*lo que es peor que esos intereses ya se habían dispersado por las tierras prohibidas. La prohibición fue menospreciada por los aventureros y además el gobierno mexicano, considerando lo difícil que resultaría conservar esa franja, también había hecho concesiones dentro de ella. La falta de confianza del gobierno mexicano en los habitantes norteamericanos del territorio texano era clara y se había expresado, en el corto lapso de cinco años, en no menos de cuatro revoluciones de las que una llegó a pedir la independencia del país.*

*El gobierno norteamericano aprovechó la primera oportunidad para satisfacer al gobierno de México en cuanto a que la resistencia contra la autoridad legal del territorio no recibía ayuda directa ni indirecta del gobierno de los Estados Unidos. En esos asuntos siempre habían mantenido una conducta clara, pero la repetición y la recurrencia de esas escenas proporcionaban continuas inquietudes y gastos por parte de México, terminándose por fomentar una sospecha de los motivos que pudieran tener los Estados Unidos para estar actuando por detrás, produciéndose los Naturales resquemores en las relaciones que se deberían preservar amistosamente. La obligación del gobierno norteamericano consistía en conducirse de tal forma hacia México que no hubiera ninguna clase de queja, pero sería mucho mejor eliminar las causas que producían los malentendidos por un arreglo fundado en los principios de la justa reciprocidad.*

*También había que pensar en la situación de Texas en relación con las numerosas tribus indígenas que estaban en su vecindad y ese problema era necesario resolverlo con urgencia en favor de la cesión.*

*Los comanches, tribu numerosa y peligrosa, habían sustraído de las manos de sus dueños todo animal viviente y lo habían hecho más de una vez matando a los habitantes de San Antonio frente a la plaza pública. Se sabía que había indios de cualidades mucho más guerreras y peligrosas que se habían establecido recientemente en Texas y que su número aumentaba a diario. Entre ellos estaban los shawanee, los che-rokee y kickapoo. Reclamaban el mismo derecho que los mexicanos para ocupar la región y decían que lo iban a mantener por las armas. La base de esta afirmación era, según ellos, que los españoles les hicieron una invitación para que ocuparan aquellas tierras desde antes de la guerra de independencia con el fin de que, asentados en ellas, pudieran protegerlas del enemigo común que eran los comanches. Se suponía que tenían quinientos guerreros, pero su número au-*

mentaba y ello resultaba forzoso en cuanto se moviera el cuerpo principal de la tribu que en ese momento se encontraba más al oeste. Para asegurar la vida de los habitantes civilizados de aquellas tierras, así como para evitar los levantamientos de esos mismos grupos de gente, resultaba importante para el gobierno poder mantener en la zona contingentes de tropas lo que con la situación, difícil económicamente, que tenía el gobierno mexicano resultaba problemático, pero ello sería inevitable mientras la provincia perteneciera a México.

Los soldados mexicanos, aun cuando habían sido insultados por los indios, habían tenido que confesar su imposibilidad de castigarlos, mientras había sucedido lo mismo cuando los indios mexicanos trataron en esa forma a los colonos norteamericanos, pero cuando menos esos fueron perseguidos con el resultado de que ya no se atrevían a atacar norteamericanos y centraban sus fuerzas sobre los establecimientos mexicanos. Esos hechos concluían siempre en el desarrollo de las envidias existentes en las provincias por parte de los mexicanos, quienes suponían que la actuación de los indios era causada por tratados sordidos hechos y firmados por los norteamericanos.

Al hacer el trato con los Estados Unidos, México no sólo tendría la ventaja de no tener que preocuparse de pagar los gastos que producían las guarniciones en la provincia, sino que encontraría sus fronteras muchísimo más seguras al interponer los Estados Unidos entre los indios y sus fronteras orientales que eran las más expuestas.

Los comanches solamente habían atacado al este del Río Grande y debido a las condiciones físicas del terreno, nunca lo hacían por el oeste.

Había que considerar también, y todos los hombres bien informados de México lo afirmaban, que era conocida la situación inestable del gobierno de México y la amenaza que tiene de constantes revoluciones o por lo menos las hostilidades abiertas con España. Considerándolo así sería factible un desmembramiento de la Federación y en tal caso el golpe que más posibilidades de resultado pudiera tener sería la toma de la provincia de Texas. Aunque la separación de ese territorio por un corto tiempo no fuera de gran importancia había que pensar en que su ejemplo sería fatal. Si viera que era necesario podría utilizar ese argumento y lo dejaba a su discreción.

The line proposed as the one most desirable to us would

UNAM - IIH

constitute a natural separation of the resources of the two nations. It is the center of a country uninhabitable, of the Gulf and, on the mountains, so difficult of access, and so poor, as to furnish no inducements for a land intercourse; and; of course no theater for those differences that are almost inseparable from a neighbourhood of commercial interests. To correspond with the habitual feelings of the people of Mexico, and with the avowed policy of the Mexican government by causing a wide separation and difficulties of intercourse between the inhabitants of the two countries, and by preventing those excitements and bickerings invariably produced by the continuous operation of conflicting laws, habits and interests, the commercial establishments which would be forthwith made at the Nueces, and in its vicinity, would enable us to preserve, in a great degree, the morals of the inhabitants of both sides, by prevention of smuggling; and the Mexican government by thus respecting the real interests of the United States, without actual prejudice to its own, would afford the strongest evidence of that spirit of friendship by which the United States have always been influenced towards it, and which should ever characterize the conduct of neighbouring republics.

*El presidente no deseaba que se hiciera la cesión propuesta sin corresponder su justo equivalente a México, por ello autorizaba que se ofreciera al gobierno mexicano, por una cesión de acuerdo con la primera frontera que se había mencionado, una suma que no sobrepasara cuatro millones de dólares.*

So strong are his convictions of its great value to the United States, that he will not object if you should find it indispensably necessary, to go as high as five millions.

*Si viera que el gobierno de México no aceptaba, entonces propondría que le cedieran terrenos más pequeños de acuerdo con las diferentes referidas al principio y ofreciendo en cada uno de los casos una cantidad que fuera en proporción considerando los cinco millones ofrecidos para toda la provincia.*

*Los pagos se harían con un crédito de tres o cuatro años y con bonos, todos iguales a partir de unos cuatro meses después de la ratificación del tratado y entrega del territorio. La ratificación del gobierno mexicano debería proceder a la del Senado de los Estados Unidos. De ninguna manera de-*



*bería de interpretarse que el gobierno de los Estados Unidos tomaba ventaja por conocer la situación precaria de México para aprovecharse de ella tomando una parte de su territorio. Habría que tener en cuenta lo poco que el territorio mismo representaba para México, la distancia y la desconexión que tenía con la capital, la condición incierta de sus negocios interiores, la mala situación de sus finanzas y la amenaza de una invasión española serían factores que se combinaban para mostrar a México que su conveniencia consistía en desprenderse de esas tierras, que sólo le proporcionaban un beneficio muy limitado.*

Should you be able to conclude a treaty, and either of the rivers herein mentioned be agreed upon as the boundary, it will be necessary that it should contain a stipulation for the mutual right of navigation, and for that of common jurisdiction over the river itself. The treaty may also provide for the confirmation of all *bona fide* grants of land, made prior to its date. Your situation in Congress must have made you sensible of the embarrassments and difficulties under which the United States have labored from frequent applications for the confirmation of titles to lands in the territories heretofore ceded to them, in cases in which the original conditions of the grants had not been complied with. It is theretofore desirable that the stipulation, on the part of the United States, to confirm grants previously made, should be limited in terms more explicit than heretofore used, to cases in which the conditions of the grants have been fully complied with, wherever the time for such compliance shall have expired. The treaty may also 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 principles of the federal constitution, and for the enjoyment of their liberty, property and religion. It will of course, contain a stipulation for the delivery of the country to the United States, simultaneously, or as nearly so as may be practicable, with the payment of the consideration.

