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MEXICAN LIBERALISM AND THE UNITED STATES DURING
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THE UNIVERSITY OF OKLAHOMA
GRADUATE COLLEGE

MEXICAN LIBERALISM AND THE UNITED STATES
DURING THE ERA OF LA REFORMA:
A HISTORY OF ATTITUDES AND POLICY, 1855-1861

A DISSERTATION
SUBMITTED TO THE GRADUATE FACULTY
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1975

MEXICAN LIBERALISM AND THE UNITED STATES
DURING THE ERA OF LA REFORMA:
A HISTORY OF ATTITUDES AND POLICY, 1855-1861

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INTRODUCTION

In Mexican history the years 1855 to 1861, known as La Reforma or the Era of Reform, constitute the most critical period in the entire development of the nation prior to the momentous Revolution of 1910. The much-celebrated War of Independence (1810-1821) had created the nation, but it had changed the social order only slightly. The national development which followed from 1821 to 1855 was so fraught with insurrection, tyranny, and foreign invasion that the only significant alteration was in the form of periodic disruption. But the Revolution of Ayutla, which overthrew a particularly odious dictatorship in 1855, attempted to legislate out of existence all the inequities of the past and create a modern and progressive national government. Although the impatience of the liberal leadership and the drastic nature of its reforms led to a three-year civil war, which weakened Mexico's resistance to American aggression, the reforms ultimately prevailed.

The purpose of this study is to focus attention on the role of the United States in Mexican affairs immediately preceding and during La Reforma and, especially, to ascertain and analyze the vocal reaction of prominent Mexican liberals to American policies and practices. In particular, the intention is to recapture the spirit of these Mexican attitudes, to determine the extent to which they represented general opinion, to discover

their influence on the formulation of official policy, and to classify them as being either essentially doctrinaire and moralistic or pragmatic and nationalistic.

For making these determinations the method to be employed consists simply of establishing the historical facts of American policy statement and action, revealing the corresponding reactions expressed by the Mexican liberals, and then appraising these conditions. In several instances the historical facts have been established by the previous research of others, but in some cases they are ascertained by new investigation.

Owing to its immense significance, the period of La Reforma has received considerable attention in both general histories and special studies. The relations between the United States and Mexico have also been studied, although not exhaustively for this period. As yet, however, almost nothing has been done to survey and assess liberal reaction in Mexico to the American involvement.

Of the general diplomatic histories J. Fred Rippy's The United States and Mexico (1931) and James M. Callahan's American Foreign Policy in Mexican Relations (1932) are scholarly and comprehensive American interpretations, though somewhat dated. Howard F. Cline's The United States and Mexico (1965) contains some fresh insights. From the Mexican point of view, Alberto M. Carreño's early México y los Estados Unidos (1913) and much more recent La diplomacia extraordinaria entre México y los Estados Unidos, 1789-1947 (1961) are sharply critical of both the American and liberal Mexican policies. More balanced in this respect is Luis G. Zorrilla's two-volume Historia de las relaciones entre

México y los Estados Unidos de América, 1800-1958 (1965).

Of more pertinence to the period under consideration are a number of more specialized diplomatic studies, the most valuable dealing with the unratified but controversial McLane-Ocampo Treaty. Both Agustín Cue Cánova's Juárez, los EE. UU. y Europa: el tratado McLane-Ocampo (1970) and José Fuentes Mares' Juárez y los Estados Unidos (1964) defend the liberal administration's acceptance of this treaty. Edward J. Berbusse's "The Origins of the McLane-Ocampo Treaty of 1859," The Americas (January, 1958), gives the American side with some detail. Special studies of other issues of the period have, for the most part, been superficial.

For the ideological background of the relations between the two countries, few comparative studies exist. Particularly valuable in this respect is Wilfrid H. Callcott's Liberalism in Mexico, 1857-1929 (1931). El liberalismo y la reforma en México, edited by the Universidad Nacional Autónoma de México (1957) is more substantial for Mexican liberalism in this period. Although focused on the following years, Leopoldo Zea's El positivismo en México (1953) is an excellent study of an evolving liberal doctrine. Among the more notable interpretations written by historians of the Científico, or positivistic, school are: Emilio Rabasa's La constitución y la dictadura (1912), Porfirio Parra's Sociología de la reforma (1906), and Justo Sierra's two works, Juárez: su obra y su tiempo (1905) and Evolución política del pueblo mexicano (1906). They are obsessed with the notion that Mexico's development was dependent upon ideological and technological assistance from the United States.

For the views expressed by the liberals on the Era of Reform itself, which constitute the main subject of this study, there are a variety of sources. The papers of Benito Juárez and José María Lafragua are available in original manuscript form in the Biblioteca Nacional at Mexico City, and those of Ignacio Comonfort are now housed in the Latin American Collection of the University of Texas at Austin. The Juárez papers have now been published in large part in the collections edited by Jorge L. Tamayo and by Angel Pola, who has also published those of Melchor Ocampo. Ignacio Ramírez and Francisco Zarco have published many of their own papers and those of their contemporaries, and Genaro García has edited those of Santos Degollado and Manuel Doblado. For the opinions expressed in the constitutional convention and congressional sessions, the minutes of these have been published in Zarco's Historia del congreso extraordinario constituyente de 1856 y 1857 (1857) and Felipe Buenrostro's Historia del primer y segundo congresos constitucionales de la República Mexicana que funcionó en el año de 1857 (1874). The several published collections of the diplomatic correspondence, consular dispatches, and congressional and commission reports of both nations contain further expressions of Mexican liberal opinion, but those in English translation are sometimes garbled. Such reports were also carried in the Mexican newspapers of the period, but of more value in this form were the letters to the editor and the journal's own editorials. Of particular value are the files of El Siglo XIX, a leading liberal newspaper published from 1840 to 1893, for it was critical as well as partisan. El Estandarte Nacional was another influen-

tial liberal organ but of a shorter run. It was well as the more spasmodic journals, such as La Crónica Oficial, voiced representative partisan opinion.

A careful survey of liberal Mexican reactions to American policies and practices in the period reveals that most of the comment centered on a few specific and general issues. Accordingly, after summarizing the historical background, this study will confine itself to those problems. They are: 1) the United States itself as a model for or a menace to Mexico; 2) the pressure on Mexico to extradite American runaway slaves; 3) the American responsibility for preventing Indian depredations in Mexico; 4) the abuse of Mexican Americans in the United States; 5) American filibuster invasions of Mexico; 6) American economic penetration of Mexico; and 7) American diplomatic exploitation of Mexico's weakened condition.

CHAPTER I

HISTORICAL BACKGROUND, 1848-1861

The fourteen years between the end of the American invasion and the beginning of the French intervention in Mexico were seemingly as chaotic and politically unproductive as those which had followed the separation from Spain, but beneath the surface the foundation was being established for a progressive nation. For the first five years the moderates led the republic toward recovery from the disasters of the American war. From 1853 until 1855 the conservatives were back in control under an almost monarchical dictatorship. Then the liberals seized power and launched a program of basic change which, with some notable interruptions, has survived to the present day. The War of La Reforma, a serious conservative challenge from 1858 to 1861, was the new order's first crisis. Throughout the fourteen years the United States, although favoring the liberal cause in Mexico, continued to covet that nation's territory and infringe upon its sovereignty.

The war with the United States left Mexico weak and divided. The weakness stemmed not only from the loss of half of her territory but also from the inability of her own government to raise sufficient revenue, to develop the nation's resources, and to provide either leadership or hope.¹ The division took the form

¹Justo Sierra, Evolución política del pueblo mexicano (México: Fondo de Cultura Económica, 1940; first published in 1910), 236.

of individual states ignoring the central government, military leaders struggling against one another for political power, and civilian leaders seeking military backing.

Three competing political groups existed at the time: the conservatives, the moderate liberals, and the extreme liberals or puros. The conservatives included the clergy, most of the military, and other elite elements of the nation who wished to maintain the status quo. They insisted on a continuation of the traditional fueros, or special privileges of the military and clergy, and national support of the Catholic Church as the state religion. The moderate liberals were led by educated men who strove for gradual reform and progress through compromise. Theirs was the European-inspired, paternalistic liberalism of the 1820's. The moderates having risen to power at the close of the war and having signed the Treaty of Guadalupe Hidalgo, were accused of "selling out" to the United States, yielding territory in exchange for a monetary indemnity. The puros, or "pure liberals," were men educated in the public, secular schools which Mexico opened in the mid-1820's. They had been taught to doubt, to question, and even to destroy traditional values if they appeared to stand in the way of their concepts of freedom and progress. To the puros the church and the army were the curses of the nation, having kept Mexico in colonial and even medieval ignorance, poverty, and division. Their aim was to liberate and dignify the individual.²

²Leopoldo Zea, "La ideología liberal y el liberalismo Mexicano," Universidad Nacional Autónoma de México, El liberalismo y la reforma en México (México: Escuela Nacional de Economía, 1957), 514-19.

The period between 1848 and 1855 was a time of apparent peace, but also of internal fermentation. It began with moderate liberals in power. Their efforts to create a normal and efficient state were successful at first. For the first time in many years elections were held and new presidents inaugurated, General José Joaquín Herrera in 1848 and General Mariano Arista in 1850. The American War appeared to have brought Mexico to her political senses, into an era of tranquility with the possibility for growth. But internal problems persisted and continued to bleed the nation. Attacks on the moderate liberal government of Arista continued from the conservatives and the puros.

