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*Documentos de la relación  
de México con los Estados Unidos  
(31 de diciembre de 1829-29 de mayo de 1836)  
Volumen II. Butler en persecución  
de la provincia de Texas*

México

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confess that there have been so many unnecessary and unexpected delays — and so much vacillation displayed by this Government that I am left without the means of judging when this business is to terminate — I have their promises now again repeated and my own hopes that we may very soon bring the subject to a close.

The seizure of Gen. Guerrero's person, and his immediate trial, sentence and execution by a Military Court, has created a strong sensation, and I incline to the opinion, that it will prolong the civil commotion that has prevailed for the last 12 months instead of suppressing it as the Government supposed, the better opinion seems to be that nothing is wanted but a leader of popularity to secure the overthrow of the present administration — such however is not my own opinion: The Government still have the Army, and I cannot doubt that so long as they are able to secure the attachment of that body, by paying them regularly and extending to the officers rewards and indulgences suited to their tastes and habits, power will be continued in the hands where it now remains.

Our Consul at Tampico has informed me of dispatches received from the Department and placed under the care of Mr. Dall a merchant of San Luis Potosí; I expect them hourly.

I send this despatch under care of Capitan Newton of the United States Ship Natchez, believing that it is not only a more safe a conveyance than the packet, but will arrive much earlier than by the latter.

A. Butler

*Mexico. A. Butler. October 17, 1829-August 12, 1832. Department of State. Vol. 5, doc. 9. NAW.*

51

*28 de febrero de 1831. Burdeos, Tadeo Ortiz a su gobierno.*

*Tadeo Ortiz propone que las familias europeas que se lleven a Tejas sirvan en la colonización para compensar las de origen americano que tarde o temprano procedan a la segregación si se les deja solas.*

ASREM, 5-8-7931, fols. 39 v.

## 52

*8 de marzo de 1831. México, Alamán al secretario de Relaciones de Estados Unidos.*

*Lucas Alamán escribe diciendo que el presidente de la república ha determinado substituir a Tornel por José María Montoya.*

*Presentada esta carta por Tornel véase junio 1, 1831.*

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

## 53

*14 de marzo de 1831. México, Alamán a Butler.*

El infrascrito, secretario de Estado y del Despacho de Relaciones Interiores y Exteriores, tiene el honor de participar a V.S. que S.E. el vice presidente se ha servido nombrar a don José María Montoya para que con el carácter de encargado de negocios de esta república cerca del gobierno de V. S. pase a suceder a don José María Tornel, que ha estado ejerciendo las funciones de ministro plenipotenciario.

El infrascrito tiene el honor de ponerlo en noticia de V.S. y de reiterarle con tal motivo las seguridades de la consideración con que es de V.S. muy obediente servidor.

Lucas Alamán

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

## 54

*24 de marzo de 1831. Washington, Tornel a Van Buren.*

El infrascrito, enviado extarordinario y ministro plenipotenciario de México, tiene el honor de acompañar al honorable señor M. Van Buren, secretario en el Departamento de

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Estado, una copia de la nota oficial que le ha dirigido el señor general Manuel Mier y Terán en contestación a la carta que, en 8 de octubre, le escribió por conducto del señor secretario.

El resultado que esta comunicación ofrece es el poner en claro que fueron infundadas las alarmas del señor gobernador Pope y que, en caso de haber motivo de reclamo, más bien existe en favor de la nación mexicana por la ocupación de una parte del territorio que le pertenece.

Sea de esto lo que fuere, el infrascrito no puede dejar de conformarse con los deseos que el señor general Terán manifiesta de que por parte del gobierno de los Estados Unidos se prohíba toda novedad y alteración entre tanto que no se concluya la negociación sobre límites entre las dos naciones y se fije su línea previas las necesarias y estipuladas operaciones científicas.

Siendo ello justo y conforme a lo ofrecido por el señor M. Van Buren, tiene nuevamente por apoyo la correspondencia que merece la diferencia en este punto del agente mexicano.

El ministro de México confía en la buena fe del gobierno de los Estados Unidos y se promete que dejará la cuestión intacta para el tiempo que ya se aproxima de concluir a satisfacción de las dos partes interesadas.

El plenipotenciario de México subscribe reiterando al honorable señor M. Van Buren las propuestas de su más alta consideración.

J. M. Tornel

*Mexico. Notes, November 30, 1821-June 1, 1831. Department of State. Vol. 1, doc. sin núm. NAW.*

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*4 de abril de 1831. Baltimore, Tornel a Van Buren.*

*Que agradece la comunicación de 30 de marzo que da el resultado de la decisión favorable del presidente de los Estados Unidos en la cuestión relativa al Drawback que le solicitó para el comercio de los puntos fronterizos de los Estados Unidos Mexicanos. Que le da mucho gusto, etc.*

*Mexico. Notes, November 30, 1821-June 1, 1831. Department of State. Vol. 1, doc. sin núm. NAW.*



8 de abril de 1831. México, Butler a Van Buren.

...I had indulged the hope of sending you the Treaty by Mr. Montoya who leaves Mexico in a few days on his way to the United States, but am again disappointed and although the Secretary of State tells me that he anticipates no difficulty in its progress through Congress where it is now pending, still these people move so slowly, that a month or more may elapse before it is finally acted upon by both branches of that body, which as you know is the form prescribed by the Constitution of the United Mexican States.

I requested some time past permission from this Government for our troops stationed on the Arkansas River to escort the annual Caravan from Missouri to the point where the road crossed the *Río Colorado*, a point so near the settled parts of New Mexico as promised entire security for the remainder of the journey. The acting President having no power to give such permission, has transmitted my application to the Congress, with a recommendation that permission be granted, and I entertain no doubt of a successful result. So soon as I receive the permission asked, the order upon that subject shall be forthwith transmitted to Santa Fe in New Mexico from whence the public authorities will make the Communication to the officer commanding the troops of the United States on the frontiers of our territory...

A. Butler

Mexico, A. Butler. October 17, 1829-August 12, 1832. Department of State. Vol. 5, doc. 11. NAW.

18 de abril de 1831. México, Alamán a Butler.

El infrascrito, secretario de Estado y del Despacho de Relaciones, acusa recibo de la nota que V.S. se sirvió dirigirle en 21 de marzo anterior participando la llegada en agosto próximo al territorio de Nuevo México de la caravana mercantil anual del estado de Missouri y pidiendo que la es-

colta que la acompaña para su seguridad pueda penetrar hasta un punto poblado del mismo territorio.

Aunque el E. S., vice presidente está resuelto a prestar su protección a toda empresa que contribuya al adelanto y prosperidad de los habitantes de la república de cuyo número es la de que se trata no teniendo facultades para conceder lo que se pide porque la constitución lo reservó exclusivamente al congreso general, ha acordado se pase a él la nota de V.S. indicada, como el infrascrito lo ha hecho ya, con la recomendación de S.E. para que el permiso que se solicita sea concedido con la brevedad posible.

El infrascrito cuidará de comunicar a V.S. las resultas, entretanto tiene el honor de reiterarle las seguridades de su muy distinguido aprecio.

Lucas Alamán

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

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*21 de mayo de 1831. México. Discurso del vicepresidente ante el congreso general, sesiones ordinarias.*

Para realizar estas esperanzas, el ejecutivo ha hecho cuanto dependía de sus atribuciones, pero se necesitan otras providencias que no caben en sus facultades constitucionales; y no siendo posible demorarlas hasta las sesiones ordinarias del año inmediato, habré de proponer de breve al consejo de gobierno la convocación a extraordinarias. Las exige indispensablemente la aprobación que queda pendiente de los tratados con Chile, los Estados Unidos del Norte, la Prusia y las Ciudades Anseáticas. Las requiere también el arreglo de varios puntos de que dependen las mejoras de la Hacienda federal, la completa organización del ejército y la perfecta administración de justicia. Reposad, pues, entretanto, señores, de las tareas legislativas de que os habéis ocupado, para consagraros a ellas de nuevo, correspondiendo a las esperanzas que la nación ha fundado en vuestro patriotismo y sabidurías.—Dije.

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

*25 de mayo de 1831. México, Butler al general Jackson.*

My dear Sir,

The last mail from Veracruz placed in my hands your favor of the 24th. March in which you say 'we are without advice from you since November last. He implied censure for negligence conveyed in your remark I assure you Sir is unmerited, for I have written both to Mr. Van Buren and yourself at least once a month since April 1830 and I cannot admit myself as culpable for any misfortunes that may attend my correspondence on its transit to the United States: I would besides remark that from an extract in the telegraph of February republished from the Mexican official newspaper of December 21 you must have received my letter to you of January last, even had that of December failed because it was in this letter of January that I enclosed to you the newspaper from whence the extract is taken, and I find the translation is in the very words made by me and forwarded to you along with the newspaper; I have always wrote when anything worth communicating presented itself either of fact or opinion, and if I considered it unworthy of being embodied in a formal official despatch I have usually addressed Mr. Van Buren a private letter — of these he must have received from me a dozen or twenty.