This despatch will be delivered to you by Colonel Anthony Butler of the state of Mississippi. Colonel Butler has made himself well acquainted, by actual examination, with the territory in question, its streams and localities. In the belief that he deserves your confidence, and that he may be useful to you in the negotiation, by supplying you with facts which

might not, otherwise, be within your reach, he has been instructed to observe your directions, in regard to his stay in Mexico, and his agency in the matter, whilst there.

Etc. Etc. M. Van Buren.

*Special missions.* December 15' 1823-November 13' 1852. Department of State. Vol. I, doc. 30, p. 39. NAW.

## 228

28 de septiembre de 1829. Nueva York, artículo firmado por UN MEXICANO

Aunque me hallo por las circunstancias en un país extraño, mi corazón no cesa de hacer votos por vuestra prosperidad. El cielo sabe que el constante anhelo de mi alma no es otro que el *bien de mi patria*. A éste he consagrado mi existencia y aunque sus convulsiones políticas me hayan separado de su seno, llega no obstante, a mis oídos su voz majestuosa e imponente. El interés que en ella tomo me exige os hable: ¿debo obedecerla? Sí, mexicanos: debo obedecerla, debo hablaros. Pero mis palabras no serán estudiadas: la verdad no se paga de adornos: si mi discurso hiere vuestro amor propio, acordaos de que el lenguaje del verdadero amigo es firme y animado; acordaos de que la adulación fue siempre el idioma de los traidores y estad ciertos de que mi pluma no la guía otro interés que el de mi querida al par que desgraciada patria.

En el mundo moral, como en el físico, todo está sujeto a las leyes, cuya transgresión lleva consigo su pena; y las naciones, como los individuos, se exponen a su cierta ruina, cuando, cegados por las pasiones, dejan que el alucinamiento y la terquedad usurpan su puesto a la razón. ¡Cuántos, cuántos males lamenta ya nuestra naciente república, consecuencia de la infracción de aquellas leyes divinas! Entre estos males el que tiene, a mi entender, el primer lugar, es el desprecio (no ya simulado,) con que nos trata alguna nación amiga.

Los políticos y periodistas de estos Estados Unidos del Norte se ocupan actualmente en la cuestión del desmembramiento de nuestra república. ¡Almas verdaderamente mexicanas! ¿No sentís vuestra sangre enardecerse a tanto ultraje? Los que se llaman hijos de Washington. olvidando las sabias má-

ximas de este inmortal fundador de la libertad americana, quieren su engrandecimiento con desdoro y a costa nuestra. Prevaliéndose del fatal estado a que nos han reducido nuestras disensiones, en vez de alargarnos una mano benéfica y experimentada, que nos indicara el camino que deberíamos seguir en el laberinto de un nuevo orden de cosas a que no estamos acostumbrados, se presentan en nuestro mayor apuro a arrebatar nos insidiosamente un vasto y fértil territorio, que tal vez a su política debemos el no tener ya completamente poblado.

He dicho a su política, porque así me da derecho a pensar el ver que, sordos a los justos y repetidos clamores de la parte sana de nuestra población, se obstinan en tener en ese suelo, revestido del alto carácter de enviado público, al hombre que ha sembrado entre nosotros la semilla de la división y de los partidos: al hombre que, expelido con ignominia de una república naciente del sur, no debimos admitir, ya que estos Estados no tuvieron inconveniente en hollar el pundonor y la delicadeza enviándonoslo: al hombre que, burlándose descaradamente de nuestra credulidad y buena fe, se goza en el abatimiento y descrédito a que han traído a nuestra patria sus dolorosas maquinaciones: al hombre, que en ese mismo descrédito nuestro, que él ha causado, funda ahora la razón suficiente para proponernos la pérdida de una inmensa y rica parte de nuestra nación, al hombre, en fin, cuya permanencia en esa República está en oposición directa con la felicidad y progreso de ella. Hablo del Sr. Poinsett. En efecto, ¿cuál, otro puede ser el objeto de sostener con tan tenaz empeño en su destino a un individuo a quien la *voz general* de la nación mexicana acusa como motor de sus trastornos y desgracias? ¿En qué se funda pues ese tesón en no querer llamar al juicio a un empleado que con su conducta impolítica y reprobable ha hecho que una nación nueva en el arte de gobernar rompa los sagrados vínculos de su pacto social, con perjuicio de la misma nación que él ~~representa?~~ La justicia, la razón, bases fundamentales del derecho de gentes, ¿no exigen que en el momento que un ministro extranjero, por mezclarse con los negocios domésticos de la nación amiga en que reside, se hace blanco del merecido resentimiento de ésta, sea llamado por su gobierno? ¿No lo exigen igualmente la buena armonía y correspondencia de las Naciones? ¿Consentirían estos Estados Unidos que nuestro ministro interviniese en sus arreglos a leyes interiores, y lle-

vase la insolencia hasta el punto de dirigir las elecciones populares?

Se trata en fin, compatriotas míos, de arrebataros parte de nuestro territorio: el Estado de Texas. Bien que este asunto no es nuevo, hace tiempo que estos Estados Unidos tienen fija la idea en la adquisición de esa vasta porción de nuestra República. Mas lo que exaspera a todo mexicano sensible es que quieren cubrir ahora sus intensiones con el especioso velo de una compra y que hayan aguardado para proponerla a una época en que los disturbios, ocasionados por su ministro, nos han traído a la condición más miserable. ¡Compra! Pero ¿quién vende? ¡Ah! Qué cúmulo de reflexiones se atropellan en mi mente en este instante! reflexiones que también ocurren a los hombres sensatos y virtuosos de este mismo país; pero que la buena armonía que deseo guarden mis compatriotas, y hoy más que nunca necesaria me veda el confiarlas a la pluma.

Son varias las razones que en pro y contra aducen estos periodistas en la cuestión de que os hablo. Unos se presentan decididos en apoyo de la adquisición, por la conveniencia (dicen) que de ella debe resultar a estos estados: otros, por temores que expresan, o por celos de la superioridad de unos estados sobre otros se oponen a ella; y algunos, finalmente, esperan para decidirse que los razonamientos de los defensores o de los opositores del proyecto los hayan convencido de su utilidad o inutilidad. Pero hasta ahora a ninguno de ellos, al menos que yo sepa, se le ha ocurrido ocuparse de la justicia y política de dicha compra en las actuales circunstancias.

El *Nashville Republican* del 18 último, después de hacer una larga descripción de la situación geográfica, clima, suelo, fertilidad y producción de Texas, da como razones para la posesión de ella por los Estados Unidos del Norte que "el gobierno mexicano se encuentra en el día en el mayor embarazo en cuanto al ramo de hacienda: que esta circunstancia ha motivado la disolución de su marina y la disminución de su ejército, y ha diseminado entre sus ciudadanos en general el espíritu de desconfianza, descontento y disensión: que hallándose Texas por su situación expuesta a ser atacada requiere dos guarniciones, cuyo sostenimiento exige gastos considerables, en los que se incurre sin provecho, por no tener aún (los mexicanos) conocimiento alguno de la contribución sobre tierras: y que el terreno es propio para la agricultura de la cual no entienden (los mexicanos) la menor cosa".