The Arista government took preliminary steps to place the government on a sound footing. It substantially reduced military appropriations, borrowed heavily and at high rates from England to consolidate the foreign debt, and earmarked the payments due from the United States to liquidate the internal debt. However, the internal debt turned out to be much larger than expected and quite beyond the amount of the American indemnity. Worse, custom-house authorities in the several states began to compete with each other for the foreign trade by lowering duties. This merely reduced the nation's revenues.³ On top of these problems filibustering invasions, Indian depredations, and highway banditry created new disorders and a further drain on the national treasury.

In Guadalajara, on July 26, 1852, the conservative Colonel José María Blancarte, military leader of the city, overthrew the

³Sierra, Evolución política del pueblo mexicano, 290.

moderate Governor Jesús López Portillo and proclaimed the Plan de Jalisco. The plan demanded the deposal of President Arista and the return of Santa Anna. The puros sided with the conservatives in Jalisco and other states. However, by October the Plan de Jalisco gave way to the Plan del Hospicio as the movement became reactionary, and liberals began to abandon it.⁴ The national government fell because of its failure to act forcefully, promptly, and imaginatively. President Arista, without congressional backing, resigned on January 4, and Juan B. Ceballos became president ad-interim. After still another change of government, a special election called back Antonio López de Santa Anna to rule Mexico on April 20, 1853.⁵ The electoral vote was 18 to 5. Among those voting for Santa Anna's return was General Juan Álvarez, who eventually participated in his overthrow.⁶

During his exile at Jamaica and Cartagena, Columbia, between 1848 and 1853, Santa Anna had led the life of a country gentleman. He had remained informed of events and activities in Mexico. Still he needed the help of Lucas Alamán, the wisest and best known conservative in Mexico. Alamán sought to establish some ground rules for Santa Anna and, in the process, made himself essential. The government would be centralistic with Alamán leading a small but powerful inner-council of decision makers. It

⁴Ibid., 291.

⁵Ibid., 292.

⁶Oakah L. Jones, Jr., Santa Anna (New York: Twayne Publishers, Inc., 1968), 122.

would support a large army and the Catholic Church and would abolish the sovereignty of the states and popular elections.⁷

When Santa Anna arrived at Veracruz on April 1, 1853, the liberals still hoped he would support their cause. Their rationale was that his exile and maturity, and the afflictions of the nation, might change his mind.⁸ Some felt he was the only hope for the reestablishment of order in Mexico. Soon after taking office, however, Santa Anna returned to his old habits of dictatorship. Many liberal puros, now considered dangerous to the new regime, were forced into exile. Among these were Benito Juárez, governor of the state of Oaxaca; Melchor Ocampo, former governor of Michoacán; and Santos Degollado, a close friend and associate of Ocampo. Meanwhile Lucas Alamán died on June 1, 1853, when his creative leadership was most needed by the conservatives. His death marked a fateful turning point in this period.⁹

The conservative cabinet was now without strong leadership, without a man of wisdom and foresight to deal with the problems of the nation. Cabinet positions, vacant by normal or forced resignations were filled with Santanistas. The President was now in control of the cabinet and the nation with no one to control him. Freedom of speech was limited, a secret police was formed, and there was a great increase in ostentatious display

⁷Ibid.

⁸Ibid., 123.

⁹Wilfrid H. Callcott, Santa Anna: The Story of an Enigma Who Once Was Mexico (Norman: University of Oklahoma Press, 1936), 287.

of power and riches. A strong-arm dictatorship had been born while Mexico was experiencing a serious drought, decimating epidemics, and a declining foreign trade.

A chronic problem of Mexico had been her failure to provide the government with sufficient funds to carry out its normal programs and responsibilities. Now, with the increased expenditures of the Santa Anna regime, normalcy became impossible. Adding to the difficulty was the dictator's dream of royalty. Monarchy in Mexico had always been an aspiration of the conservative leadership. Santa Anna had stepped into the vacuum when a royal head could not be secured in Europe and assumed the title Su Alteza Serenísima (His Serene Highness). His royal machinations further strapped the already shattered economy.

In order to secure funds new taxes were levied on taverns, liquor factories, carriages, horses, and dogs, among other items. When these failed to provide the funds required, new resources were sought. Santa Anna had been in conversations with James Gadsden, the American Minister to Mexico, concerning the continuing Indian depredations in the border area and the drain of these acts on the economy of Mexico. From this point the conversations led to ways and means by which the United States could assist the Mexican government to restore fiscal responsibility. The United States, in mid-1853, was interested in building a transcontinental railroad across the nation and felt that the best route was south of the Gila River, in Mexican territory. Gadsden suggested in his conversations with Santa Anna an American purchase of territory embracing Sonora, Chihuahua, Coahuila,

and Nuevo León, but Santa Anna would not consider it.¹⁰

In the fall of 1853 the national expenses of Mexico were radically increased as the dictator's imperial pretensions increased. At the same time Gadsden intensified his pressure but reduced his request for territory to a strip south of the Gila River known as the Mesilla Valley. By December Santa Anna's need for money was so urgent that he felt forced to yield. The treaty was signed on December 30, 1853. For ten million dollars the Mesilla Valley was sold to the United States and the Treaty of Guadalupe Hidalgo was amended to release the United States from the responsibilities of controlling the nomadic Indians within her borders. This left an intolerable situation unresolved.¹¹

When a wave of protest arose throughout Mexico, Santa Anna tried to explain that if he had not sold the area, the United States would have conquered it, and that Mexico was in no condition to fight an international war. He claimed that American troops had been mobilized in the New Mexico territory and had threatened, through Gadsden himself, to confiscate the valley. He failed to admit the dire financial needs of his government and the high cost of his rule. As it turned out, the Mexican people did not accept his explanation.¹²

The year 1854 began with ominous portents. The people were

¹⁰Luis G. Zorrilla, Historia de las relaciones entre México y los Estados Unidos de América, 1800-1958 (2 volumes; Mexico: Editorial Porrúa, 1965), I, 339-42.

¹¹Callcott, Santa Anna, 294-97.

¹²Jones, Santa Anna, 128.

unhappy with the dictatorial controls, the heavy taxation, the failure to alleviate the national needs, and now the Gadsden Treaty. Even the elite saw the Gadsden Purchase as a crime against the nation, that Santa Anna's misappropriation of funds and other excesses had become unbearable, that the legitimacy of the regime had been lost by his claim to imperial dictatorship, and that Mexico had never before experienced such odious tyranny.¹³

Early in the year Santa Anna issued a series of decrees whose objective was to control the custom collections by closing some ports of entry, including that of Acapulco, in the State of Guerrero.¹⁴ In the previous year the dictator had appointed Colonel Ignacio Comonfort director of the Acapulco customhouse but he had summarily dismissed him after accusations arose of discrepancies in the receipts, even though a hearing exonerated Comonfort of any blame.¹⁵ When revolts broke out in Southern Mexico against Santa Anna's dictatorship, General Juan Álvarez issued the Plan de Ayutla on March 1, 1854. Ten days later Ignacio Comonfort announced the Plan de Acapulco which supported that of Ayutla but with important amendments.¹⁶ The immediate

¹³Emilio Rabasa, La constitución y la dictadura: estudio sobre la organización política de México (México, D. F.: Tip. de "Revista de Revistas," 1912), 9.

¹⁴Rosaura Hernández Rodríguez, Ignacio Comonfort: trayectoria política, documentos (México: Universidad Nacional Autónoma de México, 1967), 30.

¹⁵Ibid., 27-28; Most historians do not give Comonfort's customhouse problems as a reason for his participation in the Plan de Ayutla. To them Comonfort was a clear-thinking, honorable man, who would not act out of revenge but only from principle. Sierra, Evolución política del pueblo mexicano, 299-300; Callcott, Santa Anna, 305-07.

¹⁶For the texts of the Plan de Ayutla, March 1, 1854, and Plan de Acapulco, March 11, 1854, see El Archivo Mexicano, Co-

popularity of the two pronunciamientos was due to a single idea: the destruction of the hated tyranny of Santa Anna. Although a call to overthrow the government was hardly novel in Mexico's political history, the amendments at Acapulco called for a new constitution establishing republican institutions, a new respect for the national laws, and an appeal to general good will. Santa Anna countered with suggestions of some palatable changes that the public might accept.¹⁷

To one historian of the period, Walter V. Scholes, the Plan de Ayutla as amended at Acapulco gave no indication of the sweeping changes that were shortly to follow. To him it merely read as other Mexican pronunciamientos of the past.¹⁸ Other historians fail to see that Mexico was in the desperate condition the authors of the plans claimed. Indeed Rosaura Hernández Rodríguez, in her documentary work on Comonfort, suggests that both plans were merely reactions to the closing of the port of Acapulco and not genuine demands for progressive reforms.¹⁹ Another historian, José C. Valadés, contends that the political system under Santa Anna was beginning to cleanse itself and make progress. He feels that, under a realistic view, the only real cure for the ills of Mexico

lección de leyes, decretos, circulares y otros documentos (6 volumes; México: Imprenta de Vicente G. Torres, 1856-62), I, 3-18.

¹⁷Rabasa, La constitución y la dictadura, 38-39, 45.

¹⁸Walter V. Scholes, "A Revolution Falters: Mexico, 1856-1857," Hispanic American Historical Review, XXXII (February, 1952), 1.