The subject of Texas about which you express so much anxiety, I have never for one moment lost sight of, for in addition to what I knew were your wishes on that subject I could not be insensible to the great advantages our country would derive from the acquisition and my opinions communicated very freely on this subject both to yourself. and Mr. Van Buren in the summer of 1829 in Washington City, abundantly established the fact. The question has been postponed however up to this period in the exercise of a discretion allowed me by the Secretary of state in his despatch of May 1830 and confirmed by a letter from yourself and hence I have been waiting the arrival of a fit season for opening the negotiation; hitherto there has never been a time in my opinion when that question could have been touched with any prospect of success... You know the state of public feeling towards us which prevailed universally at the change in the administration that took place immediately thereafter. A party had risen into power that my predecessor

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declared to be so hostile to the United States and so completely under the dominancy of foreign faction, that it would be vain to expect from them anything like justice, and the tone of the public prints as well as every one to whom I had access for information confirmed Mr. Poinsett's opinion. It may readily be conceived how discouraging was this prospect — to me a perfect novice in diplomacy called unexpectedly to occupy a station on a theatre entirely new to me — to be engaged in the performance of duties to the very forms of which even I was a stranger; totally unacquainted with the language of the people amongst whom my duties were to be discharged, my situation would not fail to be in the highest degree embarrassing, and had I been permitted to follow the dictate of my own judgment I could not have remained here a day — these impressions were frankly communicated to you in a letter by the gentleman who was bearer of my commission accompanied by an earnest request to be permitted to return — this request it was not seen fit to comply with; it then became me in duty to my country as well as to those obligations of friendship which had united us for more than 20 years, and by the influence of which I had been placed here, to brace myself for contending against those difficulties which seemed to surround me on every side, and to be prepared to make the most of any favorable circumstance that might present itself: — In the temper however which was daily manifesting itself towards us, the jealousies, suspicions and prejudices against our country; our Government and its people, jealousies and prejudices displayed in the newspapers of every day, and in the conversation at every street corner, and from which the administration was not exempt as the secret report made by the Secretary of State to Congress, a copy of which I procured and forwarded to Mr. Van Buren must abundantly testify — In such a state of things I repeat, it would have been something worse than folly to approach the affair of Texas. It was a principal object with me to permit that subject to rest so completely that it would be lost sight of by the people here and be taken up on some proper occasion after all the suspicion and jealousies it had awakened were dissipated: But our newspapers have kept it so constantly before the public gaze not only in the United States but so as to attract the attention of Europe during the past year as in a great degree to prevent the previous excitement from subsiding, and much that I hoped to gain by delay is lost to me from

that circumstance. In this interval however no time has been lost because hitherto the popular sentiment in [comienza la cifra] this country was so opposed to our possession of Texas that the Government would not have dared to entertain a proposition on the subject much less consent to a transfer of the country to us. Whenever the newspapers desired to fan anew the flame of opposition against General Guerrero, there would appear publications charging him with the designing of selling to the United States and then add that for such a crime alone he deserved expulsion from the Government, all this served to admonish me that success in a negotiation for Texas hitherto was out of the question and could only serve to embarrass me in my pursuit of other objects. I consider the present moment at least as favorable as any that has past by for commencing the negotiation and shall in conformity with your expressed wishes use the first favorable occasion to open the subject to the Secretary.

Your informant is entirely mistaken in the fact of Mr. Alamán being concerned in the Texas grants; I know positively that he is in no wise interested as a proprietor Mr. Zavala is known to have formed a company in the United State for selling his land and it is well known here also that he declared before he left Mexico that he would revolutionize Texas. I cannot decide what effect all this will have upon the Government here nor of the reports of Companies formed in New York and Boston but these facts are all just as well known in this country as they are in the United States and may operate favorably. I shall certainly turn them to the best use when the subject is brought on the tapis.

I must apprise you that I have had some reasons recently to doubt the sincerity and good will of this Government and would suggest that on some proper occasion you should let their minister Mr. Montoya understand that we considered their backwardness in the commercial treaty as no favorable evidence of their professions of good will and a desire to establish confidence and promote the friendly relations between the two Governments that we had been induced to expect. I am convinced that it has become necessary to make these people understand that they are of much less importance to us than they suppose. British party persuade them to believe [sic]. I have no doubt such a course will have a good effect immediately, as well as upon all our future negotiations. You cannot have forgotten the terms in which Mr. Alamán the Secretary of State spoke of us in his Secret

communications to Congress last year and it cannot be supposed that all these prejudices and hostility has past away. Besides you know that he is a British agent with a large salary and cannot but be more or less under control of that influence. He is a shrewd artful man but I know him.

General Terán it is said has written the government demanding a reinforcement of 7000 troops, 2000 of which to be cavalry and states that without the addition he requires he will not be answerable for the safety of the province. The troops will not be sent in the first place they have not the number disposable, and secondly the present administration would not trust such an army to any man, much less one so well calculated to become a successful rival in power. The Acordada, and Jalapa are not so soon to forgotten. I will be able to turn this fact to good account in the succeeding negotiation.

The rambling style of the present letter will convince you that I am not entirely myself for the last 24 days I have been confined to my chamber and the greater part of the time to bed...

The impatience you express for the conclusion of the commercial Treaty, I have felt, and still feel in common with yourself but it seems that we shall not have it for more than a month yet — Congress have four treaties at present before them. I have learned through a source entitled to credit that the committee on foreign relations have reported in favor of our treaty and recommended its adoption with the exception of that article relative to fugitive slaves: I am in hopes that eventually the whole treaty I will stand as it is, but for fear of difficulty the whole care is stated in my despatch to Mr. Van Buren and to which I refer you.

Mr. Alamán proposed transmitting the Treaty to the United States for ratification previous to acting upon it here — but I replied as I have always done to such a proposal — that as we had ratified two treaties with Mexico at different periods heretofore, both of which had been rejected by this Government, no other should ever be sent by me to the United States unless accompanied with the ratification here.

A. Butler

*Mexico, A. Butler. October 17, 1829-August 12, 1832. Department of State, Vol. 5. NAW.*

26 de mayo de 1831. México, Butler a Van Buren.

I enclose you the address of the Vice President to Congress at the close of the session on the 21st. instant from which you will perceive that the treaty with the United States is still before them. I am informed that an extraordinary session of that body will be convoked immediately after the conclusion of the holidays (about the 20th. June.) and that the several treaties now before Congress will be the first subjects acted upon. A member of Congress told me yesterday that the article in our treaty providing for the pursuit and reclamation of fugitive slaves escaping from their owners in the territories of either party into that of the other, was the only article that from present appearances would excite any contest: I enclose you a transcript of that part of the article relating to slaves, marked B. and request instructions on the subject in the event of this article being rejected.

A. Butler

Mexico. A. Butler. October 17, 1829-August 12, 1832. Department of State, Vol. 5, doc. 13. NAW.

31 de mayo de 1831. Washington, José Ma. Montoya, encargado de negocios de México en los Estados Unidos, a Edward Livingston, secretario de Estado.

*Presenta su nombramiento y pide que le den cita para entregar sus cartas credenciales y presentar sus respetos al presidente de los Estados Unidos.*

*Al mismo tiempo quiere hacer entrega de los pliegos que trae de parte de Butler.*

Mexico. Notes. March 8, 1831 - December 13, 1835. Department of State, Vol. 2, doc. sin núm. NAW.

## 62

*1 de junio de 1831. Washington, Tornel al secretario de Estado.*

*Pide audiencia para presentarse a despedirse y entregar la carta del secretario de México, Lucas Alamán.*

*Mexico. Notes. November 30, 1821-June 1, 1831. Department of State. Vol. 1, doc. sin núm. NAW.*

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*11 de agosto de 1831. México, Butler a Livingston.*

Sir,

By the July packet from New York, I had the honor of receiving your several communications numbered 18, 19 and 20.—to the first I shall take leave to reply in a private letter that accompanies this under the impression that such a mode of communication will comport better with the subject, than by formal official despatch.

Since the return of the Secretary of State to the Capital from his South Western tour, he has been deeply and constantly occupied by business accumulated during his absence; so much so as to preclude me from entering upon the subject of Texas (la palabra ~~Texas~~ está en cifras) referred to a private letter received by me from the President of the United States some time past, I shall however use the earliest proper occasion which presents itself for doing so, and hope I may be able in the course of a few weeks to inform you in what manner the proposition has been received and entertained.

I have at length affected a settlement with this Government of the account presented against them by the Bank of the United States for monies advanced Mr. Mercado in the year of 1829.

A. Butler

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 18. NAW.*



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20 de agosto de 1831. México, Butler a Livingston.

...Our Treaty is now under discussion before the House of Representatives, a certain portion of each day being set apart for the purpose; the Secretary informed me a few days since, that although he expected the discussion of some of the Articles would be animated, he had no fears of its rejection — but that should any thing occur, requiring explanation he would immediately apprise me of the circumstance, so as to obtain my views. I have a copy of the Treaty negotiated by Mr. Poinsett in my possession, with notes of the discussion before Congress apprehended, of that Treaty seventeen articles were rejected, and amongst these all that related to the principle of the flag protecting the cargo. In negotiating the pending Treaty I explained amply to the Commissioners (Mr. Alamán and Mr. Mangino) my views on the subject, and had their full concurrence yet it is suggested to me, that the articles which recognize that principle are amongst those, that will meet opposition by many members of the Congress. This single fact is enough to enable you to form a correct estimate of the grade of information by which the Members of the Mexican Congress are distinguished.

I shall write in ten or twelve days hence by the way of Tampico and New Orleans, and remain very Respectfully,  
Sir, Your Most. Obed. Servt.

A. Butler

Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 19. NAW.

## 65

5 de octubre de 1831. México, Butler a Livingston.

...In my next I hope to have it in my power to say something decisive on the subject of the Treaty and remain,

A. Butler

Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 22. NAW.

*7 de octubre de 1831. México, Butler a Livingston.*

...From an observation made in your despatch No. 19 as well as from some remarks by Mr. Van Buren in a previous communication it would seem that both yourself and your predecessor were under an impression that I had received the money due the Bank of the United States from the Mexican Government long since, an error which has doubtless been removed by the certificate of my banker in Mexico transmitted with my No. 18 of the 11th. August last. The truth is that I have often regretted having assumed to pay the debt for the Mexican Government in consequence of the vexatious delay experienced in collecting from the national Treasury even this very small sum. In November last a payment of Eight Hundred dollars was made me in part, with a promise of the remainder as soon as I should receive from Mr. Van Buren a statement of the amount due the Bank — this was forwarded in Despatch No. 10 from the Department of State, and received by me early in March last, very shortly after which I made a demand on the Mexican Government for the balance due; the payment was delayed from week to week until July, when according to the Treasury statement of the sum due and premium my Banker received on my account the amount stated in his certificate. Even now there is nearly One hundred dollars due me from an error committed in the calculation made at the Mexican Treasury, and which may be paid in some two or three months hence, as the pay of the Army which the Government dare not delay drains their Treasury monthly. This Sir is a true picture of the financial condition of the Country and explains the difficulties encountered in obtaining money from the Mexican Treasury. In order to [give] a clear understanding of this matter I send herewith a statement of the Bank debt and the balance struck which I hope may prove satisfactory and am very Respectfully Sir, Your...