Añade “que la *débil condición* del gobierno mexicano y la indefensa situación de Texas, hacen a ésta una fácil conquista para un enemigo extranjero; conquista que sería más humillante que una cesión voluntaria. Por estas razones creemos que su adquisición sea practicable”.

Disculpamos al editor o editores del periódico mencionado por la urbanidad con que nos tratan, regalándonos a su sabor con el epíteto de ignorantes; pero puesto que a ello nos incitan sufran el oírnos repetir que, por mucho que lo seamos, *no ignoramos* que el embarazo de nuestra hacienda pública y sus consecuentes desórdenes no han tenido otro origen que el manejo tortuoso y artero del señor Poinsett; ya que no es posible concebir que este ministro se haya injerido con tanto descaro y desfachatez en nuestros asuntos domésticos sin haber tenido *instrucciones especiales de su gobierno* para hacerlo así. Cotejen esos señores editores el estado de la hacienda y del país de México durante los años de 1825 y 1826, en que sólo nos dirigía *nuestra ignorancia*, con el de los de 1827 y sucesivos, en que dicho ministro emprendió abiertamente el *conducirnos por la senda de la sabiduría e ilustración* y díganos francamente el resultado de su cotejo.

Temen que Texas sea fácil conquista de un enemigo extranjero; y yo, alejando de mí todo lo que tenga aún la sombra de bravata y fanfarronada, que jamás he conocido, digo que más debemos temer verla expuesta a la codicia de un falso amigo, que a las bayonetas de un enemigo invasor. Los mexicanos sabemos ya cómo defendernos y aún triunfar de éstas; pero no hemos adelantado todavía lo suficiente en la ilustración para saber oponernos y rechazar aquélla con ventaja.

Recelando el escritor de *Nashville Republican* que sus razones convenzan al mundo de la legalidad e importancia de esa compra, concluye que debe obtenerse el territorio en cuestión por los siguientes motivos: porque es necesario a la seguridad de la Luisiana, Arkansas, etc.: porque poseyéndolo se impide el que sea un lugar de refugio para los deudores, malhechores y esclavos prófugos de los Estados Unidos: porque de esta manera se consigue el que Texas no pase a manos de otros que podrían ser más turbulentos que sus actuales poseedores: porque es importante para que no sirva como de salida a los negros de los Estados meridionales y porque *nos conviene a causa de sus excelentes maderas para la construcción de buques, de sus preciosos minerales, de sus tierras tan propias para el cultivo de la caza y de la viña.*

Si este señor escritor hubiera empezado sus razones o motivos por este último, se habría tal vez ahorrado la pena que debió causarle el tildarnos de ignorantes, y el trabajo de haber escrito tanto, pues en ella aclara de golpe todo lo que a fuerza de prólogo y razones se había afanado por ocultar. Nos conviene el tenerla a causa de sus excelentes maderas, ricos minerales y feraces tierras. ¡Bella Moral!

“No dudamos —dice otro periodista— que el presente Poder Ejecutivo no perdonará esfuerzo alguno, por medio de nuestro ministro en México, para que aquella República consienta en cedernos Texas.”

He aquí mexicanos como se expresan *nuestros hermanos del norte* los descendientes de Washington. Mas no es extraño: sus intereses no son los nuestros. Es preciso convencerlos de esta verdad, y que el desengaño os quite la ilusión en que estáis sobre la uniformidad de nuestros intereses con los suyos. Es cierto que entre ellos hay hombres justos y sinceros, que sin alargar nuestras pasiones y reprochándonos nuestros errores y vicios, sienten el vernos colocados por maquiavélicos manejos del Sr. Poinsett en tan delicada crisis; pero también es cierto que no todos ellos son hijos de aquel héroe inmortal.

Ni nos dejemos llevar crédulamente por más tiempo de las lisonjeras pero falaces ideas de que el ser naturales de nuestro mismo continente y republicanos es razón convincente y poderosa para que deseen y procuren nuestra prosperidad y progresos en todos los ramos. Naturales de un mismo continente, son los holandeses y suizos, los españoles y franceses: ¿y habrá alguno de nosotros a quien pueda ocurrírsele siquiera qué sus intereses son iguales?

Mexicanos salgamos, por el amor de nuestra desgraciada patria, del mortal letargo en que nos tienen las sirenas del Norte. Conozcamos que dos naciones pueden ser aliadas: pero no pueden tener una misma clase de intereses; y esto aun cuando exista la más perfecta igualdad entre sus climas, terreno, producciones y costumbres. Y siendo esto así, ¿cómo será entonces posible que entre dos naciones tan opuestas en genio, carácter, inclinaciones, cielo y suelo, haya uniformidad de intereses?

Desengañaos repito, amados compatriotas: nuestros intereses nada tienen ni pueden tener de común con los de estos estados. El interés de estos estados es el de su engrandecimiento propio, aunque a costa nuestra: el interés de estos estados es el que continuemos en nuestros partidos y disensiones para

que nuestra agricultura, industria y comercio no salgan de los estrechos límites en que hoy la tienen: el interés de estos estados es el de no destruirnos completamente sino el de mantenernos en la apatía e inacción: el interés de estos estados es el que no nos domine otra nación que sabiendo aprovecharse de las infinitas ventajas con que el Todopoderoso favoreció a nuestra patria, cause por consecuencia necesaria la población de estos países: el interés de estos estados es, por último, el conservarnos con vida para alimentarnos ellos exclusivamente, pero sin vigor ni fuerza, para que no podamos hacerlo por nosotros mismos.

Nuestro interés es el de conservar la integridad del territorio, que la Constitución nos señaló, nuestro interés es el de desterrar los partidos, y de fomentar la unión y concordia entre los miembros de la República, para que de este modo salgan nuestra agricultura, industria y comercio del entorpecimiento en que nos ha puesto la codicia extranjera.

Nuestro interés es el romper las trabas que nos atan, aplicarnos al trabajo, proteger al industrioso, premiar el mérito y la virtud donde se encuentren, castigar el vicio donde se halle, y desterrar para siempre los odios y animosidades que tanto nos han perjudicado y perjudican; nuestro interés es sacudir el yugo de las preocupaciones que nos devoran, poner freno a la ambición de los atrevidos, sujetarnos religiosamente a la estricta observancia de la constitución que juramos y de las leyes que de ella dimanen, consolidar nuestro gobierno, preferir la imparcial y recta justicia a las viles e interesadas insinuaciones de las almas bajas, abrir nuestras puertas a las luces, industria y brazos de los extranjeros, que, bajo el dulce y suave imperio de leyes sabias, vengan a respirar en nuestro delicioso clima el ambiente vivificador de una libertad racional, dejándolos disfrutar con seguridad y reposo del fruto de sus honradas tareas y ocupaciones —nuestro interés, en fin, es el de aplicarnos con todo nuestro vigor y fuerzas a la salvación y prosperidad de nuestra patria. Ver ahora si nuestro interés tiene algo de semejanza con el de ellos.

Al hablaros con esta franqueza, no creáis, mexicanos, que me anime alguna mala voluntad hacia esta nación; al contrario, mi deseo es el de que ligados por una alianza indisoluble jamás se interrumpa la buena correspondencia entre ella y nosotros. Y ojalá que viera yo practicar en esa república muchas de las leyes de ésta.

Ni menos puede esta nación reputar en mí por delito el que cumpliendo con un deber que mi patria me impone, os

exorte a abrir los ojos para que os precaváis contra la política de un país y ministro extranjero y os liberéis de los fantasmas que os habíais forjado.