¹⁹Hernández Rodríguez, Ignacio Comonfort, 30.

at mid-century was a massive dose of autocratic rule.²⁰

Santa Anna ignored the revolt in the South. To him it was merely another disturbance that would soon be controlled. When it proved otherwise he assumed personal command of the attempt to recapture Acapulco. When his forces were repelled he returned to Mexico City, and there he learned that garrisons throughout the nation were accepting the Plan de Ayutla. When the garrison at Veracruz threatened to abandon him and cut off his escape route, he left Mexico City early in the morning of August 9, 1855, boarded the vessel Iturbide seven days later, and sailed into exile.²¹

General Juan Álvarez, an old campaigner for the liberal cause, had led men to battle since the wars for independence. Early in 1853 he had sided with Santanistas, hoping the old caudillo would bring the nation together, but, disappointed, had joined the revolution. Ignacio Comonfort, although a colonel and shortly a general, was a rather newcomer to either military or political revolution. As director of the customhouse of Acapulco, however, he had experienced political disappointment. He was a moderate at heart, but the first liberal ideas of the Plan de Ayutla came from his pen. His desire to follow the will of the people moved him to demand the drafting of a new constitution establishing a republican representative government.²² Still

²⁰José C. Valadés, El pensamiento político de Benito Juárez (México: Librería de Manuel Porrúa, 1972), 67-68.

²¹Jones, Santa Anna, 131.

²²Ignacio Comonfort, manifesto, México, December 19, 1857, Ernesto de la Torre Villar, editor, El triunfo de la república liberal, 1857-1860: selección de testimonios de la guerra de tres años, con un estudio preliminar y notas (México: Fondo de la Cultura Económica, 1960), 15-20; Rabasa, La constitución y la dictadura, 38-39.

the moderate, Comonfort had moved northward to bring into the revolution by compromise, if necessary, the garrisons of Guanajuato, San Luis Potosí, Monterrey, and other states.²³ In Guanajuato he enlisted the support of Manuel Doblado, a moderate, and later in his trip, that of Félix Zuloaga, a conservative, and Antonio de Haro Tamariz. In Monterrey he won the help of Santiago Vidaurri, a states-right independent. It took more than pure liberals to overthrow Santa Anna.

Although General Álvarez became the provisional president of Mexico by choice of the caudillos of the revolution, he brought into the government the civilian element that made it truly revolutionary. Non-military puros dominated the cabinet. Comonfort, as Minister of War, was the only real military and moderate. The other members were Benito Juárez, Minister of Justice and Ecclesiastical Affairs, Melchor Ocampo, Minister of Foreign Relations, and Guillermo Prieto, the Minister of the Treasury.²⁴ Soon after their appointment, these ardent liberals began to enact their principles into law, establishing a federal system of government, restricting the powers of the clergy and the military, promoting a capitalistic economy, making education free and scientific, establishing political and juridical equity, and encouraging individual initiative.²⁵

²³Ignacio M. Altamirano, Historia política de México (1821-1882 [Vol. IV of El liberalismo mexicano en pensamiento y en acción, edited by Martín Luis Guzmán (22 volumes; México, D. F.: Empresas Editoriales, S. A., 1947-67)], 83.

²⁴Walter V. Scholes, Mexican Politics During the Juárez Regime, 1855-1872 (Columbia: The University of Missouri Press, 1957), 5.

²⁵Ibid., 17.

Politically, most liberal leaders stood for a federal form of government, but with a strong presidency, and appeared to favor a constitution similar to that of the United States. In the field of economics most of them favored a capitalistic system which would enhance the initiative of the individual. They favored foreign investments for the development of industries and communication facilities. Their economic philosophy was a form of laissez faire. While they opposed government restriction of commerce and industry, they favored official support for such enterprise by making available the physical and human resources of the nation. Socially, they considered all men equal before the law and endowed with the same rights and privileges to work and earn a living. Shortly they would espouse the Darwinian notion of the survival of the fittest and the Comtian doctrine of progress through order and science.²⁶ When these concepts became part of the liberal dogma the Indian masses would suffer even more than in the past.

Intellectually, the liberals were staunch supporters of public education in general and secular education in particular. Even before Comtian positivism was adopted as official doctrine for the public schools, the liberal urge was to promote science and technology in curriculum.²⁷ Their utopian idealism of the

²⁶Leopoldo Zea, El positivismo en México (México: Ediciones Studium, 1953), 81-82.

²⁷Gonzalo Obregón, "El Colegio de Abogados en el constituyente de 1856," in El constituyente de 1856 y el pensamiento liberal mexicano, edited by I. & N. Colegio de Abogados (México: Librería de Manuel Porrúa, 1960), 10.

past was giving way to pragmatism and realism.

Pragmatism and realism were also ingredients of the liberals' foreign policy. However, although one historian has accused the puros of trying to sell Mexican territory to the United States for partisan advantage²⁸ the opposite was more nearly true. In fact, the liberals were intensely nationalistic. Their Plan de Ayutla expressly prohibited the dismemberment of national territory. While they were willing to make concessions in exchange for American economic aid they always stopped short of surrendering land. While favoring the United States as a natural ally, they also resisted her attempts to absorb any more of the national domain.

Although the liberals of La Reforma attempted to place principles above personalities, they did not lack individual leadership. Indeed, Benito Juárez would eventually be recognized as the greatest statesman in Mexico's history. A pure Zapotec Indian, born in the mountains of Oaxaca in 1806, Juárez started school with the idea of becoming a priest but transferred to the new secular college of his home state, graduated with a law degree, and was elected to the Oaxaca legislature. After a few years he became a judge and in 1847 was appointed governor of the state. The following year, as President Santa Anna fled the American occupation forces, Juárez prohibited his entrance

²⁸Francisco Bulnes, Juárez y las revoluciones de Ayutla y de la reforma (México: Editorial H. T. Milenario, 1967) and El verdadero Juárez y la verdad sobre la intervención y el imperio (México: Editora Nacional, 1967), passim. José Fuentes Mares discusses this point more judiciously in his Juárez y los Estados Unidos (4th edition; México: Editorial Jus, S. A., 1964), 41-42.

into the state. This act eventually sent Juárez into exile in 1853, when Santa Anna returned to power. In New Orleans he joined the Plan de Ayutla and returned to Mexico to assist the movement in any way he could.²⁹ Although considered an opportunist by at least one writer,³⁰ most serious historians have classified Juárez as a puro or moderate liberal whose aim was to aid Mexico economically, intellectually and politically.³¹

As Minister of Justice under President Álvarez Juárez drafted the celebrated Ley Juárez, a law intended to reduce the special privileges, or fueros, of the military, clerical, and other elite groups. Promulgated in 1855, it was designed to bring all men under the same legal umbrella and remove the advantages of some, which separated society. Although the Ley Juárez left the ecclesiastical privilege largely intact, it served notice of the liberal intent to make everyone equal before the law. The reaction to the Ley Juárez was immediate and vigorous and both Álvarez and Juárez resigned to forestall a general revolt. The law, however, was not repealed.

Ignacio Comonfort now assumed the presidency and appointed a more moderate cabinet. One member, however, was a staunch puro. This was Miguel Lerdo de Tejada, a pragmatic liberal from Veracruz. One of his early contributions to the reform program

²⁹Torre Villar, ed., Triunfo de la república liberal, 88-90.

³⁰Bulnes, El verdadero Juárez, 100-03.

³¹Torre Villar, ed., Triunfo de la república liberal, 88-90; Carlos J. Sierra, ed., La prensa valora la figura de Juárez, 1872-1910 (México: Dirección General de Prensa, 1963), 103-05; Wilfrid H. Callcott, Liberalism in Mexico, 1857-1929 (Hamden, Conn.: Anchor Books, 1965), 87; Sierra, Juárez: su obra y su tiempo, 96-98.

was the Ley Lerdo of 1856. This law prohibited any corporation from owning real estate in excess of its actual needs and ordered the sale of its unused property to individuals. Although not mentioned by name, the Catholic Church, which held immense tracts of land in mano muerta, or mortmain, was the major target of this act.

In response to the promise of the Plan de Ayutla, as amended at Acapulco, President Comonfort called a constitutional convention. After assembling at Cuernavaca, this body moved to Mexico City, where it served both to write a new fundamental law and to enact ordinary legislation. The congreso extraordinario constituyente, as it was known, late 1856 through early 1857. While moderates dominated Comonfort's cabinet, puros had a majority in the special congress.³²

Among the most prominent delegates in the congreso extraordinario were Melchor Ocampo, Ignacio Ramírez, and Francisco Zarco. Ocampo, as we have seen, had been governor of Michoacán and an exile under Santa Anna. Returning to Mexico shortly after the declaration of the Plan de Ayutla was announced, he became Minister of Foreign Relations under Álvarez. He resigned from the cabinet quite early but returned to public service in Comonfort's constitutional convention. When Juárez became president in 1858, Ocampo became his Minister of Foreign Relations as well as one of his closest advisers and friends. As a diplomat, speaker, and tactician, he left a strong mark on La Reforma.³³

³²Hernández Rodríguez, Ignacio Comonfort, 44.

³³José C. Valadés, Don Melchor Ocampo: reformador de México (México: Editorial Patria, S. A., 1954), 325-27, 363-75.

Ocampo's influence was also present in the work of his son-in-law, José María Mata, who as minister to Washington during the War of La Reforma, was seeking diplomatic recognition of the liberal regime.³⁴

The colorful Ignacio Ramírez, known as "El Nigromante," came, like Juárez and Álvarez, from a poor family of Indian descent. He had been introduced to the world of letters through an Institute of Arts and Sciences at Toluca, in the state of Mexico, where he both learned and taught a peculiar kind of Jacobin liberalism. As a poet, writer, and orator, he was especially sharp and sarcastic in his criticism of the United States.³⁵

Francisco Zarco, the secretary of the combined constitutional convention and congress, kept its minutes and published them in two volumes and in his newspaper El Siglo XIX to keep the nation informed of its proceedings. As editor of El Siglo XIX, he continually publicized liberal policy. Zarco was a liberal voice, as well as the official recorder in the congress and the best political writer of his time. In this period El Siglo XIX was the unofficial organ of the liberal party.

The most impartial contribution of the extraordinary congress was the Constitution of 1857, which consolidated the liberal program. It incorporated and broadened the Ley Juárez and Ley

³⁴Ibid., 312.