A. Butler

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 21. NAW.*

*21 de octubre de 1831. México, informe de la comisión de relaciones del senado sobre los tratados de amistad, comercio y navegación.*

La comisión de relaciones ha visto detenidamente el acuerdo de la Cámara de Diputados relativo a los tratados de amistad, comercio y navegación, convenidos entre el gobierno de esta república y el de los Estados Unidos del Norte de América y no encontrando cosa que notar en lo general, respecto de que los referidos Tratados, traen en sí mismos las ventajas que las naciones civilizadas se han propuesto en esta especie de convenios, solamente ha fijado su atención en algunos artículos en particular sobre que hará suscintamente sus observaciones.—La Cámara de Diputados no tuvo a bien aprobar el artículo 16 y sus relativos que son el 17, 18, 19; más la comisión del Senado no encuentra razón suficiente para su desaprobación; pues siendo ya un principio reconocido por casi todas las naciones, el que la bandera cubre la propiedad, nada extraño es que la república mexicana lo adopte, mucho más cuando parece que este mismo principio favorece a los débiles, o que teniendo poca marina buscan en los tratados lo que les falta en las fuerzas; por estas razones la comisión ha creído deber consultar la aprobación de los citados artículos. Tampoco se aprobó el artículo 34 en que se estipula que ambas partes contratantes se obligan a la entrega de los esclavos y criminales fugitivos en las mismas partes, siendo reclamados debidamente por la otra; más la comisión no halla motivo para que en ningún caso se protejan los ataques a la propiedad, pues si entre nosotros está prohibido por ley el tráfico de esclavos, el respeto a las propiedades es una de las bases de nuestro sistema. Los asesinos y falsificadores, que son los criminales de que habla el artículo citado, se refugiarían en los estados limítrofes, dejando burlada la justicia que los perseguía y acaso continuando sus crímenes en perjuicio de la parte que los ha favorecido; por lo que la comisión no ha dudado consultar a la Cámara si aprueba el artículo en los términos en que se halla.

El artículo 2 de los adicionales a estos tratados, fija las condiciones que debe tener un buque para ser considerado mexicano, mas la comisión del Senado, así como la de la Cámara de Diputados, creen que este artículo no debe ser de unos tratados entre dos naciones sino que corresponde al

derecho interior de cada una, reformable según las circunstancias en que se halla; por esto, pues, se consulta su desaprobación.

Por último el artículo adicional al tratado de límites, pendiente entre estos y aquellos estados, fija un término que no falta a formalidad alguna, la Comisión opina y aprueba. En vista de lo expuesto y de las demás razones, que expresa el dictamen, de la Comisión de la Cámara de Diputados a que se refiere la del Senado, propone a la deliberación de éste la siguiente proposición. Se aprueba el acuerdo de la Cámara de Diputados relativo a los tratados de amistad, comercio y navegación entre estos estados y los Estados Unidos del Norte de América sin la supresión que hizo en los artículos 16, 17, 18, 19 y 34 de los otros tratados. Sala de Comisiones del Senado, octubre 21 de 1831. Castillo, Bustamante, Echeverría.

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5. NAW,*

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*25 de octubre de 1831. México, Butler a Livingston.*

Sir,

As the mail to this exening affords the last opportunity of writing you by the packet for New York which sails from Vera Cruz on the 1st. November ensuing, I use the occasion for transmitting to you the Report made by the Committee of Foreign Affairs of the Mexican Senate upon the subject of the pending Treaty between the United States and Mexico, and but just communicated to me by Mr. Alamán the Secretary of State: a private note addressed to me by the Secretary accompanying and referring to the Report of the Senate and which is also remitted, will serve to show you that he (Mr. Alamán) entertains no doubt of the Chamber adopting the Report of their Committee.

This subject has been before the Mexican Congress since the 7th. day of April last, and only passed through the Chamber of Deputies on the 14th. último.

In that body either through ignorance or perverseness

great opposition was manifested to the Treaty and the chamber after months of deliberation and discussion at length advised the ratification with a modification of the 3rd, 7th. and 13th. articles reglating commercial intercourse between the two nations — the rejection of all the articles relative to the flag — and the rejection also of the articule relative to fugitive slaves and criminals.

An interview with the Secreary of State on the 15 September last put me in possession of these facts and after a full and free conversation on the subject in which I explained and removed many of the difficulties which appeared to have embarrassed the Chamber of Deputies, the Secretary declared himself satisfied, and expressed his belief in being able to convince the Senate of the propriety of restoring the rejected articles: Subsequent to the interview a note was prepared and addressed to the Secretary of State, in which I entered at some length into a consideration of the course hitherto pursued by Mexico towards the United States, in contrast with our conduct towards Mexico — suggested such measures as a just and liberal policy would seem to recommend — and the inevitable consequences that must ensue between the two Nations if such a state of things were permitted to continue as had prevailed since the year of 1826. The report of the Senate now communicated is the result.

As in my despatch No. 23 sent by way of New Orleans I have entered into this subject at large it is only necessary to refer you to that communication; the object of the present, being merely to put into your possession the report made to the Senate of the Mexican Congress by their Committee of Foreign Affairs. There is no doubt of my being able to send the Treaty to the United States in all the month of November.

A. Butler

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State, Vol. 5, doc. 24. NAW.*

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*2 de noviembre de 1831. México. Butler a Livingston.*

...From present appearances I entertain no doubt that the Commercial Treaty will receive the approbation of this

Government, so as to be forwarded to the United States by the New York packet of November; my correspondence with the Secretary of State for Foreign Affairs, after the Treaty had been passed through the Chamber of Deputies and their objections made known to me, has had the effect not only of removing those objections on the part of the Senate but of quickening their movements. I do not foresee any difficulty or embarrassment than can intervene to prevent the Senate from adopting the report of their Committee transmitted to you with my No. 24, and the Secretary of Foreign Affairs expresses himself as confident that the Chamber of Deputies will recede from their opposition and adopt the amendments proposed by the Senate.

The paper spoken of in your note of 18th. August as having been ordered from New Orleans for the use of this Legation has been sometime since received: and by referring to my letter to the President requesting him to order me a supply of paper, you will find that I ask for *Treaty Paper* and not for that sort used in correspondence or for Despatches, of the latter there is for the present an ample provision — but of Treaty paper not a sheet, having exhausted the whole of the small stock left in the Office of the Legation by Mr. Poinsett, in completing the different copies of the Commercial Treaty concluded with this Government.

A. Butler

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 25. NAW.*

## 70

*3 de noviembre de 1831. México, Butler a Livingston.*

...The fact itself serves to prove that the period of a political explosion, so long spoken of and expected, is fast approaching, and adds one more to the many reasons which influence me to urge the present Administration to an immediate consummation of the Commercial Treaty on their part, so that Ratifications may be exchanged at Washington in all the Month of January next.

A. Butler

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 26. NAW.*

23 de noviembre de 1831. México, Butler a Livingston.

Sir,

With my No. 24 under date of the 25 último I transmitted the report made by the Committee of Foreign Affairs of the Mexican Senate upon the subject of our pending Treaty; — Since that date the Senate have with great unanimity approved the whole Treaty, restoring all the articles rejected by the Chamber of Deputies except the *second additional* article which is of no importance to either Government and was only admitted [...] to gratify Mr. Alamán who seemed to imagine through his abundant caution that a case might occur in which the provision contained in that article would be applicable. After the Treaty had received the sanction of the Senate it was returned to the Chamber of Deputies with their amendments, and as every amendment, would according to the provisions of the Constitution be obligatory on the other branch of the Legislature unless the original objection be reaffirmed by at least two thirds of the Deputies present the Secretary of State felt no doubt as to the concurrence of that body, and as a consequence the early conclusion to this so long protracted negotiation, for it was known that the different questions on the rejected articles had been ardently debated in the Chamber of Deputies originally and were carried by very small majorities — the rejection of that relative to fugitive slaves, by a majority of one only, the vote being 28 to 27 greatly however to my surprise and mortification the Secretary yesterday informed me, that the Chamber of Deputies had reaffirmed their rejection of this last mentioned article by the constitutional majority of two thirds, and adopted all the other amendments made by the Senate. I had some fears of such a result; for a friend of mine a member of that body had informed me that great efforts would be made by the leaders of the opposition to embarrass the progress of the Treaty, and thereby embarrass the administration and that movements in the Chamber indicated a rapidly increasing strength to the opposition. All this I hinted to Mr. Alamán as distinctly as it was possible to do without committing myself or informant with the hope of stimulating him to vigilance and exertion but failed, because his entire confidence in the strength which he asserted the Government possessed in the

Chamber of Deputies rendered the event impossible, what I apprehended. And thus his misplaced confidence was led to a defeat that in all probability might have been averted by the exercise of a proper degree of caution.

All my information tends to support the opinion that the opposition is directed more against the administration through the means of the Treaty, than against the Treaty itself; and they seize on the article relative to fugitive slaves which they argue is in content with a fundamental principle of their government, and opposed to the great landmark revolution, and upon this erect the superstructure of their resistance.

There is no doubt that a party is already formed whose first object is to drive from office the Secretary of State (Mr. Alamán.) and General Facio, the Secretary of War — in the belief that if they can deprive the administration of the aid it derives from the talents of these gentlemen that the administration itself may be easily overthrown; active intrigues are daily going on with the Army and the Clergy, and a very few months will serve to unmask the objects of the intriguers and develop their strength.

A. Butler

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 27. NAW.*

72

*6 de diciembre de 1831. México, Butler a Livingston.*

Sir,

By my number 27 dated on the 23 ultimo, I communicated information of the fact that the Chamber of Deputies of the Mexican Congress has sustained their rejection of the 34th. article of our Treaty by the Constitutional Majority and thereby reversing the decision of the Senate to retain that article. The Treaty has once more been before the senate who seem determined to maintain the position assumed in their previous deliberation on the subject, and the only question now is which shall yield. I am apprehensive that the present State of the preceeding will lead to great



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delay, for all that I hear confirms the belief that neither Chamber will yield, and as the extraordinary session of Congress must close in eight or ten days our adversaries may endeavor indirectly to defeat the Treaty by delay failing to destroy it by other means. Had it been possible for me to anticipate such a contingency as has occurred, I should without hesitation have expunged that article, for by it we gain nothing more than providing merely an amicable mode for settling such questions as might arise from the slaves of our citizens escaping into any part of the Mexican Territory, and which we may provide for hereafter whenever such cases present themselves; for we shall always possess the means of doing ourselves justice if compelled to exert and employ them.

Never having received any instructions on this subject from the Department of State although long since applied for and which the President, in his private letter to me of August last, promised should be forwarded by the next packet, I have been left to the exercise of my own discretion, and my present determination is to suppress the 34th. article if the objections to that article seem likely to defeat the Treaty or to delay its ratification by the Mexican Government beyond the period of the Extraordinary Session.