Aunque no debe haber olvidado esta republica los sapientísimos consejos que le consignó el prudente, el íntegro, el virtuoso Washington. Este ser extraordinario y distinguido por el Altísimo, el amonestarle guárdase la buena fe y justicia hacia las otras naciones, cultivando la paz y armonía con todas, sin dejarse arrastrar de odios y antipatías a unas y de afecto y predilección a otras, después de manifestarle las consecuencias fatales que resultan a una nación por alimentar un odio inveterado hacia otra, añade: "De la misma manera el amor ciego de una nación a otra produce una variedad de males. La simpatía hacia la nación favorita, facilitando la ilusión de un interés imaginario en casos en que no existe este interés común, infundiendo en el ánimo de la una las enemistades de la otra, obliga aquélla a tomar parte en las disputas y guerras de ésta, sin razón ni aliciente alguno que justifique este proceder. También conduce a conceder a la nación favorita privilegios negados a las otras, lo que perjudica duplicadamente a la que hace las concesiones; porque se deshace sin necesidad de lo que debiera haberse retenido y porque excita los celos, la mala voluntad y el espíritu de venganza en las partes a quienes se han rehusado iguales privilegios; y da a ciudadanos ambiciosos, corrompidos o alucinados (que se consagran a servir a la nación favorita) la felicidad de hacer traición, o de sacrificar el interés de su misma patria sin incurrir en el odio de ésta, y aún a veces con popularidad, dorado con las apariencias del cumplimiento de sus deberes, o de una diferencia recomendable a la opinión pública, o de un celo laudable por el bien común, las bajas o locas condescendencias de la ambición, corrupción o fatuidad. Tales simpatías, como canales, los más a propósito para la influencia extranjera, son en particular alarmantes al patriota verdaderamente ilustrado e independiente. ¡Cuántas oportunidades proporcionan para mezclarse en las facciones domésticas, para practicar las artes de la seducción, para extraviar la opinión pública, y para influir o mandar en los consejos públicos! Este amor ciego de una nación pequeña y débil hacia otra grande y poderosa, condena la primera a ser el satélite de la segunda. Contra los insidiosos engaños de la influencia extranjera (os conjuro que me creáis, compatriotas míos) deben estar constantemente alerta de los celos de un pueblo libre; pues la historia y la experiencia enseñan



que la influencia extranjera es uno de los más terribles enemigos del gobierno republicano. Pero para que estos celos sean útiles deben ser imparciales: de otro modo se hacen el instrumento de la misma influencia que se quiere evitar, en lugar de ser una defensa contra ella. La parcialidad excesiva hacia una nación, y la aversión extremada hacia la otra, hacen que los que están dominados de ellas vean el peligro sólo en una parte, y sirven también para encubrir y aun ayudar las intrigas de la influencia en la otra. Los verdaderos patriotas, que pueden resistir a las artes de la nación favorita, se ven expuestos a hacerse sospechosos y ser odiados; al par que los que se dejan engañar de ella y le sirven de instrumentos en sus maquinaciones usurpan el aplauso y confianza del pueblo, para hacer traición a los intereses de la patria. La gran regla de conducta que debemos seguir con respecto a las naciones extranjeras, al extender nuestras relaciones mercantiles, es el tener con ellas la menor conexión política posible. Si hemos ya formado compromisos, cúmplalos con la más perfecta buena fe. Pero detengamonos aquí”.

¿Y por qué no podrán también los mexicanos aprovecharse de estos consejos? Por ventura, el alma grande de Washington se los hubiera negado?

Permitidme, compatriotas, que concluya aconsejándoos por mi parte la unión y el trabajo, manantiales perennes de la felicidad y riqueza de los pueblos. ¿De qué nos aprovecha pues la posesión de uno de los países más privilegiados del orbe, si entregados a la desunión y desidia abandonamos su cultivo? Nuestro orgullo nacional no es bien fundado si no estriba más que en la extensión y fertilidad de nuestro suelo y benignidad de su clima. Un gobierno constitucional y justo que proteja los adelantos de la agricultura y la seguridad para que florezcan el comercio y demás giros, son los únicos medios de establecer nuestro crédito y elevarnos al grado de nación respetable; y esto no puede conseguirse sino a fuerza de trabajo y de virtudes.

Cumplí con mi deber, mexicanos. Sólo me resta asegurarnos de la sinceridad de los sentimientos con que pido continuamente al Todopoderoso por vuestra felicidad y adelantos.

#### UN MEXICANO

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 183. NAW.

28 de septiembre de 1829. Traducción y reducción de A. Butler de una misiva al pueblo de México por UN MEXICANO

### Mexicans.

Although the circumstances have driven me to a foreign land, the constant wish of my heart is for the good of my country, which requires that I should speak to you. In the moral as in the physical world, all is subject to laws, the transgression of which carries its own punishment along with it, and nations, like individuals, expose themselves to certain ruin when they suffer the passions to usurp the place of reason. Among the evils which threaten our infant republic, is the avowed contempt with which we are treated by a *friendly* nation.

The politicians and newspaper writers of these United States of the north, are now discussing the question of dismemberment of our republic. Does not every true Mexican feel his blood boil at such an outrage? Those who call themselves sons of Washington, forgetting the wise maxims of that immortal founder of American liberty, are seeking their aggrandizement at the price of our honor! Availing themselves of our fatal state of discord, instead of holding out to us a helping and experienced hand which would point out to us the path we ought to follow in the labyrinth of a new state of things to which we are unaccustomed; they endeavor, insidiously to wrest from us an extensive and fertile territory, which their policy perhaps, has prevented us from settling.

I say their policy; and am justified in saying so, by the fact that, deaf to the just and repeated clamor of the sound part of our nation, they preserve in maintaining in Mexico, clothed with the high character of a public minister, the man who has planted amongst us the seeds of discord and party spirit, the man who ignominiously expelled from an infant republic of the south, ought not to have been received by us, since those states did not scruple to disregard the dictates of honor by sending him to us: the man who openly sneering at our credulity and good faith, rejoices in the misfortunes and disgrace to which we have been brought by his intrigues, the man who founds upon the very discredit which he has caused, a sufficient motive to propose to us the loss of an immense and rich portion of our territory: the man, in short whose continuance in the republic is in directed opposition to its happiness and improvement. I speak of Mr. Poinsett: for who but himself is the object of this obstinacy in continuing in

his station, a man whom the public voice of the Mexican nation accuses as the cause of its misfortune and overthrow?

Do not justice, reason, and the fundamental principles of the law of nations require the recall of a minister the instant that he has drawn upon himself the resentment of the nation near which he resides by interfering in its domestic affairs? Would the United States permit our minister to interfere in its internal laws and regulations, and to carry his insolence so far as to direct population elections?

In short, fellow citizens, they speak of wresting from us part of our territory, the state of Texas. I know that this scheme is not new. It is long since the United States have been bent upon the acquisition of that vast portion of our republic. But what ought to exasperate every Mexican is that they seek to conceal their intentions under the specious pretense of a purchase, and that they have waited to carry them into effect until the disturbances occasioned by their minister have brought us to the most miserable condition. A purchase, indeed! But, *who sells*. Ah! what reflections crowd upon my mind at this moment! They are reflections which must also occur to all sensible and virtuous men of this country, but which the harmony, which, now more than ever, it is my wish to preserve among my countrymen forbids my committing to paper. Some of these newspapers writers advocate the measure upon the ground of the convenience which would result from it: others are opposed to it from the fear of the superiority which it would give to some states over the others; and others again wish to hear all the arguments, pro and con, before they express an opinion, but not one to my knowledge has dreamt of the justice of policy of said purchase under present circumstances.