³⁵Ramírez, speech to the constitutional convention, México, July 7, 1856, Ignacio Ramírez, Obras de Ignacio Ramírez (El Nigromante) (2 volumes; México, D.F.: Editora Nacional, 1966), I, 189; Ramírez, speech to the constitutional convention, México, October 6, 1856, Francisco Zarco, Historia del congreso constituyente de 1857 (México: Imprenta de I. Escalante, 1916), 645.

Lerdo. More important, it allowed more freedom of thought, press and religion, although this latter was not specified and only a short step was taken toward the separation of church and state.³⁶ When President Comonfort signed the Constitution into law, the military with backing from the clergy immediately revolted in Puebla, San Luis Potosí, and elsewhere.

Meanwhile, Comonfort was elected constitutional President of Mexico and Juárez President of the Supreme Court. The Constitution did not provide for a Vice-President but specified that the Court's president would be next in line of succession to the national presidency. Even before the election Comonfort was attacked by the conservatives for signing the Constitution. They felt that its liberalism would destroy Mexico. For some time Comonfort stood firm, but by December of 1857 he began to concede to the conservative demands. In that month General Félix Zuloaga revolted under the conservative Plan de Tacubaya and induced Comonfort to suspend the Constitution and delay the reforms. When Chief Juárez protested, he was jailed and other liberals began to flee the capital. Finally, Comonfort resigned, but he first freed Juárez and allowed him to escape to Querétaro. Early in

³⁶José María Castillo Velasco, speech to the constitutional convention, México, June 16, 1856, Francisco Zarco, Historia del congreso extraordinario constituyente de 1856 y 1857 (2 volumes; México: Imprenta de Ignacio Cumplido, 1857), I, 513; "Constitución Política de la República Mexicana," Section I, Articles 6, 7, Leyes de reforma: gobiernos de Ignacio Comonfort y Benito Juárez [Volume V of El liberalismo Mexicano en pensamiento y en acción], 56; Juárez, manifesto, Guanajuato, January 19, 1858, Andrés Henestrosa, editor, Benito Juárez, textos políticos (México: Secretaría de Educación Pública, 1944), 25.

1858 General Zuloaga seized the government. By this act the conservative forces gained control of Mexico City and received the diplomatic recognition of all nations.

Meanwhile, however, most of the state governments and puros, and many of the moderates, recognized Juárez as having constitutionally succeeded to the Presidency, and he accepted the position. His was a government on the run, first to Querétaro, where he presided with a rump congress, and eventually to Veracruz, where he and his cabinet governed by decree. From 1858 to 1861 the liberal regime at Veracruz vied with the conservative regime at Mexico City for control of the nation, and the fate of the Constitution of 1857 was in the balance. Unlike earlier insurrections and caudillo wars, this was a bitterly contested and long sustained struggle for principles, a civil war in the proper sense.³⁷ With most of the regular officers supporting the conservatives, who also enjoyed the advantage of diplomatic recognition, the liberals were hard pressed. In the west the liberal army was commanded by Santos Degollado, an intellectual. He lost most of his battles but held his forces together. Many of the other liberal commanders were also civilians fighting as best they could for the reforms they cherished.³⁸

The ecclesiastical position of the conservatives and secular stand of the liberals transformed the war into a religious crusade.

³⁷Torre Villar, ed., Triunfo de la república liberal, 81; Rabasa, La constitución y la dictadura, 43-44.

³⁸Fuentes Mares, Juárez y los Estados Unidos, 187.

Accordingly, the church openly made its resources available to the conservative armies. Meanwhile the liberals were sustained by the custom services of the nation's principal sea port, Veracruz. These respective funds financed a fratricidal war that all but sapped the nation's last remaining energies.³⁹

From early 1859 to mid-1860 the liberal cause appeared hopeless. With its armies defeated and its funds exhausted it now faced a major conservative offensive aimed at Veracruz itself. To insure the collapse of the liberal stronghold the conservatives had enlisted the support of Spanish warships from Cuba to cut the city off from any seaborne assistance. All seemed about to be lost--the war, the liberal administration, and above all the Constitution of 1857 and the entire progressive program of La Reforma.⁴⁰

In desperation the liberals took two decisive steps to reverse the situation. In the first place they issued a series of drastic decrees, the Leyes de la Reforma, which provided for the complete separation of the church and state, the confiscation of all ecclesiastical property, and the secularization of marriages, burials, and all vital records.⁴¹ Although consistent with liberal ideology, these steps were taken abruptly to divert the wealth of the church from conservative to liberal use and thereby break the

³⁹Sierra, Evolución política del pueblo mexicano, 330.

⁴⁰Justo Sierra, Juárez: su obra y su tiempo (México, D.F.: Editora Nacional, 1972; first published in 1905), 168.

⁴¹Porfirio Parra, Sociología de la reforma [Vol. VIII of El liberalismo mexicano en pensamiento y en acción], 170.

financial back of the enemy. In second place, having finally gained American diplomatic recognition, the liberal government moved to secure at almost any price, a guarantee of American moral, economic, and military support as its only visible hope for survival.⁴²

It is difficult to evaluate what good the reform decrees of 1859 did to turn the military tide, but the new relationship with the United States government brought immediate results. American ships sent to Veracruz intercepted the Spanish flotilla and the conservative offensive was blunted. Then shipments of American armaments began to reach the liberal forces.⁴³ By mid-1860 the war had turned in favor of the liberals, and in January of 1861 Juárez returned to Mexico City in triumph.

From 1855 when the liberals seized power in the Revolution of Ayutla to 1861, when they recaptured Mexico City to end the War of La Reforma, their relations with the United States were generally good. A number of serious international problems and an underlying Mexican mistrust of American policy gave the impression of intense mutual hostility, but republican institutions and liberal ideologies in both nations justified an alliance, and except for the short period from early 1858 to mid-1859, the United States recognized the liberal rather than conservative regime. Sentiment and idealism played a part in the relations between the two countries, but, as a fuller examination will reveal,

⁴²Sierra, Juárez: su obra y su tiempo, 120.

⁴³Manual Cambre, La guerra de tres años: apuntes para la historia de la reforma (Guadalajara, Jal.: Imprenta de José Cabrera, 1904), 113.

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both acted, in the last analysis, on the basis of practical self-interest.

CHAPTER II

THE UNITED STATES: MODEL OR MENACE?

When the Plan de Ayutla's leaders came to power in 1855, they hoped not only to bring an end to the succession of turmoil and tyranny but also to improve the general condition of the Mexican people. For the realization of these liberal aims they recognized a working model across their northern border. But they could also see there a deadly peril to their national security and territorial integrity. Therefore the policy of the liberal regime toward the United States during the next six years was one of ambivalence, as an analysis of the confrontations between the two nations will demonstrate. In this chapter a number of the lesser, but more ideological, problems will be explored so as to identify the general attitude of the Mexican liberals. The major issues, which often demanded a more pragmatic stance, will be examined in the following chapters.

In relation to the particular problems, the attitude of the Mexican liberals was governed by at least three separate considerations: the diplomatic relations between the two nations, the political situation within each, and the public reaction to specific international incidents. In all of these aspects, however, the principal concern of this study is to ascertain the attitude of the liberal leadership in Mexico and the degree to which it was uniform and consistent with the

principles espoused by them. This, in turn, will involve the fundamental dilemma of the Mexican liberals of the period: whether to collaborate with and emulate the American nation, as their ideology would dictate, or to isolate Mexico from its influences, in the interest of national security.

A general attitude of suspicion and mistrust between the United States and Mexico, emanating from the war of the previous decade, constituted one problem. American animosity was expressed in both official circles and the press.¹ An American diplomatic representative even went so far as to inform the Department of State that a republican form of government in Mexico was an anomaly, that no democracy could exist where people did not live, "and in our sense of the term, there is no 'people' here. . . ." ² Americans in the border states saw the Mexicans as a dangerous element because of their supposed jealousy and continual instability.³

In spite of such American attitudes, some Mexican liberals

¹Editorial in The Tribune, June 17, 1858, as published in Instituto Nacional de Antropología é Historia, Colección de documentos inéditos o muy raros relativos a la reforma de México: obtenidos en su mayor parte de los archivos de las secretarías de Relaciones Exteriores y Defensa Nacional, y otros depósitos documentales de la ciudad de México y fuera de ella (one volume to date; México: Instituto Nacional de Antropología é Historia, 1957), I, 126; Duff Green, Confident Agent of the United States to Mexico, to Lewis Cass, Austin, Texas, December 24, 1859, William R. Manning, ed., Diplomatic Correspondence of the United States: Inter-American Affairs, 1831-1860 (12 volumes; Washington: Carnegie Endowment for International Peace, 1932-1939), IX, 1153.

²John Forsyth to Cass, México, September 26, 1857, Manning, ed., Diplomatic Correspondence, IX, 937.

³Forsyth to Cass, México, September 27, 1857, Ibid., 942.

managed to see the United States as a natural friend and ally in their aspirations for liberty, constitutionalism, and federalism.⁴ American diplomatic representatives, such as James Gadsden and John Forsyth, reported in 1856 that the government of Juan Álvarez and Ignacio Comonfort had expressed only friendly and positive attitudes towards the United States.⁵ When problems of a serious nature arose, as they did in 1860, the Mexican representative at Washington, José María Mata, struggled to find a friendly and harmonious solution. Through his activities he hoped to stop the rising American antipathy against Mexico.⁶

Juan Antonio de la Fuente, who had resigned as Minister of Foreign Affairs because of alleged anti-American attitudes in Mexico, entertained the warmest sentiments towards the United States, according to the American minister to Mexico, and looked up to it as a model for Mexican imitation.⁷ The American minister also reported in 1856 that most Mexican liberals remained strongly sympathetic toward the United States, and their leaders at Veracruz apparently desired to imitate and sooth all ill feelings towards their neighbors to the north.⁸

⁴William M. Churchwell to President James Buchanan, explaining the views of the liberals under Benito Juárez, Veracruz, February 22, 1859, Ibid., 1035.