The political State of this country is yet very unsettled, and my opinion that a serious struggle must take place between the opposing parties in the course of the winter remains unchanged: Indeed so open has the opposition become and so bold in the manifestation of their opinions that a Grito is spoken of as daily expected and wagers have been openly made that the party in power will be put down before April next. All this however must depend on the army of whose attachment the present administration entertain no doubt, and so long as they retain the support of that potent instrument no fears for their continuance in Office need be indulged. The opposition however boast that they are fast gaining over the Army which they pretend already shows discontent. I do not think so. But still it must be acknowledged that amongst a people ignorant, corrupt and capricious as the generality of Mexicans are such an event is very possible.

It is very certain that great efforts are making by the two parties but this at last may be brought to act only on the

election of President and Vice which is approaching and cannot fail to create violent agitation.

A. Butler

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 28. NAW.*

73

*14 de diciembre de 1831. México, Butler a Alamán [nota privada].*

My dear Sir,

I have just been informed that the Extraordinary Session of Congress will be certainly closed on tomorrow at 12 o'clock and that the Treaty between Mexico and the United States concluded by the Plenipotentiaries of the two Governments more than a year since — and which has been before your Congress for more than nine months; will be left by their adjournment of tomorrow unfinished.

It is difficult to account for the delay which has attended the deliberations of the Mexican Congress on this subject; and would be painful were I compelled to believe that this delay has been produced by a disinclination on the part of the Congress to unite the two neighboring Nations and sister Republics by Treaty stipulations of amicable character, and the fundamental principles of which were the reciprocation of equal advantages; Yet it is impossible to disguise the fact that the question has been delayed to a period so much beyond what seemed necessary for its dispatch, and this too after the abortive negotiations of more than six years continuance, that one might well doubt whether a Treaty between Mexico and the United State will ever be accomplished.

I have no explanation to make to my Government on this subject which is either satisfactory to myself or would enable it to comprehend by what influence and for what reasons the Legislature action on the Treaty had experienced from your Congress a delay unexpected and unusual; and so much the reverse of what they must have anticipated from the Representations previously made by me in my communications to the Department of State: — and mortified

as I confess myself to be at this unlooked for result, it leaves me now but one course to pursue — A termination of my Mission to the Mexican Government, and a return to my own.

I bear willing testimony to the uniform frankness, liberality and good feeling which has ever characterised your department, throughout the whole period of our intercourse whilst sustaining the relations we at present bear towards each other, affording me the best assurances that the unsuccessful termination of our labors can be no less painful to you than it is to myself.

As the close of the Session of Congress without ratifying the Treaty leaves me nothing more to perform or to hope for, I can only request of you an interview at which we may arrange some day when it will suit the convenience of his Excellency the Vice President to grant me an audience of leave preparatory to my return to the United States.

A. Butler

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

#### 74

*23 de diciembre de 1831. México, Butler al general Jackson.*

By the hands of our Messenger Mr. Jamieson a gentleman of Kentucky you will receive the Treaty of Amity, Commerce and Navigation which has at last been finally concluded with this Government, and its ratification advised by the Mexican Congress with certain modifications, an explanation in regard to which is given in my despatch to the Department of State that accompanies the Treaty. I am in hopes that even with the mutilation it has suffered you will find it satisfactory, and see that all the important interests between the two Governments are amply provided for. — As it regards the article respecting fugitive slaves, we perceive that its rejection does no more than annul the provision made by the Treaty for adjusting such questions in an amicable way as often as they might arise — but the rejection impairs no right, nor will it interpose any restraint in the employ-

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ment of all such means as may become necessary for enforcing these rights should the evil resulting from the loss of slaves to our citizens by their seeking refuge in the Mexican Territory ever grow into such magnitude as to require the interposition of the Government.

I have no language to describe the vexations, mortifications, and perplexity I have suffered from the ignorance, vacillating conduct and illiberal prejudices displayed by the present Mexican Congress before whom this subject has for more than nine months been pending; — and I am not sure that it would have been concluded in twelve months to come, but for the decisive stand I made and which was communicated to the Secretary for Foreign Affairs in a *private note*, of which a copy is enclosed for you information. My determination as conveyed through the medium of this note was no doubt made known to Congress by the Secretary as I designed it should be, and I cannot doubt but that the hasty decision given by Congress on the very last day of their session was effected by the tenor of my note. In this proceeding I assumed a position on my own responsibility that I flatter myself you will approve — and let me request of you to tell me under your own hand whether you do or do not. In fact My Dear Sir such a spirit of opposition has been displayed on the part of the Mexican Congress levelled either against the actual administration with a view to embarrass them and drive them from Office or founded in continued prejudices against ourselves (and whether the one or the other, we were made the victims) that in sober truth it seemed to me better to put and end at once to all amicable intercourse between the two Governments, than longer, suffer the indignity of having every advance made in our part towards cultivating harmony and friendly intercourse rejected or trifled with: I had besides a very clear impression that the Congress would not hazard such a contingency as my depatures from Mexico would probably give rise to, and hence the ground was taken with the more confidence, as to the effort [it] was instantaneous and decisive, and notwithstanding the occurrence took place but one day previous to the close of the Session, Congress next morning held a conclave meeting, and settled the difficulty which it was pretended had embarrassed and detained them for three months, in such haste as to have omitted certain formalities not discovered until after the adjournment and which will be supplied on the first day of the regular meeting which

commences a week hence, that is on the 1st. January 1832.

The Messenger on the part of the Mexican Government (Colonel Cañedo) who is bearer of the ratified copy of the Treaty to be exchanged against ours, will leave this city in a few days, and arrive at Washington by the time the Senate of the United States have concluded their deliberations on the subject, he would have accompanied Mr. Jamieson, but some of the gilding and ornamental parts of binding of the copy, intended for us, was not entirely finished when our Messenger was compelled to depart or to miss the packet — So that we may reasonably hope for the finishing of the last act of this drama in February next.

Being now at leisure to turn my attention to another subject I hope to be able very shortly to communicate something on the subject of T[...].

A. Butler

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 29. NAW.*

## 75

*24 de diciembre de 1831. México, Butler a Livingston.*

Sir,

By the hands of Mr. Greene B. Jamieson I have the pleasure of transmitting the Treaty of Amity, Commerce and Navigation concluded with the Mexican Government, and the ratification of which after a most extraordinary delay has at length been advised by the Mexican Congress with certain modifications.

The protocol of the 17th. September will serve to explain the limitation which the Congress design to impose on the operation of the 3rd. article:

This article was objected to, 1st, because it was more comprehensive in its terms than any article on the same subject to be found in the treaties with other nations; and 2ndly. because as they had no intention of divesting themselves of the power to regulate the manner in which the interior commerce of the country should be carried on, the phraseology of that article might involve the two nations in

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difficulties from the different construction that each party might give to it. I think it probable however that no inconvenience will ever arise from the limitation imposed by the construction put on the article in the protocol, because the general Government not only declare themselves opposed to the policy of prohibiting foreigners from engaging in the retail trade but some of the States have also expressed their opposition to the measure, as one not only illiberal in its character but the inevitable effect of which at the present time would be to lessen the Revenue; — to deprive the country of its usual supply of merchandise, from the want of capital on the part of native merchants to furnish himself with stock equal to the current demand — And moreover by creating a monopoly whereby the venders of Merchandise, in the absence of that fair competition which the present system encourages, would have it in their power to exact from the consumer whatever price their avarice might prompt them to demand.

The Protocol of the 17th. December was designed to explain and provide for the peculiar state of things which the disagreement between the two chambers had created, and by which the ratification of the Treaty would be indefinitely postponed. The Chamber of Deputies first acted on the Treaty, and by that body several articles were rejected, amongst which was the 34th. relative to fugitive slaves and criminals. The Senate restored all the rejected articles except the second additional article, and returned the Treaty to the Chamber of Deputies with their amendments, all which amendments were concurred in except that relating to fugitive slaves and criminals, the rejection of which was reaffirmed by a majority of two thirds as required by the Federal Constitution in all cases of Amendments made by one House to the proceeding of the other: At this point a difficulty arose between the two houses which was about to produce serious embarrassment and create additional delay. By a provision of the Federal Constitution of Mexico relative to the ordinary proceeding of the two Chambers, it is declared that whenever a measure originating in either branch of Congress shall be amended by the other, and upon the return of the proceeding to the Chamber whence it originated, and the Amendment of the other Chamber be rejected by two thirds, then in such case the original proposition shall stand and be final. Under this provision the deputies contended that as the Legislative action on the Treaty commenced with

them, their modifications of the Treaty must be considered in the light of an original proceeding, and subject to all the rules which govern in such cases — and as an amendment made by the other branch could have no effect if the original proposition be reaffirmed by two thirds of that Chamber who proposed it, so the amendments to the Treaty by the Chamber of Deputies must be governed by the same rule. The Senate denied the analogy, and contended that the proceedings on the Treaty could not be considered in the character of an original proposition by either branch of the Congress, and that the decision made by the Deputies on their amendments although sustained by a majority of two thirds could not be considered as final, but that the question must again be submitted to the Senate when if the amendments made by them to the proceedings of the Chamber of Deputies should be supported by a like majority of two thirds of that body then the Article rejected by the deputies should be supported by a like majority of two thirds of that body then the Article rejected by the deputies should be restored. This presented a new question to the Congress upon which it did not seem probable they would ever agree, and as the Session was fast drawing to a close there was every appearance that they would adjourn and leave the Treaty unfinished — In this condition of affairs I had an interview with the Secretary of Foreign Affairs on the subject and after a very free interchange of opinions, I considered it the best course to suppress or withdraw the article which had created the difficulty, and so leave the Congress no pretext for longer delaying the ratification — this proposition was made by me to the Secretary and assented to on his part: And I felt the more disposed to adopt this course because the rejection of the 34th. Article did no more at last than merely annul the forms provided by which our fugitive slaves might be reclaimed — And because the rejection of that provision neither impaired our rights, nor lessened the means of enforcing them; and if the Mexican Congress in their folly chose to leave open a question that it was as much their interest as ours to put at rest, they must expect to meet the consequences that a collision between the two Governments on that subject would unavoidably lead to.