The writer then quotes the *Nashville Republican* of the 18th August and says 'ignorant as they would make us to appear, we are not so much so as not to know that the embarrassments of our public treasury and its consequent disorders, have their origin in the tortuous and artful management of Mr. Poinsett, and that it is impossible to believe that this minister has insinuated himself with such boldness in our domestic affairs without special instructions from his government to do so. Let these gentlemen editors compass the state of the finances of Mexico during the years of 1826, in which our ignorance was our sole guide, with that of year 1827 and the following when this minister openly undertook to conduct

UNAM - IIH

us in the path of wisdom and knowledge, and let them give us the result of such comparison.

They apprehend that Texas might be an easy conquest for an enemy: I say that we have more to fear from the avarice of a false friend, that from the bayonets of an invading foe. We know how to meet and defend ourselves against these, but we have not yet made sufficient progress in knowledge to know how successfully to meet and defeat the former.

'We do not doubt' says another editor, 'that the present executive will spare no pains, through our minister at Mexico, to induce that republic to cede Texas to us.

Such, Mexicans is the manner in which our brethren of the north, the descendants of Washington, express themselves. But it is not strange, when their interests are different from ours. It is certain that there are among them men who regret to see us placed by Mr. Poinsett in such a difficult crisis; but it is certain, also that they are not all children of that immortal hero.

Let us not flatter ourselves that they are our friends merely because they inhabit the same continent with ourselves. The Dutch, the Swiss, the Spaniards, and the French are natives of the same continent, but can it be said that their interests are the same?

Mexicans, let us awake from the lethargy in which we have been lulled by the sirens of the north, Let us learn that two nations can be allied, but cannot have the same interests, even if there should exist a perfect similarity in their productions, soils, climates and habits. And if so, how must it be between two nations so opposed in genius, character, inclinations, climate and soil?

Undeceive yourselves, my beloved countrymen. Our interests have nothing common with those of the United States. Their interest is self aggrandizement, even at our expense, and the continuance of our dissensions, in order that our agriculture, industry and commerce may not extend beyond the narrow bounds in which those dissensions now confine them: their interest is, not completely to destroy us, but to keep us in apathy and inaction. Their interest is that no other nation should predominate, which knowing how to avail itself of the advantages with which it may have been gifted by the almighty, must, by a necessary consequence, depopulate that country. Their interest, in short, is to keep us alive, and take the exclusive charge of our maintenance but in too weak state to allow us providing for it, ourselves.

Our interest is to preserve the integrity of the territory designated by the constitution, to put down party spirit, to promote union and concord between all the members of the republic for the advancement of our agriculture, commerce and industry. Our interest is to burst our fetters, to apply ourselves to labor, protect the industrious, reward merit and virtue, wherever found, punish vice wherever it will appear, and banish that hatred and animosity which have been so prejudicial to us. . . . Now say whether our interests resemble theirs.

I am not prompted by any ill will towards this nation, it is on the contrary my wish to see her united with us. And could, to God, that many laws which are in force here, were observed in Mexico!

Nor can that nation blame me for exhorting you to open your eyes upon the policy and minister of a foreign power, and to free you from the phantom you have conjured up.

The writer proceeds in the words of Washington to warn the Mexican nation against improper hatred against some nations; and unjustifiable predilections for others; which would introduce in their policy a system of preferences injurious to their prosperity, and inequality in their policy towards foreign powers: and concludes by exhorting them to union and industry as primary source, of the prosperity of nations.

*Mexico. Butler. October 17' 1829-August 12' 1832. Department of State Vol. 5. Docs. 1-35, doc. sin núm. NAW.*

229

*14 de octubre de 1829. México. J. R. Poinsett a M. Van Buren*

(En cifra.)

Sir,

Colonel Basadre, to whom I have given a letter to you, leaves Mexico today on a mission to France, as it is said. This person is a deputy in the lower house, and stands high in the confidence of the President.

This government has resolved to send a secret mission to Haiti, in order to concert measures with Boyer to excite the

UNAM - IIH

slaves in the island of Cuba to revolt; and I have some reason to believe that Basadre has been charged with this commission, and that the mission to France is a mere pretext to cover the real object of his voyage. I have communicated my suspicions to the French consul, and it is proper that the British government should be informed of this attempt to excite a servile war in Cuba: but the conduct of the legation of that government at this court, has prevented me from holding any confidential intercourse with it or any other subject.

I mentioned to the Secretary of State that I was aware of the intentions of this government in relation to Cuba, and could not but disapprove of them. He did not attempt to deny them, and I then stated that I was well convinced my government would not only highly disapprove of any such attempts, but would oppose them. I am convinced that the state of the island of Haiti will not permit Boyer to take any active part in aid of the designs of this government, and that even if he possessed the power and were disposed, one word from France would restrain him from doing so. But these designs would command the active cooperation of Bolivar and of a host of emigrants from Cuba who are scattered over these continents and the adjacent islands. I cannot but think the interests of the United States require that they should be promptly and effectually counteracted. Basadre carries with him commissions for privateers, which he is instructed to dispose of in the United States.

I am with... J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 186. NAW.

230

*14 de octubre de 1829. México. J. R. Poinsett a M. Van Buren*

Sir,

I have the honor to acknowledge the receipt of your dispatch num. 28. I am perfectly aware of the reasons which prevented you from turning your attention earlier to the affairs of this legation, and shall wait patiently but anxiously

to hear from you more fully upon a subject important to the United States and exceedingly interesting to me.

The decree, lately published by this government, prohibited the introduction of certain articles was opposed by the very stage of its passage, and the frequent attempts made to introduce a system of prohibitions, for the last three years had been hitherto frustrated by some exertion. The actual President had pledged himself to his friends to promote the measure and it was finally carried, in spite of all we could do to prevent it. Although extremely illiberal I do not think it so exclusively affects the commerce of the United States as is supposed; both the French and English are equally affected by it. This country however will be the principal sufferer by it, and I may venture to assure you, that the measure will be abandoned before a twelvemonth elapses. I shall take an early opportunity to convey to this government the sentiments of the President upon this subject...

J. R. Poinsett.

*Mexico. Poinsett. April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 186. NAW.*

231.

*16 de octubre de 1829. Washington. M. Van Buren a J. R. Poinsett*

Sir,

The President has conferred the appointment on Colonel Anthony Butler of the state of Mississippi, who possesses qualifications peculiarly adapted to the station, and who will probably have arrived at Mexico before this despatch comes to your hands.

Colonel Butler's commission, instructions, and other papers are herewith sent. You will in the event of its becoming necessary by your determination to return, embrace the earliest opportunity to present this gentleman to the government of Mexico, in his official character, and to instruct him fully in the unfinished business of the legation.

On taking leave of President Guerrero, the President directs you to say that the United States are now, as they always

UNAM - IIH

have been, sincerely anxious to cultivate and maintain the most friendly relations with the republic of Mexico —that, the misrepresentations of the enemies of both, to the contrary notwithstanding, it is nevertheless undeniably true, that, from the foundation of that republic to the present day, every act of this government towards her has been in strict accordance with the dictates of sincere and disinterested friendship and that he considers himself as affording renewed evidence of the continuance of this friendly concern for her success and welfare in the promptness with which he renews the diplomatic relations between the two countries, interrupted by your retirement under circumstances, the nature and tendency of which no one more fully understands, or can better appreciate than the President Guerrero; that it gives him pain to be compelled to view the course of the Mexican government towards this country as altogether the reverse of what it would have been, if the friendly and just sentiments of the United States have been, as cordially reciprocated as they were sincerely entertained; that your successor has been fully instructed to represent respectfully, but freely and firmly, the particular facts and circumstances which have forced this conclusion upon the mind of the President; and is authorized and directed to contribute all in his power to subdue unjust prejudices, and work out a more judicious state of things. He desires you also to express his apprehension, that unless a marked change is affected in the relations between the two countries and that, speedily, it will not, with the best intentions on his part, be in his power to prevent irritations and possible collisions which would not fail to prove injurious to the best interests of both republics, and to bring discredit on the cause of free governments. He is persuaded that no one would more bitterly deplore so calamitous a result than President Guerrero; and he therefore enjoins it upon you to solicit his good offices for the preservation of peace and honest friendship, and authorizes you to promise a sincere and hearty cooperation, on his part, in whatever shall be calculated to promote them.