⁵Gadsden to Marcy, México, April 3, 1855, Ibid., 751; Forsyth to Marcy, México, October 25, 1856, Ibid., 850.

⁶Mata to Cass, Washington, February 18, 1860, Correspondencia de la legación mexicana en Washington durante la intervención extranjera, 1860-1868 (10 volumes; México: Imprenta del Gobierno, 1870), I, 40.

⁷Forsyth to Marcy, México, October 25, 1856, Manning, ed., Diplomatic Correspondence, IX, 850.

⁸Forsyth to Marcy, México, October 25, 1856, Ibid., 850.

The liberal desire to emulate the United States was expressed through various channels. Ignacio Altamirano, a contemporary historian, contended that it was the constitutional and representative government of the United States that shaped her progressive attitude and made her strong.⁹ At the constitutional convention of 1856-1857, Ponciano Arriaga and José María Mata argued that Mexico's fundamental law should emulate the American constitution since it contained all the elements needed for national greatness and the advancement of the individual and had endured the test of time.¹⁰

However, not all liberals felt that the American Constitution should become the basis for that of Mexico. Marcelino Castañeda, another delegate to the convention, warned that, in spite of the merits of the American and British constitutions, they could not be adapted to the Mexican needs.¹¹ Luis de la Rosa claimed that Mexico was not really imitating the American constitution in as much as both nations meant different things by such words as federalism, tolerance, union, and even constitutionalism.¹² To Ignacio Vallarta, Juan de Dios Arias, and others, but especially to Ignacio Ramírez, the American constitution was

⁹Altamirano, Historia política de México, 89.

¹⁰Speeches of Arriaga and Mata to the constitutional convention, México, June 16, and July 8, 1856, Zarco, Historia del congreso extraordinario, I, 461, 676-77.

¹¹Castañeda, speech to constitutional convention, México, July 7, 1856, Ibid., 653.

¹²De la Rosa, speech to constitutional convention, México, July 8, 1856, Ibid., 674-75.

not worthy of imitation, as its legalization of slavery rendered its clauses on freedom hollow and pernicious.¹³ The official government newspaper declared that the effort to imitate the United States would fail as Mexico lacked the essential sociological, traditional, and ideological elements to make it work.¹⁴ However, in respect to guarantees of individual rights and privileges, as opposed to those of society or the state, the Mexican ideas paralleled the American.¹⁵

The American constitution had been adopted by the governments of the several states, but there was strong sentiment in Mexico for a broader base of approval. José María Mata and Ignacio Vallarta felt that Mexico's new constitution should be

¹³Vallarta, De Dios Arias, and Ramírez, speeches to the constitutional convention, México, August 8, and October 6, 1856, Zarco, Historia del congreso constituyente, 53, 160, and 645, respectively. Others who spoke to the same point and critically of the American constitution were Arriaga, June 23, Isidro Olvera, July 4, Pedro de Ampudia, August 5, and Francisco P. de Cendejas, 1856, see Zarco, Historia del congreso extraordinario, I, 543, 644; II, 84, 301, respectively.

¹⁴Diario Oficial del Supremo Gobierno de la República Mexicana, June 21, 1856; see also Rabasa, La constitución y la dictadura, 103, and Daniel Cosío Villegas, La república restaurada: vida política [Vol. 1 of Historia moderna de México (9 vols. in 10 parts; México: Editorial Hermes, 1957-1965)], 51.

¹⁵Arriaga, speech to constitutional convention, México, June 16, 1856, Zarco, Historia del congreso extraordinario, I, 461; Vallarta, speech to constitutional convention, México, August 8, 1856, Zarco, Historia del congreso constituyente, 53; Torre Villar, ed., El triunfo de la república liberal, xxix; Raymond C. Wheat, Francisco Zarco: el portavoz liberal de la reforma (México: Editorial Porrúa, S. A., 1957), 168; J. Silva Herzog, "Economic Ideas in Mexico in the Constitutional Congress of 1857," Social Science in Mexico and South and Central America, I (May, 1947), 37; Walter V. Scholes, "Liberalismo reformista," Historia mexicana, II (July, 1952-June, 1953), 345.

ratified only by the direct vote of the people.¹⁶

The concern of the Mexican liberals went beyond the form of government, to the actual justice that it would produce. They saw the American constitution as a protection of the individual against forced levies, arbitrary taxation, and other abuses of authority¹⁷ and also against the false accusations of other individuals.¹⁸ Melchor Ocampo contended that the Mexican liberals wanted to take a strong, firm step forward on the road to total justice for all men.¹⁹ He and others felt that justice must be founded on the basic premise of the equality of man and the preservation of righteous causes. Accordingly, this principle was incorporated into the Constitution of 1857.²⁰

The hope derived from the Constitution of 1857, as the United States had experienced through her own, was for a federation of states that would provide political stability and a national government that would see and treat all men as equals.

¹⁶Mata and Vallarta, speeches to the constitutional convention, México, July 11, 1856, Zarco, Historia del congreso extraordinario, I, 22.

¹⁷Rabasa, La constitución y la dictadura, 105.

¹⁸Arriaga, speech to the constitutional convention, México, June 16, 1856, Zarco, Historia del congreso extraordinario, I, 465.

¹⁹Ocampo, speech, Veracruz, September 16, 1858, Torre Villar, ed., Triunfo de la república liberal, 76.

²⁰Ocampo to Mata, instructions, Guadalajara, March 3, 1858, Jorge L. Tamayo, ed., Benito Juárez: documentos, discursos y correspondencia (14 volumes; México: Secretaría del Patrimonio Nacional, 1965), II, 359-60; Arriaga and Mata, speeches to the constitutional convention, México, June 16 and August 19, 1856, Zarco, Historia de congreso extraordinario, I, 465; II, 179.

But even as the writing took place some of the liberal authors realized that the definitions of such terms as constitution, federalism, and states rights in Mexico differed from those in the United States.²¹ Because of these differences representative Francisco P. Cendejas suggested that they should be critically analyzed so as to avert misunderstandings and possible danger to the political system of Mexico.²²

The liberal intention, as Benito Juárez saw it, was born of a desire to develop man's moral and mental abilities to preserve the rights of the individual, and to guarantee the equality of all men.²³ They saw this as the liberal interpretation of Lockian philosophy and what they hoped their constitution would provide.²⁴

One of the major debates at the constitutional convention centered on the degree to which individual liberty should be allowed to extend, especially in relation to worship and the

²¹De la Rosa, speech to the constitutional convention, México, July 8, 1856, Zarco, Historia del congreso extraordinario, I, 675; José María Lafragua, Secretary of Interior (Gobernación), statement, México, May 20, 1856, Archivo Mexicano, Collección de leyes, decretos, circulares y otros documentos, II, 82.

²²Cendejas, speech to constitutional convention, México, September 10, 1856, Zarco, Historia del congreso extraordinario, II, 301.

²³Juárez, speech, Oaxaca, June 30, 1857, Henestrosa, ed., Benito Juárez, textos políticos, 24.

²⁴Reading of the dictamen of the special commission dealing with the incorporation of the state of Coahuila-Nuevo León, constitutional convention, México, May 21, 1856, Zarco, Historia del congreso extraordinario, I, 273.

support of a state religion. Whereas the puro faction argued for complete freedom of religion and separation of church and state, the moderado faction, along with the conservatives, favored the status quo. As Ignacio Mariscal spelled it out in later years, the true liberals admired the hereditary rights of the citizens of the United States. "Their fathers," he claimed, "infused them with their blood in a representative system; their mothers breastfed them with civil and religious liberty so that Americans did not have to fight to break the religious or church tutelage, that useless hindrance. . . ."25

To most of the liberals, having been bred within the Roman Catholic Church, religion admittedly remained an essential part of their lives.²⁶ Except for at least one Protestant and a few others who held atheistic ideas, most of the liberal leaders accepted Catholicism as their religion and called on God for leadership.²⁷ However, some saw a difference between Mexican

²⁵Mariscal, speech, Veracruz, September 16, 1860, Torre Villar, ed., Triunfo de la república liberal, 178.

²⁶De la Rosa, speech to the constitutional convention, México, July 8, 1856, Zarco, Historia del congreso extraordinario, I, 674.

²⁷Editorial, Diario Oficial, August 3, 1856; Juárez, Manifesto, Guadalajara, March 18, 1858, Torre Villar, ed., Triunfo de la república liberal, xxxi; Santos Degollado, proclamation, General Headquarters at Guadalupe Hidalgo, March 21, 1859, Genaro García, ed., Don Santos Degollado, sus manifestos, campañas, destitución militar, enjuiciamiento, rehabilitación, muerte, funerales y honores postumos [Vol. XI of Documentos inéditos o muy raros para la historia de México (36 volumes; México: Librería de la Vda. de Ch. Bouret, 1907)], 62; Lafragua, decree, México, October 22, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, II, 422-32; Sierra, Juárez: su obra y su tiempo, 156.

and American interpretations of Catholicism.²⁸

To Juárez and Ignacio Ramírez, the church in Mexico, in contrast to that in the United States, represented repression, corruption, fanaticism, and backwardness.²⁹ In their convictions on freedom of religion the liberal leadership of Mexico looked to the United States with profound respect and a desire to emulate its attitudes. José María Mata and Gregorio Payró went so far as to contend that American political progress had resulted, at least in part, from the freedom of worship and expression which existed in that nation.³⁰

The Mexican liberals also looked to the United States as a model for public education, and some even hoped to improve on the American system.³¹ Secretary of Public Instruction Manuel F. Ruiz had reported with dismay in 1856, and again in 1857, that little progress had been achieved in education but that this was a result of the nation's insurrections.³²

²⁸Mata, speech, México, July 29, 1856, Diario Oficial, August 4, 1856.