I beg leave to point your attention to the last clause in the 3rd. article of the Treaty in which you will perceive a variation between the English and Spanish text, by the introduction into the latter of the words "Comercio de Escala" —

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In the English text there is neither a translation nor an equivalent for these words I can give no translation myself and the best scholars I have consulted declare that they are not susceptible of being translated. — The meaning of the phrase is that no vessel shall be permitted to enter and land part of her cargo at one part and the remainder at another, but the whole shall be landed in the port where the vessel first enters. I resisted the introduction of these words into the Treaty, but unavailingly, although the only argument urged in their favor was that so frequently, made use of 'We have the same provision in every other Treaty entered into with foreign powers, — it is our policy and we cannot consent to change it'. The restriction I believe affects our Commerce but very little if at all; vessels from the United States never coming with assorted cargoes so far as I am informed — It is the practice with the French and English to do so, and with whom this regulation is a subject of serious complaint.

I send you the copy of the Treaty in Spanish which passed through the Chamber of Deputies — by this you will see their course, and as the copy was furnished me by the Secretary of Foreign Affairs himself there can be no doubt as to its genuineness.

*Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State, Vol. 5, doc. 29. NAW.*

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*10 de enero de 1832. México. Butler a su gobierno.*

The Secretary of State informed me today that their messenger with the treaty will leave Mexico during this week but whether, in the present state of things, he will venture to embark at Vera Cruz or go by way of Tampico is not decided. I feel confident that no obstruction would be interposed by Gen. Santa Anna if the Government determine to send him by way of Vera Cruz but on that subject I shall offer them no opinion.

I shall of course write you again the moment it is in my power to say anything positive on the political State of the country.



I remain my dear Sir now and ever most...

A. Butler

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

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*17 de enero de 1832. México, Butler a Alamán. Anexo al documento de la fecha.*

My dear Sir.

I received last night your note enclosing the introductory article of the Treaty. I have no objection to it, and you may therefore allow it as a substitute for that found in the former project. I have made alterations which you will be pleased to note in the translations of the text. For instance I have struck out the words *Your Excellency*, as intended to designate the President of the United States, and I have also struck out the words *al Sr. Coronel etc.* relative to myself. In our official documents we make no use of titles except where they may be necessary to designate the office borne by the individual hence the President will be merely described in the Treaty as President of the United States; and myself as *a citizen of the United States* Chargé d'Affaires.

I remain, etc...

A. Butler

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

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*10 de febrero de 1832. México, Butler a Livingston.*

My dear Sir,

Within a few days past I have heard from a friend that the present administration who find themselves with an

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empty treasury, and surrounded by clamorous creditors, contemplate to attempt supplying their wants by a loan; and he observed that it was probable an application would shortly be made to me for the purpose of ascertaining: 1st. whether the Government of the United States had the power of employing the national funds by way of loan, and if vested with such power then whether I was of the opinion such a negotiation could be effected. 2nd. — If the Government could exercise no such power, or should be disinclined to make a loan then whether it was probable a loan could be effected with the capitalists in the United States, and in either event, that it was probable my good offices would be solicited. Of course I gave no direct answer to this political demonstration, but merely remarked, that such an exercise of the federal power never having occurred to me as probable I had never bestowed a thought on the subject; but that, from his suggestions, I would turn the matter in my mind, and if such a proposal ever would be made would endeavor to be prepared with a reply. Should the proposition be made to me before I receive your answer, it may be somewhat perplexing so I must contrive to keep it suspended until that answer arrives, which I beg may be as early as convenient. Whenever such a communication is made to me in direct terms it shall be turned to the ac... in adjusting the boundary question upon which I am fully instructed but in the event of a sale being refused, then another question may arise upon which instructions will be indispensable. My views [are] these, suppose that it is perceived that an absolute sale, at this time will not be made, but that a mortgage on the territory of T[exas] would be given as security to the repayment of money advanced on loan. Then I ask would it be expedient to advance as a loan that sum which we are willing to pay for the purchase? and secured by a loan on the territory as far west as the middle of the desert, and if so shall the loan be accepted with or without receiving the possession of the country? I am convinced that a loan on such terms would be tantamount to a purchase, because in the present condition of the public treasury, years must elapse under the most economical and judicious management with peace during the whole period before they will be in a state to meet existing engagements, and this loan would no doubt be considered, and intended from the beginning to be extinguished by a surrender of the hypothecated territory, and therefore neither

be a thought bestowed upon, or a single effort made for its repayment, but the country suffered quietly to fall in to us. Should the proposal be made to me as expected, I shall endeavor to simplify the transaction by negotiating an absolute sale if possible. Yet I confess that my hopes of success are most faint from knowing that some large grants have been recently made to persons, some of them friends of general Santa Anna, evidently with a view to the New York market, and those grantees by uniting their influence might have great weight in assisting the negotiation. Should they discover that it was pending because its consummation would convert all their golden prospects into moonshine, there is besides another difficulty I can foresee which would interpose itself against an *absolute unconditional* transfer of the territory at the present moment, in the use which might be made of such an event against the parties in power by their adversaries while against a contact in which the territory was merely pledged for repayment of money loaned to meet the public exigency no solid objection could be sustained.

Anticipating that such proposals may be made as were hinted to me, I have thought it right to make you this communication in order that the subject may be considered at home, and such instructions given, as will provide for the contingency when it arrives.

I remain. . .

A. Butler

*Mexico. A. Butler. September 19, 1832 - June 9, 1836. State Department. Vol. 6. NAW.*

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*27 de febrero de 1832. Washington, Livingston a Butler.*

*El despacho que acompañaba el tratado fue retrasado considerablemente en Nueva York y ya había sido enviado al Senado para su consejo y permiso. El Presidente ordenaba que se le comunicara que aprobaba su conducta, al consentir en las alteraciones propuestas por el gobierno de México al tratado y que también estaba de acuerdo en el paso decisivo que tomó para provocar una decisión.*

Advices have been received here from respectable private sources which announce great discontents in the state of Texas and Coahuila, threatening, it is said a formidable insurrection having for its object a separation of the state from the Mexican Confederacy. As the persons most active in these movements are said to be emigrants from the United States, suspicions may arise in the minds of those ignorant of the principles on which our Government is conducted, that it has fomented or conceived at those discontents, should they break into action. These it will be your duty by every means in your power to remove declaring, should any such suggestions be made, that you are instructed to say that they are totally unfounded, and that your Government will consider them as the expression of an unfriendly doubt of their good faith.

You have said nothing lately of the claims of the citizens of the United States upon the republic of Mexico. This, I suppose, is owing to the disordered political state of that Government, and of its finances, and under such circumstances, prudence perhaps requires that you should avoid applications that you know well will be without effect and thus accustom them to meet our demands by refusals. But, at the same time care must be taken to remind them, at proper intervals that we do not lose sight of the interests of our fellow citizens, and make them understand the delicate and friendly feeling which induces us to avoid pressing them at a time of embarrassment and disorder in their affairs.

*Continúa el despacho hablando de diferentes tipos de reclamaciones especificando cada uno de los casos.*

Edward Livingston

*American States, Instructions*, April 22, 1829 - May 27, 1833, Department of State. Vol. 14, p. 252-4. NAW.

*26 de marzo de 1832. Washington, Montoya a Livingston.*

El infrascrito, encargado de negocios de los Estados Unidos Mexicanos, tiene el honor de informar al señor secretario de Estado de los Estados Unidos de América que el gobierno

de México, deseando llevar a efecto por su parte los tratados de límites y el de amistad, comercio y navegación, concluidos y firmados en aquella capital, el primero en 12 de enero del año de 1828, y el segundo en 5 de abril de 1831, y ambos aprobados por el Congreso General de la Unión, le ha nombrado y autorizado competentemente para que, en calidad de plenipotenciario, haga cuanto sea necesario para proceder al canje de las ratificaciones de dichos tratados.

El infrascrito espera que el señor secretario de Estado le manifieste, si se halla igualmente dispuesto a proceder el cambio de las ratificaciones en el concepto que el 5 de abril próximo se concluye el término estipulado para este acto.

El infrascrito se aprovecha de esta ocasión, etc...

J. M. Montoya

*Mexico. Notes. March 8, 1831 - December 12, 1835. Department of State. Vol. 2, doc. sin núm. NAW.*

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*31 de marzo de 1832. Washington, Livingston a Montoya.*

*Le indica que ha recibido su comunicación de la fecha en que se dice que está preparado para el intercambio de las ratificaciones del tratado de comercio y navegación el día 4 del mes siguiente. Montoya le decía que esperaba que también se pudiera hacer lo mismo con el tratado de límites, pero había que tener en cuenta la imposibilidad de ese intercambio, pues se suponía que debía preceder la ratificación del tratado y el intercambio de las ratificaciones que, como en el caso del tratado de límites, todavía se encontraba en el Senado donde se estaba examinando y resultaba imposible que se pudiera considerar ese segundo tratado.*

*Desde hacía cuatro años el gobierno mexicano había descuidado la fecha del límite para la ratificación y ello había motivado la necesidad de extender el periodo de ratificación con la necesidad de que el Senado volviera a aprobarlo.*

*De todas maneras haría los esfuerzos posibles para ver si el Senado terminaba con el tratado de límites antes del de comercio.*

*Foreign Legations. Notes to. January 6, 1832 - June 27, 1834. Department of State. Vol. 5, p. 17-8. NAW.*

*31 de marzo de 1832. Washington, Montoya a Livingston.*

El infrascrito, encargado de negocios de los Estados Unidos Mexicanos, ha tenido el honor de recibir, hoy, la nota del señor secretario de Estado fecha 30 del corriente en que le informa, en contestación a la suya del 26, estar dispuesto a proceder con el infrascrito el miércoles próximo 4 de abril al cambio de las ratificaciones por sus respectivos gobiernos, del tratado de comercio y navegación concluido en México en 5 de abril último.

El infrascrito no ha podido menos de mirar con sentimiento y sorpresa la contestación. Desde 30 de abril de 1828 el señor Clay, entonces secretario de Estado, dirigió una nota al ministro mexicano informándole que, habiendo el presidente, con anuencia y consentimiento del Senado de los Estados Unidos de América, ratificado el tratado de límites, concluido en México en 12 de enero del mismo año, estaba dispuesto a proceder al cambio de ratificaciones del tratado a cualquier tiempo que el ministro mexicano lo juzgara conveniente dentro del término estipulado.

Como hasta aquella fecha el ministro mexicano no había recibido el tratado ratificado por su gobierno, no pudo proceder entonces al cambio de las ratificaciones.

Cuando, después de recibido el tratado, el mismo ministro informó al secretario de Estado en 2 de agosto del mismo año, no tener ya ningún obstáculo para proceder el cambio de las expresadas ratificaciones se le contestó, el mismo día, que había transcurrido el término señalado en el tratado y que sería necesario volver a someterlo a la consideración del Senado en la próxima sesión.