The President considers it due to you, that in your interviews with the public functionaries of Mexico you should be at liberty to speak without reserve, of the election given in relation to your retirement being fully satisfied, that this permission will be used only so far as may be necessary to the



vindication of your character, and, at all times, in subserviency to the permanent interests of your country.

I am with great respect your Ob. S.

M. Van Buren.

*American States, Instructions.* April 2' 1829-May 27' 1833. Department of State. Vol. 14, p. 144-5. NAW.

232

16 de octubre de 1829. Washington. M. Van Buren a A. Butler

*Le explica que, después de hacer una amplia revisión del estado de la política de México, no comprenden cómo el trabajo de los enviados por los Estados Unidos a ese país pueda producir sino muy deficiente resultado de no ser que sobrevenga un completo cambio en las disposiciones de la República mexicana hacia los Estados Unidos; espera que una exposición simple y sencilla de los sucesos pasados harán posible el cambio en los diferentes departamentos de gobierno para dirigirse hacia una política más sabia y de mejores propósitos.*

*Le indica que debe explicar cuántas veces se ha ofendido a los Estados Unidos y cómo éstos lo han sufrido sin quejarse, pero todo debe hacerlo con sutileza y sin amenazas.*

He, the President of the United States is deeply and painfully impressed with the unfriendly and undeserved conduct of Mexico towards us, her neighbor and sister republic and his only hopes for an improvement of our present relations with her are founded on her being made duly and deeply sensible of the injustice which under the influence of bad counsel, she has been induced to do her earliest and best friend.

*Continúa diciendo cómo el presidente desea que ambos países salgan favorecidos por el intercambio y que nunca trataron de hacer nada que pudiera perjudicar a México, y que siente y espera que el país salga bien de los ataques que España trata de hacer contra su soberanía.*

*Analiza las relaciones habidas entre México y su país desde el momento de la proclamación de la independencia e insiste*

en que fueron los primeros en admitir un representante mexicano que fue Zozaya, y por ello México debe de tener el anhelo de mantener y además de mejorar las relaciones habidas entre los dos países.

Le dice además que los Estados Unidos habían instruido a su ministro para que abriera un nuevo camino de comercio que hubiera enriquecido todo el comercio del interior y puesto en vigor esas regiones que estaban actualmente perdidas, devastadas por los indios, etc. Ello hubiera redundado sobre todo en favor de México que era quien más podía ganar en el arreglo, pues no tenía fuerza suficiente para someter a esas poblaciones; pero la malicia y las sospechas mal llevadas de México lo hicieron imposible. Mencionaba también la gestión emprendida por los Estados Unidos en Europa a fin de ver si entre todos los países podían convencer a España de que concediera su personalidad a las antiguas colonias. También hablaba de que los ministros de los Estados Unidos en España estaban instruidos para que presionaran a la corte con el fin de que se favoreciera a las colonias con la paz, y que la misma política habían seguido los Estados Unidos, cada vez que se había tratado de cerrar convenios con los mexicanos, aunque la perversidad política de México lo había hecho imposible y nunca llegaron al final de las negociaciones. Hablaba también de la desigualdad con que los trató México al discutir el problema de las naciones más favorecidas en el tratado de comercio y considerar en esa clasificación a las naciones del sur. Se había tardado un año en discutir el tratado y cuando se llegó al final de la negociación encontraron que lo habían cerrado con un espíritu muy estrecho, de tal manera que el Senado quiso echar atrás varios artículos que sólo aprobó y ratificó para no retrasar más la negociación. Sin embargo a continuación las cámaras mexicanas discutieron el tratado evitando que se terminara y todas esas maquinaciones que tuvieron lugar con el tratado fueron suficiente motivo para que se hubiera presentado una reclamación. Era, cierto, sin embargo, que el gobierno de México había tratado de continuar las negociaciones del tratado pero tardó alrededor de ocho meses en hacerlo y apenas se habían vuelto a poner en contacto los comisionados cuando las negociaciones fueron interrumpidas.

A determination of the Mexican negotiators not to advance a step before the conclusion of a treaty to define the boundaries between the two countries. The minister of the United States, unwilling to throw in the way of the negotiations,

any difficulty which would be avoided, acceded to the propositions of the Mexican plenipotentiaries; and the question of limits having been disposed of by the conclusion of a treaty signed for that purpose on the 12th of January the negotiations were continued, and resulted in their finally agreeing, on the 14th of February following, to a treaty of commerce and navigation, the exchange of whose ratifications was to have been effected at Washington, within the term of six months from its date.

*Sin embargo, hacía ver el contraste que había en la rapidez con que Washington devolvió el tratado para que dado el consentimiento del gobierno de México se pudiera ratificar mientras México volvió a ocurrir en tardanza haciendo pasar el plazo establecido.*

*En cuanto al tratado de límites, México observó la misma conducta de retrasos, mientras que los Estados Unidos continuaron actuando con toda prontitud de tal manera que la tardanza de México causó que también ese tratado "suffered to fall on the ground", pues el plazo para su ratificación terminaba el 12 de mayo y el embajador Obregón dijo que no tenía instrucciones y hasta el 2 de agosto anunció Obregón estar preparado para firmar. Ésa había sido la conducta del gobierno mexicano y el presidente sentía no poder recordar una sola instancia en que hubiera habido demostraciones de verdadera amistad, pues incluso las legislaturas estatales habían publicado libelos atacando y pidiendo que se expulsara al representante de los Estados Unidos del país.*

*El hecho palpable era que existía un prejuicio en contra de los Estados Unidos en el país, y los periódicos tanto como otras publicaciones parecían apuntar a la influencia que había tenido Poinsett al intervenir en los asuntos interiores de México, lo que era visto por su gobierno con pena, pues además nadie lo había advertido y, de haberse sabido, se hubiera retirado a Poinsett con el fin de corregir la situación a tiempo. En ese momento no quedaba nada que hacer. Sin embargo, el hecho no parecía tan claro, pues se carecía de acusaciones precisas y se aparentaba que hasta el gobierno adoptaba la actitud del resto del país si se tenía en cuenta el contenido de la correspondencia entre el propio gobierno mexicano y la legación. En cuanto a la neutralidad, manteniéndose en ella, se había hecho todo lo posible en favor de México.*

*El presidente de los Estados Unidos:*

It has in his judgement become vitally important to the

interests of both countries, that the government of Mexico should give to its course in regard to the United States, a character which will be calculated to correct the unfounded impressions now prevalent among the Mexican people, a course which would give some unequivocal evidence of the confidence which it places in the rectitude of our intentions, in the integrity of our national councils, the liberality of our policy, and the friendly feelings which animate this people and the states of this confederacy towards their neighbours.