²⁹Ramírez, poem "Tipos Provinciales," Obras de Ignacio Ramírez, I, 47; Juárez, proclamation, Guadalajara, March 17, 1858, Henestrosa, ed., Juárez: textos políticos, 28; Cosío Villegas, La república restaurada, I, 56; Samuel Ramos, Profile of Man and Culture in Mexico, translated by Peter G. Earle (Austin: University of Texas Press, 1962), 80, 85.

³⁰Mata and Payró, speeches to the constitutional convention, México, July 29, 1856, and January 28 and 31, 1857, Zarco, Historia del congreso extraordinario, I, 786, and 853-54.

³¹Open letter to the Supreme Constitutional Congress, México, July 8, 1856, Diario Oficial, August 11, 1856.

³²Manuel F. Ruiz, Exposición que el C. Lic. Manuel F. Ruiz ministro que fué de Justicia, Negocios Eclesiásticos, e Instrucción Pública, presentó al soberano congreso de la Unión para darle cuenta de su conducta oficial (Méjico: Imprenta de Nicolas Pizarro, 1861), 19, 43.

The liberals enacted laws making education for both sexes the government's responsibility and specifying the ways and means for its development. Such legislation was assertedly aimed at creating the best program for the most people, so that education might become as universal as the times made it possible.³³

The constitutional convention, controlled as it was by the liberal leadership, expressed many of the premises, hopes, and dreams of these men. However, neither at the convention nor elsewhere were they in common accord. The ideology of individual Mexican liberals, as of their counterparts in the United States, varied widely on some issues, both in ideology and in practice. However, they were united generally in their common aspiration for the protection of individual liberty, equality, and property and of national peace and territorial integrity.³⁴

The liberals wished to emulate the United States not only in

³³José María Iglesias, Minister of Public Education, decree, México, May 19, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 684; Comonfort, message to Congress, México, October 8, 1857, Felipe Buenrostro, ed., Historia del primer y segundo congresos constitucionales de la República Mexicana que funcionó en el año de 1857 (9 volumes; México: Imprenta de I. Cumplido, 1874), I, 79; An example of the proclamations favoring education was issued by José de la Barcena and José María Hernández, Victoria de Durango, April 9, 1856, El Siglo XIX, April 22, 1856; Constitutional Government, decree, Veracruz, July 7, 1859, Angel Pola, ed., Discursos y manifestos de Benito Juárez (México: A. Pola, 1905), 225.

³⁴Lafragua, Circular, México, May 20, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, II, 83; Álvarez, Plan de Ayutla, March 1, 1854, Ibid., I, 3-10; Forsyth to Cass, México, April 4, and September 15, 1857, Manning, ed., Diplomatic Correspondence, IX, 905 and 929; Cass to McLane, Washington, July 30, 1859, Ibid., 269; Scholes, Mexican Politics During the Juárez Regime, 2.

the promotion of individual freedom and national security but also in establishing a representative and civilian government rather than continuing with the traditional reliance on military dictatorship, and in abolishing class privilege, legal inequality, and the national support of one church. They also endorsed a government policy of flexible rather than rigid laissez faire.³⁵

In respect to the equality among all men, they included Indians and Blacks with Whites and Protestants with Catholics. Their idealism drove them to think that greatness was within the reach of all men willing to fight and strive for it.³⁶ Benito Juárez, Juan Álvarez, Ignacio Ramírez, and Porfirio Díaz (all of them from poor Indian and rural backgrounds) managed to rise from their lower-class birth and upbringing to heights of honor and prestige, and this made what they considered ideal more possible. Through these ideas the liberals saw a kinship with the American laws, commerce, and human relations (though not with slavery). They identified with the ideas of Andrew Jackson, Daniel Webster, and Abraham Lincoln--as well as with those of Ralph Waldo Emerson, Henry David Thoreau, Walt Whitman, and Horace Mann.³⁷ Their ad-

³⁵Manuel María del Llano and Trinidad de la Garza y Melo to Santiago Vidaurri, governor of Nuevo León, Monterrey, April 30, 1856, Zarco, Historia del congreso extraordinario, I, 283; Benito Juárez, Apuntes para mis hijos, compiled by Florencio Zamarripa (6th edition; México: Centro Mexicano del Estudios Culturales, 1968), 15; Valadés, El pensamiento político de Juárez, 136; Parra, Sociología de la reforma, 22, 194.

³⁶Leopoldo Zea, "La ideología liberal y el liberalismo mexicano," Universidad Nacional Autónoma de México, El liberalismo y la reforma en México, 510.

³⁷Max Savelle, "El curso de las ideas liberales en los Estados Unidos de América hasta fines del siglo XIX," Ibid., 143.

miration of these kindred minds had reduced the bitterness of the recent Mexican-American war and produced a growing hope of friendly relations. Their main frustration was America's failure to recognize their government for several months in 1858 and 1859 during the early stages of the War of La Reforma.³⁸

The failure to receive recognition, state some historians, should have been sufficient grounds for resentfulness, for which no one could have blamed them.³⁹ But practical minds prevailed. The liberals were in too desperate a need of assistance to hold negative attitudes towards those who could grant that assistance. So the liberals sought accomodation even during the period in which they lacked recognition. Their hope was that this situation would be of short duration.⁴⁰

President Juárez complained through his Minister of Foreign Relations that his inability to understand the American position emanated from two circumstances, the speed with which the United States had granted recognition to the conservatives, and her rationale for so doing, that is, recognizing the conservatives merely because they occupied Mexico City.⁴¹ Melchor Ocampo, the

³⁸Ibid., 145; Alberto María Carreño, La diplomacia extraordinaria entre México y los Estados Unidos, 1789-1947 (2 volumes; 2nd edition; México: Editorial Jus, S. A., 1961), 142-43.

³⁹Pierce Butler, Judah P. Benjamin (Philadelphia: George W. Jacobs & Co., 1906), 131; Fernando Ocaranza, Juárez y sus amigos: colección de ensayos (México: Editorial Polis, 1939), 137.

⁴⁰Juárez to Pedro Santacilia, Veracruz, February 11, 1858, Archivo Benito Juárez, Colección de Manuscritos de la Biblioteca Nacional de México, Ms. J., S - 2.

⁴¹Ocampo to Forsyth, Guanajuato, February 11, 1858, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 351.

minister, had claimed that the Americans, in denying the recognition, had acted against all justice as only the liberal government had remained faithful to the constitution.⁴² In spite of this reversal, the Juárez government chose to continue seeking recognition but also, in as much as possible, to preserve its self-respect.⁴³

The failure of the liberals to obtain recognition made it difficult for them to organize and carry out a program. Be-leaguered as they were, they still desired to continue their plans for social, economic, and intellectual improvements, but the success of these depended upon American military and financial assistance, which, in turn, depended upon recognition. Finally, recognition was granted only after the liberal regime agreed to negotiate a treaty involving further concessions to the United States. The liberals resented having to negotiate such an agreement in order to obtain financial assistance, but once the McLane-Ocampo Treaty was signed, they deplored the American opposition to it which led to its rejection.⁴⁴

⁴²Ocampo to Forsyth, Guanajuato, February 4, 1858, Ibid., 347-48.

⁴³Juárez to the City of Guadalajara and the Nation, decree, Guadalajara, March 16, 1858, Henestrosa, ed., Juárez, textos políticos, 27; Ocampo to Mata, instructions, Guadalajara, March 3, 1858, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 360.

⁴⁴Mata to Ocampo, Washington, December 23, 1858, Ibid., 464-65; Mata to Minister of Foreign Relations, Washington, February 14, 1860, Correspondencia de la legación mexicana en Washington, I, 35-36; studies of the McLane-Ocampo Treaty in Fuentes Mares, Juárez y los Estados Unidos, Appendix A, 227-34.

During the United States Senate debate on the McLane-Ocampo Treaty, the liberals were bewildered by the proceedings. As opposition mounted against an agreement that held immense economic benefits for the American people at little cost, José María Mata tried to explain the ambiguous situation. One reason for the impending rejection was, he asserted, that for any person to have influence, either with the press or state representatives, and have a program pass in Congress, money was essential. ". . . . Because in this nation, probably more than in any other, it is an accepted principle that all those who work must be compensated. . . ."45 Mata feared that if he failed to raise enough money, which was very likely, American ratification of the treaty would fail for lack of financial persuasion and that the conservative regime might then purchase American recognition.⁴⁶

Governor Ignacio Pesqueira, of Sonora, outraged by the filibustering invasions of his state, viewed the American people as arrogant usurpers.⁴⁷ Ignacio Ramírez and Matías Acosta considered them impatient and vain.⁴⁸ As if to confirm these impressions, the American representative John Forsyth saw the Mexicans as an

⁴⁵Mata to Secretary of Public Relations, Washington, January 6, 1860, Tamayo, ed., Juárez: documentos, discursos y correspondencia, IV, 18-19.

⁴⁶Ibid.

⁴⁷Pesqueira to the Mexican Minister Plenipotentiary in Washington, Guaymas, November 21, 1859, Ibid., II, 553-55.