La misma contestación se dio por el señor Van Buren en 22 de abril a una nota del infrascrito, añadiendo que luego que se recibiese el tratado de comercio y navegación se someterían ambos a la consideración del Senado de los Estados Unidos de América.

En virtud de esta correspondencia el vice presidente de los Estados Unidos Mexicanos, venciendo muchas dificultades, ha procurado con la mayor eficacia tomar todas las medidas necesarias para concluir y ratificar el tratado de amistad, comercio y navegación, verificando lo mismo con un artículo adicional al tratado de límites, por el que se extiende el término para el canje de las ratificaciones el 5 de abril próximo.

De estos hechos se concluye que el tratado de límites fue

ratificado constitucionalmente por el presidente de los Estados Unidos de América y que si no se verificó el cambio de las ratificaciones fue por haber pasado el término estipulado: que el gobierno de México por medio del artículo adicional ha removido esta dificultad en cuanto está de su parte. Igualmente se concluye que el gobierno de México, ratificando el tratado de amistad, comercio y navegación, ha satisfecho a la segunda objeción que el gobierno de los Estados Unidos de América había presentado para no proceder al cambio de ratificación del tratado de límites.

De consiguiente el gobierno mexicano, al enviar ambos tratados para que canjearan, a la vez, en esta capital dentro del término últimamente señalado, estaba muy lejos de creer que se pudiese posponer indefinidamente el cambio de las ratificaciones del de límites por parte del gobierno norteamericano.

El infrascrito omite expresar la desfavorable impresión que esta dilación produciría en la nación mexicana. Así que, el infrascrito, se promete que el señor secretario de Estado, cuando tenga por conveniente proceder al cambio de las ratificaciones del tratado de amistad, comercio y navegación procederá igualmente al cambio de las del tratado de límites.

El infrascrito se aprovecha de esta ocasión para reiterar al señor secretario de Estado...

J. M. Montoya

*Mexico. Notes, March 8, 1831 - December 13, 1835. Department of State. Vol. 2, doc. sin núm. NAW.*

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*3 de abril de 1832. Washington, Montoya a Livingston.*

El infrascrito, encargado de negocios de los Estados Unidos Mexicanos, tuvo el honor de recibir, ayer a las 3 la nota del señor Livingston, secretario de Estado, fecha 31 de marzo, en contestación a la suya del mismo día, en que le manifestaba los motivos que tenía para esperar que el canje de la ratificación del tratado de límites se verificase en el mismo día señalado para el del de amistad, comercio y navegación.

El señor Livingston, en su nota mencionada, dice que a

esta proposición sería bastante responder que para proceder al canje de los tratados debe preceder la ratificación de las dos altas partes contratantes, y que, estando aún el tratado de límites bajo la consideración del Senado de los Estados Unidos, sin cuyo consentimiento el presidente no puede ratificarlo, el señor Livingston no puede proceder al cambio de las ratificaciones. Añade después que aunque éste debía reputarse por una razón suficiente y satisfactoria para que pudieran realizarse las esperanzas del infrascrito sobre ese asunto, era propio hacer la observación que la disposición que el señor Clay manifestó en su nota de 30 de abril de 1828 para proceder, por parte del gobierno de los Estados Unidos al cambio de las ratificaciones del tratado de límites, inmediatamente después de su ratificación por el Senado, y su respuesta al ministro mexicano, de que no podía verificarse el cambio de las ratificaciones, por haber pasado el término señalado, esto prueba que el gobierno de los Estados Unidos de América estaba dispuesto a hacer el canje, mas que habiendo pasado el término, aquel acto no podía verificarse hasta que los poderes del gobierno autorizados para hacer el tratado hiciesen la modificación necesaria, y que esta modificación, aunque ya hecha por una de las dos altas partes contratantes, estaba pendiente de la decisión de la otra.

El señor secretario añade que la primera ratificación del Senado de los Estados Unidos de América se había invalidado por la omisión del gobierno mexicano en ratificar el tratado dentro del Senado, y que la extensión de él, por medio de un artículo adicional, hecha por una de las partes requiere la cooperación de la otra, antes que el pacto pueda reputarse completo.

El infrascrito cuando pasó su nota de 31 de marzo bien sabía que el presidente de los Estados Unidos no podía ratificar el tratado de límites sin el consentimiento del Senado, sabía también que no habiéndose cambiado las ratificaciones dentro del término estipulado en 12 de enero del año de 1828 era necesario que el artículo adicional para prolongar el término del canje por un año, convenido en México en 5 de abril de 1831, entre los plenipotenciarios de las dos altas partes contratantes, debía someterse a la consideración del Senado, sin embargo creía que para la ratificación de este artículo no se hubiese encontrado ninguna dificultad.

En efecto, el tratado de límites concluido y firmado en México no es sino una repetición del que se celebró y rati-



ficó por los Estados Unidos y por España. Cuando los Estados Unidos de América reconocieron la independencia de México, en el mismo hecho reconocieron tácitamente los límites ya convenidos con la España; y así, el proceder a la formación del tratado sobre el mismo negocio, en el año de 1828, tanto los Estados Unidos de América como los Estados Unidos Mexicanos no hicieron otra cosa sino dar una nueva sanción a lo ya reconocido. La prontitud con que fue ratificado por el presidente de los Estados Unidos, con consentimiento del Senado, y la disposición manifestada por el señor Clay para verificar el canje de las ratificaciones prueba que la cuestión de límites estaba enteramente zanjada; y que si, después de pasado el término para el canje, el presidente creyó necesario volver a someter el tratado a la consideración del Senado no se puede imaginar que esta segunda revisión tuviese por objeto la cuestión de límites, sino simplemente la de prolongar el término estipulado para el canje.

Esta prolongación ha sido el único asunto del artículo adicional, que en virtud de poderes de su gobierno firmó el plenipotenciario norteamericano acreditado cerca del de los Estados Unidos Mexicanos.

Por consiguiente le gobierno del infrascrito, persuadido que no hubiese la menor dificultad de parte del de los Estados Unidos de América en la ratificación del artículo adicional, se creyó autorizado para esperar que se verificase al mismo tiempo el canje de ambos tratados.

Así que el infrascrito se ve en la necesidad de manifestar al señor secretario de Estado que, conforme a sus instrucciones, no puede proceder al canje de las ratificaciones del tratado de amistad, comercio y navegación, sino se verifica al mismo tiempo el de las del tratado de límites.

El infrascrito etc...

J. M. Montoya

*Mexico. Notes. March 8, 1831 - December 13, 1835. Department of State. Vol. 2, doc. sin núm. NAW.*

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*18 de abril de 1832. Washington, Linvingston a Montoya.*

*Anuncia haber recibido sus notas en que le habla de los barcos que se dice están armando en Nueva Orleans para*

*ir contra el gobierno de México en la provincia de Texas y le comunica que ya ha avisado al "District Attorney" para que haga los trámites necesarios y se informe de lo que está ocurriendo.*

*En cuanto a la moneda falsa también han avisado con el fin de que no se permita y se castigue a quienes a ello se dediquen.*

*Foreign Legation, Notes to, January 6, 1832 - June 27, 1834. Department of State. Vol. 5, p. 21. NAW.*

## 85

*23 de junio de 1832. Washington, Butler al ministro, anexo a la nota de la fecha.*

*Causas que se deben tener en cuenta para producir la cesión de Texas. Pueden ser enumeradas en la siguiente forma:*

1. The apprehensions entertained that Texas may secede, and so be lost to Mexico without any equivalent, and means have been employed to create and strengthen the impression.

2. That in locating the line, agreeable to the Treaty of 1819, much of the territory now claimed may be lost rendering the remainder of less value.

3. In the event of establishing the line where they claim, the new fact of including great part of what has been settled as Arkansas Territory, and the improvements of which they may be called on to pay.

4. And most important the money to be paid for the cession, and especially that part of it which goes into the purses of individuals.

And there is one fact connected with the negotiation worthy of note although of minor consideration viz: Our own citizens will be indemnified for claims against Mexico, and without which, who can say when the day of payment will arrive: not us.

*Mexico. A. Butler. September 19, 1832 - June, 9, 1836. Department of State. Vol. 6, doc. sin núm., precede a la nota de 23 de junio de 1832. NAW.*

*2 de julio de 1832. México, Butler al ministro. Minuta de su primera conversación con el señor Alamán sobre el tema de Texas.*

I stated to the Secretary the desire which my Government entertained to negotiate for the new boundary between the two Republics. That the present as established by the treaty of 1819, it was believed would produce difficulties, and that great benefit might accrue to both nations by the accomplishment of such an event as placing the line farther west. That on our part it would leave entirely disembarrassed a portion of territory now in the occupation of our citizens, which in the opinion of some affecting accurate knowledge of the geography of the country would be included in the province of Texas as the line would in all probability now go: That in such an event a novel important and doubtful question would be presented, viz: whether the General Government of the United States possessed the power of transferring any portion of the citizens of the U. S. to a foreign Government without their consent? That I felt assured the assent would not be given and equally certain that the inhabitants of the territory referred to would not relinquish their property unless the Mexican Government consented to make ample compensation for the improvements made and money expended by the settlers on the land they had purchased and occupied, that this land covered two counties in the territory of Arkansas including several thousand of inhabitants and many hundred thousand acres of land. That my knowledge of the exhausted state of the Mexican treasury forbid the expectation of the Government being able to command the means for making compensation either at the present moment, or within any defined period, and that I should suppose Mexico would herself be desirous of avoiding so heavy a pecuniary responsibility. That an extension of the boundary west would obviate every difficulty. The U. S. would be relieved from the embarrassment presented by the question of transfer already spoken of, and Mexico saved from the heavy pecuniary responsibility involved in the payment of lands and improvements. That besides all this, he Mr. Alamán was no stranger to the unsettled political condition of Texas itself from the very frequent reports we receive of commotions amongst the people of that country, and although hitherto no serious convulsion had occurred,

yet the danger of such an event at no very remote period was fully indicated by the rumors and alarm from week to week that a revolution had already commenced. The revolt once commenced must be successful and Texas is lost to Mexico forever, upon this subject my Government feels the greatest anxiety. We know the jealousy and suspicion hitherto entertained against our Government and people on this very subject, and how very readily that suspicion may be revived in the event of Texas declaring itself independent as being the result of our secret encouragement and support, and we know how difficult it will be to remove such impressions notwithstanding our good faith and fair dealing, and the effect which the indulgence of such suspicions may ultimately produce upon the harmony of the two nations. It is to escape from a state of things so pregnant of discord, between the Governments and people of Mexico and the U. S., that the President feels such an interest in concluding some arrangement that will forever remove the probability of such an event as I have imagined. I have said that Texas once in revolt and Mexico does not possess the means of conquering the revolvers, this I am convinced of and cannot doubt that you concur with me in the opinion: but suppose for the sake of the argument that you are able to suppress the revolt, still the expense incurred by that effort and the yearly demands for supporting a sufficient force to keep in check the revolutionary spirits and repress future attempts of that character, would require a greater sum than that country would ever return to the Mexican treasury, and constitute a drain that the Government is not only little able to bear but altogether beyond the value of the object sought to be attained.