*El tratado comercial tal como lo corrigió el Senado de los Estados Unidos tendría que redundar en bien de ambas naciones y lo mejor que México podría hacer sería subsanar la conducta mantenida hasta el momento y ratificarlo en seguida.*

*En cuanto al tratado de límites indicaba que se encontraba en manos del presidente norteamericano y que por la tardanza de los mexicanos en entregarlo había perdido su carácter de obligatorio. El presidente trataría de hacerlo pasar al Senado en la primera ocasión que hubiera, en cuanto se pudiera hacer pasar junto con el de comercio y navegación que estaba en el Congreso de México.*

*Le recomendaba que cuidara su conducta y le anunciaba que había recibido una nota del ministro plenipotenciario mexicano con el encargo de su gobierno de pedir que los norteamericanos retiraran a Poinsett de México, pues tal era el mal ambiente que tenía.*

I have the honor... Van Buren.

*American States, Instructions. April 2' 1829-May 27' 1833. Department of State. Vol. 14, p. 149. NAW.*

233

*16 de octubre de 1829. Washington. M. Van Buren a J. R. Poinsett*

*Comenta que tanto el presidente de los Estados Unidos como el gabinete sienten y lamentan la aversión que el pueblo de México y los propios funcionarios mexicanos tienen en contra de Poinsett.*

They are inflamed by personal prejudices against you, of

the strongest, and, as there is every reason to fear, most incurable character.

The only ground upon which this state of feeling appears to be justified, is the allegation on the part of those who entertain it, that you have availed yourself of your situation to intermeddle in the domestic affairs of that republic. The suspicions entertained upon this subject, the existence of which he sincerely deprecates, the President feels himself justified, by all the information of which he is possessed, in considering without just cause. The fact that no complaint has at any time been made by the authority to which you are accredited, which would be the most likely to be informed of such interference, if it does exist, and the first to feel aggrieved, thereby your knowledge of the established policy of this government in that respect, and its decided repugnance to all intermeddling in the internal concerns of other states; your own assurance to the contrary and the confidence which the President reposes in your discretion and patriotism, secure him from the apprehension that the present embarrassed state of our affairs with that country is attributable to the indiscretion of the representative of the United States.

But however produced, the fact is indubitable that there exist towards you, in Mexico, feelings of the most hostile and injurious character; and the President regrets to find in the acts and omissions of the federal government; the most convincing evidence that those prejudices professedly personal to yourself, have exerted a sinister influence upon its conduct towards the country which you represent. Of the friendly feeling of the Presidente Guerrero there can be no doubt, but it is obvious that this amicable disposition is rendered altogether inoperative by the peculiar circumstances in which he is placed.

This state of things must render your situation in the last degree unpleasant to yourself, and worse than unavailing in regard to a beneficial discharge of your official duties. From your despatches and the communications of Commodore Porter, the President infers that such are your own views of the matter, and he learns from him that, disposed to avail yourself of the permission given by the late administration to return to this country, you wait only the course of events, and the approbation of your government to do so. The President directs me to say that he only fully concurs in the propriety of your return; but is entirely satisfied, that unless

UNAM - IIH

the state of affairs in Mexico have undergone an almost total change since Commodore Porter left you, such a step, on your part is indispensable to the public interest. He therefore gives his assent to your resignation of the office of Envoy Extraordinary and Minister Plenipotentiary of the United States to the republic of Mexico and has, you will perceive, by the accompanying papers, made provision for this event.

It is however his anxious wish that your return should not be attended by any circumstance which might wear the appearance of censure, or afford countenance to the imputations of your enemies. A measure of that character, would, from all that has as yet appeared, not only be unjust, as it respects yourself; but also implicate the credit of this government in regard to the support and protection due to those who represent the character and interest of our country abroad. He has therefore, instructed me to say, that, if so effectual a change of sentiment towards yourself shall have occurred since the date of your last despatches, as to render your continuance in Mexico personally agreeable, and also satisfy you, beyond all reasonable doubt, that by continuing in your present station you can carry into effect the views of this government in regard to the affairs which have been committed to you; it will then accord with his wishes that you remain where you are. In this event, you will return the papers intended for your successor.

M. Van Buren.

*American States, Instructions.* April 2<sup>o</sup> 1829-May 27<sup>o</sup> 1833. Department of State. Vol. 14, p. 142-4. NAW.

234

*17 de octubre de 1829. Attakapas. A. Butler a M. Van Buren*

Dear Sir,

My progress thus far has been beset and interrupted with all sorts of misadventure and bad fortune; I have had bad weather and its concomitant bad roads, but bad health the most serious of all has also afflicted me. Fever confined me

for five days in the Cherokee Valley where perhaps I ought to have remained ten, but anxious to proceed I recommenced my journey too soon, and after struggling against the remains of the disease as far as the Mississippi, I was prostrated by that pestilential atmosphere for seven days more.

In three days I shall cross the Sabine, and although the fever is still struggling in my veins, I have strong hopes of keeping up to the end of the journey.

These interruptions and delays will unexpectedly prolong the journey at least three weeks beyond the expected time, yet from all I can hear, I go onward in high hopes of a successful termination to the mission.

You have seen no doubt since my departure from Washington some of the many publications issuing from Western presses, on that subject which at present employs me. Some of these publications are not only incorrect in point of fact but mischievous in effect: The second number (I think) of *Americans* is grossly inaccurate in topography and may mislead the ignorant on the question of boundary, but it is still more dangerous in the allusion it makes to the advantages the British government would derive from the occupancy of Texas. It may be hoped that England is ignorant of the great value that country would be to her and most certainly we should be the last to rouse their attention to its importance. It would be well I think if some plan could be adopted for suspending such publications for the present.

Travellers from the interior provinces of the Mexican confederation tell dreadful tales of the murder and robbery committed on travellers by the brigands of that quarter; they describe all restraint on the part of the civil power as ended since the Spanish invasion which had completely disorganized the community: I shall go on however regardless of these tales and rumors which I have no doubt are exaggerated, even if they be true, any attempt to assassinate me shall cost them something.

I will endeavour to write you once more and remain...

A Butler.

*Mexico. Butler.* October 17' 1829-August 12' 1832. Department of State. Vol. 5. Docs. 1-35, doc. sin núm. NAW.

*17 de octubre de 1829. Washington, Montoya a M. Van Buren*

Aunque desde la llegada del señor Poinsett a México sus procedimientos fueron vistos con poca confianza por algunos mexicanos, el gobierno, sin desatender la opinión de estos individuos, consideró también que otros ciudadanos le manifestaban distinción y aprecio.

Posteriormente la opinión pública se ha pronunciado en su contra de la manera más terminante, general y decidida como lo manifiestan los escritos que se publican diariamente en casi todos los Estados de la Federación. El clamor público contra el señor Poinsett ha llegado a generalizarse no sólo entre las autoridades y hombres de instrucción, sino aun entre la gente vulgar: no sólo entre los individuos que antes recelaban de él, sino aun entre muchos de los que eran amigos suyos.

Al señor Poinsett se atribuyen los males que ha experimentado la república, y aun equivocadamente se le ha supuesto directa influencia en las disposiciones del gobierno, y por este motivo no son recibidas en el público con el respeto debido.

Por la desconfianza general que se tiene del señor Poinsett no se han hecho los progresos que eran de esperarse en las relaciones entre ambas repúblicas, no habiéndose podido concluir todavía los tratados de amistad, navegación y comercio, ni tampoco el de límites, a pesar de los esfuerzos del ejecutivo. En tan difíciles circunstancias el gobierno de México había querido no dar paso que pudiera calificarse ajeno de la consideración con que mira al de los Estados Unidos de América, porque ha cuidado y cuida muy particularmente de guardar la mejor armonía siendo tan estrechos los vínculos que los unen. La prueba más evidente que ha podido dar a una nación amiga de que éstos son los principios que han guiado su conducta, es la permanencia del señor Poinsett en el territorio de la república, a pesar de tanta oposición.