⁴⁸Ramírez, speech to the constitutional convention, México, October 27, 1856, Zarco, Historia del congreso extraordinario, II, 495; Acosta to Juárez, México, May 2, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 445.

inferior people who should be taught a lesson they could not easily forget.⁴⁹

The liberals were firm believers in immigration and the colonization of vacant lands, but they were also apprehensive about Americans settling the northern frontier territories. Mata envisioned the problem as being three fold: 1) If Americans were permitted to colonize, they would maintain commercial ties with the United States, as they had done in Texas, Americanize the area, and possibly cause it to secede from the republic; 2) reliance on Mexicans as colonists was not feasible because of the nation's scant population; and 3) failure to colonize the border area would allow the depredations of American Indians and filibusters to continue.⁵⁰

That the American dream of colonizing and their absorbing Mexican territory was still alive was admitted by Forsyth in 1856. He reported that some of his compatriots envisioned "a new Texas" in Baja California, Sonora, Nuevo León, and Tamaulipas.⁵¹ An American newspaper suggested the creation of a protectorate in which Baja California, Sonora, and Chihuahua would be physically protected from Indian depredations and bandits.⁵² Francisco

⁴⁹Forsyth to Cass, México, April 4, 1857, Manning, ed., Diplomatic Correspondence, IX, 907-08.

⁵⁰Mata, speech to the constitutional convention, México, August 1, 1856, Zarco, Historia del congreso extraordinario, II, 37.

⁵¹Forsyth to Marcy, México, November 8, 1856, Manning, ed., Diplomatic Correspondence, IX, 856.

⁵²Editorial, "A Mexican Protectorate," Philadelphia North, no date, Instituto Nacional de Antropología é Historia, Documentos inéditos sobre la reforma, I, 135.

Zarco thought that American colonization of the northern border might indeed be feasible, but only if the immigrants could be integrated with Mexicans and totally absorbed by the nation. Juan Antonio de la Fuente was less optimistic and feared that such colonies could easily be lost to the United States.⁵³

As a matter of fact, the liberal government had already launched a campaign to attract immigrants. It opened offices in Boston, Philadelphia, and New York, where agents, in lieu of a regular salary, were to be paid one dollar for each immigrant they secured.⁵⁴ It was the hope of several liberals that persecuted Mexican-Americans in California and runaway Negro slaves from the Southern states would join Europeans and other Americans as colonists.⁵⁵ It was proposed that the Americans would immediately become Mexican citizens. This was to avoid a problem that was already prevalent in Sonora and Baja California, where American citizens had become squatters.⁵⁶

⁵³Zarco and De la Fuente, debate at the constitutional convention, México, August 4, 1856, Zarco, Historia del congreso extraordinario, II, 72-73.

⁵⁴Gabor Naphegy to the Minister of Interior (Fomento), Manuel Siliceo, México, July 16, 1856, Legislación mexicana, o sea colección completa de leyes, decretos y circulares que se han expedido desde la consumación de la independencia (13 volumes; Méjico: Imprenta de Juan R. Navarro, 1856), XII, 552; Siliceo, decree, Diario Oficial, June 23, 1856.

⁵⁵Editorial, Ibid., June 16, 1856, Zarco, editorial, El Siglo XIX, August 5, 1857; José María Iglesias, editorial, Ibid., February 20, 1856; Pedro Ampudia, speech to the constitutional convention, México, August 5, 1856, Zarco, Historia del congreso extraordinario, II, 81.

⁵⁶Naphegy to Siliceo, México, July 11, 1856, Legislación mexicana, colección completa de leyes, XII, 551; Luis de la Rosa to Gadsden, México, January 10, 1856, Manning, ed., Diplomatic Correspondence, IX, 815; Gadsden to De la Rosa, México, January 16, 1856, Ibid., 817-18.

The liberal rationale for promoting large-scale immigration, even of Americans, was, as expressed by Zarco, Justo Artega Alemparte, Manuel Siliceo, Pedro Ampudia, and others, was that this would enrich not only the borderlands but all of Mexico.⁵⁷ Ignacio Ramírez saw colonization as a means through which Mexican feudalism would end and progress return.⁵⁸ Melchor Ocampo claimed that immigration would provide the labor to produce the wealth Mexico needed.⁵⁹ To the supreme leadership--President Juárez, Ocampo, Ruiz, and Lerdo de Tejada--immigration and colonization had the potential for providing the national unity, pacification, and wealth it desperately desired for the republic.⁶⁰

Perhaps what most convinced the liberals to push for colonization, especially of the North, was their desire for security and peace. They knew that the American government had

⁵⁷Zarco, editorial, "Congreso Hispano-Americano," El Siglo XIX, March 26, 1856; Siliceo, decree, México, May 10, 1856, Manuel Dublán and José María Lozano, ed., Legislación mexicana o colección completa de las disposiciones legislativas expedidas desde la independencia de la república (34 volumes; Mexico: Imprenta del Comercio, 1876-1904), VIII, 130-31, 166-67; Alemparte, editorial, El Siglo XIX, July 24, 1857; Ampudia, speech to the constitutional convention, México, August 5, 1856, Zarco, Historia del congreso extraordinario, II, 82; Hernández Rodríguez, Ignacio Comonfort, 49.

⁵⁸Ramírez, speech, Mazatlan, no date, Ramírez, Obras de Ignacio Ramírez, I, 165.

⁵⁹Ocampo, speech, Veracruz, September 16, 1858, Melchor Ocampo, La religión, la iglesia y el fuero [Vol. VI of El liberalismo mexicano en pensamiento y en acción], 194.

⁶⁰Juárez, Ocampo, Ruiz, Lerdo de Tejada, decree, Veracruz, July 7, 1859, Pola, ed., Discursos y manifestos de Juárez, 238-39.

promised peace, in both the Guadalupe Hidalgo and Gadsden treaties, but that neither had stopped the Indian depredations or filibustering.⁶¹ However, if they managed to increase the population of the territory substantially with immigration from all over the world, such activities would end.⁶² As Mata explained, this was the only means through which the desolation of the northern frontier would cease.⁶³ To Lafragua, colonization was a utopian solution to most of the northern problems of Indian depredation, banditry, and filibustering.⁶⁴ It was the only means, according to Justo Arteaga Alemparte, to develop the economy of the entire nation.⁶⁵

Even though the Mexican liberals had suffered reverses at the hands of the United States, they continued to see the American government as their only hope of surviving the War of La Reforma. Mata and Ocampo saw their future philosophically bound to that of the United States.⁶⁶ Indeed, most liberals felt that the United

⁶¹Zorrilla, Historia de las relaciones entre México y los Estados Unidos, I, 343.

⁶²Constitutional government to the nation, decree, Veracruz, July 7, 1859, Torre Villar, ed., Triunfo de la república liberal, 110.

⁶³Mata, speech to the constitutional convention, México, August 1, 1856, Zarco, Historia del congreso extraordinario, II, 38.

⁶⁴Lafragua to Comonfort, México, January 16, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, II, 677.

⁶⁵Alemparte, editorial, "Cuestiones Americanas," El Siglo XIX, July 24, 1857.

⁶⁶Mata to Juárez, Washington, July 2, 1858, Archivo Benito Juárez, Colección de Manuscritos de la Biblioteca Nacional de México, Ms. J., I - 32; Ocampo to Mata, Guadalajara, February 10, and March 2, 1858, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 342-43, and 350.

States could provide all they needed and that this would mark the end of their woes.⁶⁷

It would be an oversimplification to contend that the liberals were pro-American. The Mexican-American war had left a wound which liberals, moderates, and conservatives had to consider. Its impact may have created an inferiority complex, stemming not only from the defeat but also the danger of being absorbed by the "Colossus of the North."⁶⁸ Consequently, liberals of the 1850's lashed out at their conservative protagonists, accusing them of selling the country through the Guadalupe Hidalgo and Gadsden treaties.⁶⁹ The Ministry of Justice and the constitutional convention condemned the perpetrators to death for their irresponsibility.⁷⁰ At the same time the Minister of War reassured the Mexican public of the administration's intention to resist any foreign attempt, including American, to acquire Mexican territory illegally.⁷¹ José María Lafragua and Juan Álvarez went even further, asserting opposition of the

⁶⁷Sierra, Juárez: su obra y su tiempo, 142-43.

⁶⁸Zea, "La ideología liberal y el liberalismo mexicano," Universidad Nacional Autónoma de México, Liberalismo y la reforma en México, 488.

⁶⁹Carreño, La diplomacia extraordinaria, 120.

⁷⁰Ezequiel Montes, decree, México, January 10, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 433-34. This decree was introduced as a bill to the constitutional convention on April 7, 1856 and approved, Zarco, Historia del congreso extraordinario, I, 120-26.

⁷¹Manuel María Sandoval, circular, México, January 10, 1856, Dublán & Lozano, Legislación mexicana, VIII, 18.

liberal regime to even the sale of Mexican territory.⁷² On the other hand, when Mata arrived in Washington and presented his ministerial credentials in 1858, he explained that his government's interest lay in contributing to the development of both nations through common programs, common goals, and perfect fraternity.⁷³

While President Juárez was pressing for American aid in 1859, Matías Acosta reminded him that if the United States wished to promote mutual respect, universal liberties, and equality of all people, she needed no more Mexican territory nor to purchase justice with dollars in order to accomplish it.⁷⁴ Juan Antonio de la Fuente agreed with John Forsyth that the desire of both nations was to see Mexico at peace, wisely and firmly ruled under liberal principles. Then there would be peaceful relations between the two nations.⁷⁵

At this time the liberals gave vent among themselves to their worst suspicions of American duplicity. For instance, Ocampo

⁷²Lafragua, circular, México, May 20, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, II, 93; Daniel Muñoz y Pérez, editor, El General Juan Álvarez: ensayo biográfico seguido de una selección de documentos (México: Editorial Academia Literaria, 1959), 102; Carreño, Diplomacia extraordinaria, 206.