The Secretary replied that he concurred with me in many of the suggestions I had thrown out, but that the question presented many difficulties of embarrassing character, besides the one of: How far we desired to extend the cession west in establishing a new boundary? That he felt inclined to lend himself to any measure that would have a tendency to destroy all jealousies and suspicions between the two nations and the two Governments. He requested me to suspend any further remarks at the present time but to meet him on the ensuing Tuesday next week with my maps on which we might trace the probable line by the treaty as it now stands, and see to what limit it might prudently be extended west.

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

*10 de julio de 1832. México, conferencia número dos entre Butler y Alamán sobre la cesión de Texas.*

I waited on the secretary according to appointment with my maps.

We traced on the map the supposed boundary between the two nations, according to the provisions of the treaty of 1819 between Spain and the United States. The secretary followed the right branch of the river from the Sabinas Lake (as I was convinced they would do) whilst I contended for the left branch this he strongly opposed, and rested his opposition upon the fact that the left branch from the Sabine Lake bore a different name, — was never known as the River Sabine, whilst the right branch always so designated. — To this I replied that as we were not the commissioners appointed to adjust that question and establish the boundary under the treaty lately ratified, it would save the time that might be unprofitably spent by leaving the question if it ever should arise to those whose duty it would be to decide it. — That I hoped however we might be able to agree to some arrangement which would supersede the necessity of discussing that question altogether: That the very fact of this difference of opinion as to where the true line would be located, and the difficulties it might involve, would be strong inducement as I must believe for establishing a new and different boundary, that I would add one other remark, as he did not seem to be aware of all the difficulties with which this subject was pregnant and hence the great advantage of both Governments as he must perceive in establishing a new boundary. I then proceeded to state that whatever names the two branches of the river which emptied into the Sabine Lake might have borne hitherto, and whatever names they may bear at present, he yet did not seem to be apprized of the fact of there being at this time two rivers in the province of Texas bearing the name of the

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Sabine. The one most eastwardly emptied into the Sabine Lake and from thence was discharged into the Gulf of Mexico. That another river now known, and always heretofore known to all Mexicans and other, as the Sabine River had its rise west of the Nueces, and discharged itself above Laredo on the Río Grande and which if it were established as the true boundary would give us more than we ask by the new line — and the question may perhaps be fairly made hereafter by the commissioners — which is the Sabine river meant as the boundary under the treaty of 1819? — That I threw this out to apprise him of the many difficulties involved in the question as it now stood, and which I indulged hopes that with his cooperation we might be able to remove.

We then proceeded to examine the map to determine on a proper location for the new boundary west — It at once pointed to the desert or gran Prairie as the spot that seemed designed by nature as the boundary between the two nations — Its great width and uninhabitable character ~~while~~ it rendered the territory useless as a part of the national domain to either party, pointed it out as peculiarly fitted to be the dividing line between the adjoining nations. The Secretary thought it was going too far west and besides included a portion of the population of Texas purely Mexican which it might be proper to retain in the event of deciding on a new boundary but added; — this will be an after question, I now understand you and we may not differ greatly eventually — So if you will be pleased to address an official communication to the department proposing a review of this question of boundary between the two nations, that communication will be laid before the Vicepresident and replied to with all convenient dispatch.

The communication was prepared and delivered on the 15th. July.

Anthony Butler

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

*16 de julio de 1832. México, Butler a Livingston.*

Sir, I have the honor to transmit herewith for the informa-

tion of the President a brief minute of two conversations held with Mr. Alamán on the subject of a new boundary to be established between the United States and Mexico. Mr. Alamán received and entertained the proposition very favorably as you will perceive from the minute of the conversations referred to; and from his known influence with the Cabinet upon all subjects; I cannot doubt that his opinion upon this will be decisive, whatever that opinion may eventually be.

The Government of Mexico is at present under great embarrassment from the new movement made by general Santa Anna upon Orizaba, and simultaneously by general Moctezuma (who may be said to command the right of the force of general Santa Anna, although the positions are very remote from each other) against San Luis Potosí. These movements combined with the death of general Terán, the ablest military commander on the side of the Government, may shortly lead to very decisive results.

The finances of Mexico are completely exhausted and the administration literally subsists upon loans from week to week at an interest of four per cent per month. It is however difficult to foretell how long such a state of things may continue, because no conclusion drawn from past experience or founded upon the history of other nations will serve to guide you in forming an opinion of this, for notwithstanding all the difficulties interposed, and the apparent disorganization of the political system, general Bustamante may be able to maintain his possession of the Capital, and of the Government (if he can only find means to keep his troops faithful) for 12 months yet to come.

The entire suspension of all regular intercourse between the capital and the sea board, leaves us without any information from abroad. I have received neither letters nor newspapers from the United States since April last, although a short letter from our consul at Vera Cruz (received by a private hand) informs me of a vast collection of letters and newspapers at that port to my address. I have not as yet been able to devise ways and means for transmitting you the present despatch, but will do so by the first safe opportunity that presents itself, and remain very respectfully,  
Sir,...

A. Butler

*Mexico. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 32. NAW.*

20 de julio de 1832. Washington, Livingston a Montoya.

*Le acompaña copia del acta del Congreso titulada "an act to provide for carrying into effect the treaty of limits between the United States of America and the United Mexican States" y le dice que su gobierno está preparado para que se proceda conjuntamente con el de México a delinear la frontera entre los dos territorios.*

*El suscrito está instruido por el presidente para que le pregunte qué clase de arreglos se han hecho en México sobre el particular y le ruega que pida a México que presten atención inmediata al asunto.*

*Foreign Legation, Notes to. January 6, 1832 - June 27, 1834. Department of State. Vol. 5, p. 445-6. NAW.*

25 de julio de 1832. México, Butler a José Ma. Ortiz Monasterio.

The undersigned, Chargé etc. . . , has the honor of transmitting herewith a copy of the treaty of limits negotiated by the plenipotentiaries, United States of America and the United Mexican States, together with the proclamation of the President of the United States declaring the exchange of the ratification thereof. The treaty having now become the Supreme Law of the Land, the President of the United States of America is prepared to execute all the provisions thereof and for this purpose will with all convenient dispatch appoint commissioners on our part to ascertain and mark the line of boundary between the two nations in conformity with the stipulations contained in the treaty referred to. In making this communication it becomes my duty to say that the apprehensions [which] are entertained on the part of my Government that the line as designated in the Treaty, recently ratified, will produce inconveniences and perhaps create difficulties that will be of interest, no less to them [than to us], the desire of the Government of the United States to obviate,



and the President feels the fullest confidence that his Excellency the Vice President of the United Mexican States will act under the influence of a similar spirit. For this purpose I have received instructions from the President of the United States of America to propose the establishment of a new boundary between the two Nations, more conformable to the mutual interest of each and better adapted not only to preserve the integrity of national domain but to promote other objects alike interesting to both parties.

I have to request that you will place this communication before his Excellency the Vice President to the end that he may enter into a consideration at once of the subject presented in this note should he concur in opinion with the President of the United States of America as to the propriety of investigating anew the question of adopting a different boundary between the two nations that in such event a plenipotentiary on the part of Mexico may be appointed, with whom I am prepared to compare and exchange powers preliminary to an entrance upon the discussion of the subject of boundary above referred to.

The undersigned embraces this opportunity...

A. Butler

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

91

*31 de julio de 1832. Washington, Montoya a Livingston.*

El infrascrito, encargado de negocios de los Estados Unidos Mexicanos, ha tenido el honor de recibir la nota del señor Livingston, secretario de Estado de los Estados Unidos, su fecha 20 de julio, corriente, acompañándole copia de una acta de la última sesión del Congreso titulada "acta para proveer el que se lleve a efecto el tratado de límites entre los Estados Unidos Mexicanos y los de América" y haciéndole saber que este gobierno estaba dispuesto a proceder, en unión del de Méjico, a la demarcación de la línea divisoria entre los territorios de ambos gobiernos. En la misma nota se pregunta al infrascrito, si su gobierno ha tomado medidas

de la misma naturaleza para verificar la contemplada demarcación de límites, y si no, para que se pida su inmediata atención.

El infrascrito no ha recibido aún de su gobierno comunicación alguna sobre este negocio lo que atribuye a la interrupción en que se halla la capital con los puertos de Veracruz y Tampico. Sin embargo está persuadido que ya se habrán hechos los preparativos necesarios para que se realice la demarcación de límites en los términos que prescribe el tratado. Mas, si así no fuese, el infrascrito ha escrito ya a su gobierno acompañándole copia de la nota del señor Livingston sobre este asunto, en cuya virtud se tomará inmediatamente en consideración.

El infrascrito etc...

J. M. Montoya

*Mexico. Notes. March 8, 1931 - December 13, 1833. Department of State. Vol. 2, doc. sin núm. NAW.*

92

*1 de agosto de 1832. México, Butler a Livingston.*

... This country continues in a very unsettled State, and it is impossible to predict the result, rumors are abroad that the 9 northern states are determined to withdraw from the confederacy, and I think it very probable that they will do so. The two leading and most influential individuals in that quarter are the governor of Zacatecas (García) and the ex governor of Coahuila (Viesca) they are both hostile to general Santa Anna no less than to the present administration, and the death of general Terán having left them without any prominent candidate for the the presidency as the confederation now stands, has doubtless induced the determination of secession. García, it is said, will be the President of the new Government. The people will not be prepared for self government in 50 years to come, and must be the victims of civil wars, and all sorts of internal commotion until generations shall pass away, and the habits of the

people at large undergo a thorough change by means of education.