El gobierno de México está íntimamente convencido de que esta medida es absolutamente necesaria, y que contribuirá muy eficazmente a estrechar las relaciones de ambas repúblicas, y promover sus intereses.

El curso de los sucesos puede llegar a exigir que el gobierno de México, en uso de sus derechos y en cumplimiento de



UNAM - IHH

sus deberes, proceda a expedir el correspondiente pasaporte al señor Poinsett, antes que se reciba en México la contestación del gobierno de los Estados Unidos de América. En este caso, que Dios no permita, el gobierno de México confía en que el de los Estados Unidos de América, que se caracteriza por la imparcialidad y liberalidad de sus principios e instituciones, no llevará a mal un paso de esta naturaleza, que daría él mismo si se hallara en la misma situación y en iguales circunstancias.

[El documento no tiene firma].

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

236

*17 de octubre de 1829. Washington, M. Van Buren a Butler*

Information has been received at this department that the government of Mexico has granted to Mr. Zavala, the Secretary of the Treasury, an extensive and valuable tract of land in the territory of Texas and comprised within the bounds of the district whose cession to the United States is to form the subject of negotiation between the two countries. Should his information prove to be correct, and the grant in question appear to have been actually made, the President would greatly prefer that the interests under it should be extinguished by Mexico before a cession of the territory is made to the United States out of the amount to be paid in consideration of that cession. The reason for this desire on his part, and the grounds upon which it can be justified to the Mexican government will be sufficiently obvious to you, without further explanation from me.

It is understood that there are several claims on the part of citizens of the United States, against the government of Mexico for spoliations upon our commerce, which remain unsatisfied. A copy of a communication made to this department upon that subject, is herewith transmitted. You are directed, in case of success in that branch of your negotiations which relates to the cession of the territory by Mexico to the United States, to urge upon the former, the justice

and expediency of setting apart a portion of the consideration money, as large as can be obtained, to satisfy such claims. The Florida treaty will furnish you with a model for the provision which would be suitable to a stipulation of that character.

I am ... M. Van Buren.

*Special Missions*. December 15' 1825-November 13' 1829. Department of State. Vol. 1, p. 54-5. NAW.

237

3 de noviembre de 1829. Béjar. A. Butler a M. Van Buren

Dear Sir,

I now touch the extreme verge of the debatable land and have passed as I hope over all the difficulties that can impede my journey. The state of political affairs in Mexico afford the best ground of hope that M. Poinsett will attain with little difficulty the object so interesting to our government: a retrocession of Texas. The nation is bankrupt, and during the late invasion the people were invoked to sustain the army by private contribution; no pay has been received by their troops for more than a year, and nothing but a dread of foreign dominion could have assembled and kept together a military body for 24 hours. A decree of the Mexican Congress has invested the President with the character and power of a dictator, and enable him to conclude a treaty with us unfettered by the restraints that an association with the Senate might impose; it enjoins him to employ every means within the command of Mexican power or providing for the defense of the country, and as a repetition of attack is rumoured money is indispensable. Toward M. Poinsett the President is said to lean with favorable regards, and if he knows how to avail himself of the present fortunate concurrence of favorable circumstances as no doubt he does a treaty may be speedily and definitively concluded. There are besides circumstances of recent origin connected with the political condition of this province that will be developed to the Mexican government about the period of my arrival, which must as I think have a tendency to debate

very much the desire for retaining this country under their dominion.

I will not indulge myself either in narrating facts or speculating on the consequences to which they point, for this letter may fall into other hands than yours, although I feel convinced that it is placed in a safe channel for reaching you, and will only add that up to this period I see and hear nothing but what promises the best result.

I remain very... A. Butler.

*Mexico. Butler. October 17' 1829-August 12' 1832. Department of State. Vol. 5. Docs. 1-35, doc. sin núm. NAW.*

238

*30 de noviembre de 1829. Washington. M. Van Buren a Butler*

*Se había tenido noticia en Washington de que el gobierno de México había enviado comisiones secretas a Haití, para tratar de la posibilidad de producir un levantamiento de esclavos en Cuba. Considera que semejante plan sería horroroso por las calamidades que de él podrían desprenderse. Incluso afectaría las colonizaciones de la costa sur de los Estados Unidos y por ello habría que impedir que se llevara a cabo un levantamiento de semejante naturaleza en la isla cubana.*

*Por ende, las naciones europeas que tuvieran colonias en el continente se verían afectadas y en consecuencia unidas en el asunto.*

*El presidente de los Estados Unidos ordena que se aprovecharan todas las ocasiones que se presentaran para hacer entender al gobierno mexicano que los Estados Unidos estaban contrapuestos a que se hicieran semejantes intentos.*

*Debería informar a su gobierno de cuanto ocurriera con referencia al asunto, incluyendo los más ínfimos detalles. Si se diera cuenta de que el gobierno mexicano se negaba a desistir del proyecto y tratara de llevarlo adelante, de inmediato, daría aviso para que se tomaran las precauciones necesarias.*

*La fuente de los informes habidos era la carta cifrada de*

*Poinsett, que se escribió a raíz de la expedición de Barradas y esperaban que, desde entonces, hubieran surgido cambios en la situación, que deseaban conocer con toda premura.*

*American States, Instructions. April 2' 1829-May 27' 1833. Department of State. Vol 14, p. 172-4. NAW.*

## 239

*8 de diciembre de 1829. Comandancia de la frontera. El comandante general de oriente al secretario de la Guerra.*

*En los últimos días había notado que se habían introducido ochocientas personas a territorio mexicano y que todas iban hacia Trinidad y Brazos portando armas.*

*La frecuencia de esas entradas indicaba la existencia de propósitos hostiles y la nación mexicana se estaba descuidando. Por un lado los norteamericanos no venían censados y destinados a la colonia, por otro no tenían otras miras que las de su presidente, que consistían en tomar Texas según los rumores que por allí corrían.*

*Agregaba además que no hay un norteamericano que no propenda a la separación de Texas. En una palabra observó un fermento y sospechó mucho que el gobierno del norte protegería una revolución de los colonos de este país de quienes lo tomaría, para no dar la cara abiertamente. Con tiempo podría remediarse la situación más tarde no habría lugar. Su guarnición estaba comprometida y era insignificante por su fuerza y había que reconocer como aquel contingente estaba expuesto si se consideraban las distancias y la despoblación de la región.*

ASREM. 4-25-7381, fols. 7-8.

## 240

*23 de diciembre de 1829. México. J. R. Poinsett a M. Van Buren*

Immediately after I received my letter of recall I addressed a note to this government enclosing the copy requesting the President to be pleased to fix an early day to permit me to place the original in his hands and to take my leave of him. No answer has as yet been received [México estaba en plena revolución] from the Mexican Secretary of State, and as I am now anxious to leave the country, I shall tomorrow ask for my passports from the new executive.

Firma J. R. Poinsett.

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 197. NAW.

241

*26 de diciembre de 1829. México. J. R. Poinsett a M. Van Buren*

*Comunica haber visitado al gobierno provisional de México en el día anterior y que se despidió hablando de los sentimientos amistosos del pueblo de los Estados Unidos hacia el de México sin hacer diferenciaciones de partidos o de formas de gobierno, etc... Le contestaron que todo era recíproco. Anunciaba que saldría de México el día 2 de enero de 1830.*

*Mexico. Poinsett.* April 24' 1828-February 3' 1830. Department of State. Vol. 4. Docs. 124-198, doc. 197 bis. NAW.