I remain very respectfully...

A. Butler

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

93

*2 de agosto de 1832. Washington, Montoya a su gobierno.*

*Indica que el cónsul de Nueva Orleans le dice el 13 del corriente que ha estallado la revolución en Texas.*

*Los colonos, aprovechándose del pronunciamiento del general Santa Anna y a pretexto de las injusticias atribuidas al coronel Bradburn, marcharon a Anáhuac en la bahía de Galveston, atacaron el fuerte e hicieron prisionero a su comandante y guarnición. Otro grupo de colonos bajo el mando del capitán Juan Austin atacó el fuerte Velasco en el Río Brazos y también lo tomaron.*

*En otras notas ya había manifestado su opinión sobre el sistema de colonización empleado en Texas y consideraba que era necesario enviar una persona, preferiblemente un comandante de acreditados méritos, mucha discreción y firmeza, que se hiciera cargo del asunto.*

ASREM, 6-19-6, fol. 21.

94

*12 de agosto de 1832. México, Butler a Livingston.*

...Mr. Alamán has been seriously indisposed for two weeks, and still keeps his chamber; the consequence has been, from that circumstance, and the stunning effect produced by the news of gen. Moctezuma's victory, that no business of importance has been transacted by the department of foreign affairs, for some time past. My note on the

subject of *T[exas]* remains up to this date unanswered, and the state of Mr. Alamán's health has prevented me from pressing it. It seems now well understood that general Múzquiz will reorganize the Cabinet, after which we may expect subsisting questions to be disposed of; I confess that it would have been much more agreeable to me, had that question been left to the adjustment of Mr. Alamán and myself, we understand each other and there was less difficulty to be apprehended, and there would have been less delay, in settling the final arrangement, if the subject had remained under his control, than can be expected should it come under the direction of any other. I do not mean to be understood that my hopes are faint — on the contrary I am still flattered by the belief that we shall eventually succeed — but I must be patient until Gen. Múzquiz has assumed the executive power.

Very respectfully, Sir, your most...

A. Butler

Mexico. A. Butler. October 17, 1829 - August 12, 1832. Department of State. Vol. 5, doc. 34. NAW.

95

*31 de agosto de 1832. Filadelfia, Samuel Webb, comisionado de la población negra, a Castillo, como resultado de una conversación que mantuvieron.*

*Le ruega que le conteste las preguntas siguientes:*

1) *¿Sería bien vista por el gobierno federal, por el de los estados y por el pueblo en general la emigración de los negros libres de los Estados Unidos a México?*

2) *¿Había prejuicios raciales en México y podría la gente de color llegar a ser igual a los que no lo eran en caso de que su conducta fuera irreproachable?*

3) *¿Tendría importancia el hecho de que algunos de ellos fueran protestantes para ser protegidos y gozar de la libertad de cultos?*

4) *¿Tendrían que contribuir a la iglesia establecida y cuál sería el impuesto que tendrían que pagar?*

5) *¿Cuánto tiempo tendría que pasar hasta que pudieran tener derecho a la ciudadanía completa?*

6) *¿En qué forma se podrían hacer de tierras y cómo tendrían que comprarlas?*

Copiado por Castillo en Filadelfia el 3 de julio de 1833.

ASREM, 2-13-3026, fol. 14.

7 de octubre de 1832. *México, Butler a Livingston.*

Sir,

This capital is in great consternation and every one fears the worst. General Santa Anna is approaching with a force that nothing here can resist, yet some persons of the Government party, and two members of the Cabinet itself, are in favor of fighting it out at every hazard: it is the dictate of desperation without the slightest rational hope of success and certainly involving the most disastrous consequences in the event of defeat. The first blow struck between the opposing armies would be the signal for plunder and massacre within the city, of which the enclosed address from the Ayuntamiento of Mexico to the Supreme Government will serve to present a picture.

The Congress were assembled in conclave today at 8 o'clock a.m. and I have understood that they are discussing the propriety of clothing the President *con facultades extraordinarias* in other words creating a dictator, who will possess the power of deciding whether the city shall defend or surrender. My own opinion is clear that the city cannot be defended under the present circumstances, and I hope therefore that terms of capitulation may be proposed to General Santa Anna, in which case every thing will be preserved, life and property protected with the single alteration of transferring the Executive office from the hands of General Múzquiz to the hands of General Santa Anna.

Many of these persons who are obnoxious to the ascending party have already left the city, others are preparing to do so. The late secretary of state Mr. Alamán set out last night.

I have just learned that Congress decided to grant the necessary powers to the President for protecting the city, and

we shall soon hear, whether he determines to defend or to surrender it.

This dispatch will go to Veracruz by the British messenger and shall be kept open to the last moment, that I may inform you of whatever changes take place.

The critical and embarrassed condition of the country has prevented the department of Foreign Affairs from acting for some time past upon any subject but such as are connected with the internal security of the Republic. I have once mentioned to Mr. Fagoaga the negotiation for the new boundary, he promises to take that question at the first convenient moment, from what past I was unable to collect anything that would authorise an opinion as to the views he entertains, for although he exhibited no shyness, he seemed to avoid saying anything to indicate an opinion for or against the policy of altering the present boundary.

Anthony Butler

*Mexico. A. Butler. September 10, 1832 - June 9, 1836. Department of State. Vol. 6, NAW.*

97

12 de octubre de 1832. Washington, Brent a Butler.

*Le trasmite una nota de Robert Oliver de Baltimore en que le piden que haga lo posible para cobrar reclamaciones.*

I need scarcely observe, in recommending these claims to your attention, that it would be very agreeable to the President and Secreary, that they as well as all others of the same description upon the same Government, should be brought to a speedy and satisfactory conclusion.

Daniel Brent

*American States, Instructions. April 2, 1828 - May 27, 1833. Department of State. Vol. 14, p. 269, doc. 28. NAW.*

98

5 de noviembre de 1832. Washington, Montoya a Livingston.

*Se ha enterado de que el recaudador de la aduana de*

*Nueva Orleáns ha recibido orden del gobierno para que cobre de los barcos mexicanos, que allí lleguen, el derecho de toneladas como se hacía antes de ratificarse el tratado. Pide que se le explique por qué se ha dado esta orden.*

*Mexico. A. Butler. September 10, 1832 - June 9, 1836. Department of State. Vol. 2, NAW.*

## 99

*21 de noviembre de 1832. México, Butler a Francisco Fagoaga, secretario de Relaciones.*

My dear Sir,

I enclose for your perusal the handbill about which we conversed this morning, and which you informed me that you had not seen, my Government may look with contempt upon the slanderous imputations cast on it as well as on the people of the United States of America through the malicious insinuations of the author of this publication, and could not so far degrade itself as to make it the object of an official complaint to the Government of the Mexican United States. As however it is well known that all publications are at this time prohibited except such as are sanctioned by the Government of Mexico, it may be well to consider how far publications of such character as this handbill, issued under the presumed authority of the administration of this Government may tend to disturb that harmony at present subsisting between Mexico and the United States. Which it seems to me to be so much the true interest of each to cultivate and maintain.

Were the press in Mexico free and unrestrained as it is with us, a publication such as the one which gave rise to the present communication would merit no other notice, and be entitled to no more weight than the thousand other ephemeral libels private and political, with which a free press is so frequently stained. Here however it is a very different affair, and the peculiar attitude which the Mexican Government is unavoidably made to assume in every case of this character, is the sole incident from which such

publications deduce their authority, and become worthy of notice or remark. I remain etc...

A. Butler

*Mexico. A. Butler. September 10, 1832 - June 9, 1836. Department of State. Vol. 6, NAW.*

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*28 de novierbre de 1832. México, Butler a Fagoaga.*

The undersigned, Chargé d'Affaires etc. etc., had the honor of communicating to your Excellency in the conversation of yesterday some of the particulars attending the outrage committed by the governor of the Castle of Perote on Mr. Thomas Savage, a citizen of the United States charged with official despatches from this legation addressed to the Department of State of the United States, Washington City, and of which he was robbed whilst detained by the governor of the castle under pretext of being examined, although the messenger Mr. Savage had a passport of safe conduct from the Supreme Governor of Mexico verifying his character. The enclosed extract, which he has caused to be taken from a written report of that transaction made to him by a brief narration of the facts and circumstances, and serve to exhibit in its true colors the character of the outrage complained of; and from which will perceive that besides the loss of the official correspondence caused by the arbitrary and unwarrantable conduct of the Governor of Perote that officer, in display of his power, regardless alike of official dignity, the rules of decorum or the courtesy of a gentleman, detained the messenger for nearly two hours to be the auditor of his abusive language against foreigners of which the United States and its citizens had their full measure. I do your Excellency the justice to believe that such conduct will not only meet with the first degree of reprobation from you, which it merits, but that proper measures will be taken promptly to prevent a repetition of such arbitrary and illegal conduct, by making an example of the delinquent in the present instance.

.. I shall confine myself on the present occasion to the affair



which has produced the necessity of this communication without referring your excellency to the archives of the Department of Foreign Affairs for evidences of the many representations which it had become the duty of the undersigned to make against the illegal and wanton outrages committed by officers of the General and of the State Governments of this Confederation against persons and property of citizens of the United States of America during the past two years; and if I have abstained from pressing upon the consideration of the Mexican Government to the full measure of redress the many violations committed on the rights of my countrymen and some of them attended by circumstances of highly aggravated and atrocious character; it was not because I was insensible to the wrong we had suffered or to the measure of satisfaction we had just ground to expect and a clear right to demand; but it was because I felt reluctant to add to the multiplied embarrassments by which the Mexican Government was surrounded as a consequence of the civil war that prevailed and by which the energies of that Government was paralyzed.

Your Excellency will not fail to recollect the many proofs of this forbearance, which has been manifested by the undersigned, ever since your induction into the office over which you preside, nor to do justice to the motives by which conduct has been regulated; it may be well however to consider whether the subject of the present instance an offender not only against the majesty and dignity of that of Mexico, disregarding the passport of safe conduct granted to the messenger, in open contempt of its authority.

The Undersigned prays your Excy etc. . .

A. Butler

*Mexico. A. Butler. September 10, 1832 - June 9, 1836. Department of State. Vol. 6. NAW.*

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*12 de diciembre de 1832. México, Butler a Livingstone.*

Sir,

The conveyance by mail is not yet restored, but the British courier for Vera Cruz, by the kindness of the Minister of His