⁷³Mata to President Buchanan, Washington, no date, Tamayo, ed., Juárez: decretos, discursos y otros documentos, III, 433.

⁷⁴Acosta to Juárez, México, May 2, 1859, Ibid., II, 455.

⁷⁵De la Fuente to McLane, Veracruz, August 30, 1859, and Forsyth to Cass, México, April 4, 1857, Manning, ed., Diplomatic Correspondence, IX, 1125 and 905, respectively.

told his envoy in Washington that the United States was hiding behind a friendly facade while preparing to attack and abuse Mexico.⁷⁶ J. H. Manero, Mexican consul at New Orleans, told Ocampo that American intrigue and injustice was "worse than the French," and that the worst culprit was President Buchanan himself.⁷⁷ In most of these cases, however, the accusations remained sealed in official letters. Few such recriminations were uttered publicly.

Most of their public statements, as well as most of their personal feelings, remained friendly toward the United States. Miguel Lerdo de Tejada, Pedro Ampudia, Benito Juárez, and Melchor Ocampo saw in the United States the development of that individualism which they considered an essential element for progress and they felt that this liberal ideal could be secured for Mexico only through friendly relations with the republic in which it prevailed.⁷⁸ It was the promotion of individualism that the

⁷⁶Ocampo to Mata, Veracruz, December 21, 1858, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 461.

⁷⁷Manero to Minister of Foreign Relations, New Orleans, August 29, 1859, Instituto Nacional de Antropología e Historia, Documentos inéditos sobre la reforma, I, 212.

⁷⁸Lerdo de Tejada, Memoria presentada al Exmo. Sr. Presidente sustituto de la república (Ignacio Comonfort): presentado en México, Febrero 10 de 1857 al Exmo. Sr. Presidente sustituto de la república D. Ignacio Comonfort (México: Imprenta de Vicente García Torres, 1857), 11; Ampudia, speech to the constitutional convention, México, August 5, 1856, Zarco, Historia del congreso extraordinario, II, 84; Juárez, circular, México, November 5, 1857, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 187; Ocampo to Forsyth, Guanajuato, February 11, 1858, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 351; Zea discusses this relationship in its different aspects in "La ideología y el liberalismo mexicano," Universidad Nacional Autónoma de México, Liberalismo y la reforma en México, 483-84.

liberals sought to impart to Mexico. As Juárez explained it, they wished to give each Mexican a cause of his own, an opportunity to escape the class privileges and group favoritism of the past and find his own path to greatness.⁷⁹ Juárez asserted that his mission as a political leader was to protect the individual in the free development of his moral and physical faculties, without any other limit than protecting the rights of other men.⁸⁰

From the sum total of the attitudes they expressed during the period it is clear that the Mexican liberals in spite of personal antagonisms and antipathies, saw the United States as an ally in their drive for liberty, constitutionalism, and federalism. They particularly admired the principles of toleration and individualism and incorporated these into their own constitution and statutes. They adopted the system of universal and secular education and, by amendment to the Constitution of 1857, they separated the church from the government and provided for complete freedom of worship. In emulating American institutions, however, they recommended and exercised extreme caution.

In promoting foreign immigration to colonize their underdeveloped regions they welcomed Blacks and Indians as well as White men, but they expressed deep concern about Americans, es-

⁷⁹Juárez, manifesto, Guanajuato, January 19, 1858, Pola, ed., Discursos y manifestos de Juárez, 207.

⁸⁰Juárez, speech to the legislature, Oaxaca, no date, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 251.

pecially in the borderlands, fearing the further alienation of national territory. In their cooperation and even emulation of the United States they were largely practical, looking to the political, economic, social, and intellectual improvement of their own nation. Although pragmatic in this respect, however, they were utopian in their lofty expectations of internal progress and of altruism in the American foreign policy.

CHAPTER III

THE EXTRADITION OF RUNAWAY SLAVES

The attitude of Mexico's liberals toward the extradition of escaped American slaves stemmed more from political doctrine than from practical consideration, although the latter was not entirely absent. As liberals, they found the institution of slavery both morally abhorrent and politically inconsistent with democracy. They therefore stood unanimous in favoring an open-arms policy toward slaves as well as freedmen who sought sanctuary on Mexican soil. They likewise stood united in opposing the forced return of Blacks to the United States, even in the face of vigorous American insistence. In their moral and political stand on slavery the Mexican liberals bitterly opposed the United States on other issues.

The Mexican liberal concept of human rights recognized and supported not only equality of opportunity for the individual but also his capacity for further development.¹ As did their counterparts across the border, Mexican liberals deplored the official position of the United States in supporting an institution which denied such basic human rights. They also feared what

¹Ruiz and Guzmán, speeches to the constitutional convention, México, July 11, 1856, Zarco, Historia del congreso constituyente, 23-24; "Constitución Política de la República Mexicana," Título I, Sección I: "De los derechos del hombre," Leyes de Reforma, 55.

the expansion of American slavery might do to Mexico. Although a Northerner, President James Buchanan appeared to support Southern expansionist designs, both within and beyond American borders. That the United States might attempt to resolve its sectional problem by redressing the balance between her free and slave states at the expense of neighboring territory was, in view of recent history, an all too likely prospect for Mexico.² The liberal Mexican policy on extradition, therefore, may have had some purely pragmatic motivation.

The Mexican position on American slavery was negative. It opposed the restriction and violation of personal liberty, and Francisco Zarco himself stated that extradition of free Blacks to the United States would increase such a practice.³ At the time of the election of James Buchanan an editorial appeared in Mexico City claiming that the new president was basically pro-slavery and that, therefore, his election was a sad commentary on a free nation.⁴ Criticism of American slavery became caustic when Ignacio Ramírez expressed his views. To him the Americans had gained fame and high esteem in spite of their deceit and oppression. Ramírez claimed that nations did not desire the rich booty annually divided by Americans when it had been acquired by

²Parra, Sociología de la reforma, 37-38.

³Zarco, speech to the constitutional convention, México, July 16, 1856, Zarco, Historia del congreso extraordinario, I, 702-06.

⁴Editorial, "Crónicas Estrangeras," El Estandarte Nacional: periódico político literario, January 1, 1857.

pirates and conserved by the blood of slaves.⁵ He further accused the American people of being careless in political thinking when their constitution was written. The proof was in the existence, side by side, of slavery and freedom. He claimed that Mexico should take great pride because she found herself ahead of the United States in humanitarian concepts.⁶

Francisco Zarco was one of the most vocal liberals who expressed views on slavery and the Black race. To him the rigorous separation of races insulted humanity and could not be justified. This type of human relations created an abyss which developed anomalies and dangerous differences between classes, races, and even states.⁷ Zarco saw Blacks not as things or beasts of burden, but as human beings and brothers, and, as such, the condition of slavery was unthinkable. He further celebrated their freedom and saw colonies of Blacks in Mexico as healthy signs of maturity and defiance to slavers.⁸

Other liberal leaders spoke against slavery in the United States. Ignacio Vallarta felt that slavery did not belong in a civilized nation. Every human must dispose freely of his body,

⁵Ramírez, speech to a constitutional commission, México, July 7, 1856, Ignacio Ramírez, México en pos de la libertad [Volume X of El liberalismo mexicano en pensamiento y en acción], 79-80.

⁶Ramírez, speech to the constitutional convention, México, October 2, 1856, Zarco, Historia del congreso extraordinario, II, 374-75.

⁷Zarco, editorial, El Siglo XIX, August 27, 1857.

⁸Zarco, editorial, Ibid., August 5, 1857.

strength, intelligence, and other faculties to the best of his abilities without external unnatural pressures.⁹ Juan Álvarez attacked all forms of forced labor, including slavery and peonage.¹⁰ Ignacio Mariscal saw slavery as synonymous with feudal, inquisitorial activities. To him, liberty, equality, human fraternity, Christianity, and modern jurisprudence all spoke against slavery.¹¹ To such men as Benito Juárez, Melchor Ocampo, Manuel Ruiz, and Miguel Lerdo de Tejada, slavery denoted the baseness of humanity and man had no right to infringe on, destroy, or usurp the civil rights of any other man.¹²

The problem of extradition arose mainly from the large-scale flight of slaves from the border state of Texas. There anti-Mexican feeling, stemming from the Texas Revolution and the Mexican War, still smoldered. The bitterness intensified as slaves from Texas escaped across the border, sometimes by the hundreds.¹³ To the Texans, these desertions were criminal acts,

⁹Vallarta, speech to the constitutional convention, México, August 8, 1856, Zarco, Historia del congreso extraordinario, II, 117-18.

¹⁰Juan Álvarez, Manifiesto del Ciudadano Juan Álvarez a los pueblos cultos de Europa y América, edited by Daniel Moreno (first published in 1857; México: Imprenta de Juan Pablos, 1958), 35.

¹¹Mariscal, speech delivered at Veracruz, September 16, 1860, Torre Villar, ed., Triunfo de la república liberal, 175.

¹²Juárez, gubernatorial inaugural speech, Oaxaca, no date, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 251; Juárez, Ocampo, Ruiz, Lerdo de Tejada, decree of the Constitutional Government of Veracruz, July 7, 1859, in Ocampo, La religión, iglesia y el clero, 198.

¹³Robert Marshall Utley, The International Boundary: The United States and Mexico: A History of Frontier Disputes and Cooperation, 1848-1963 (Santa Fe, N.M.: United States Department of Interior, 1964), 62-63.

and Mexico, in granting sanctuary to the runaways, was guilty of harboring the culprits. The Texans, therefore, considered it entirely legitimate to send armed parties across the border to recover their losses.¹⁴ Several such pursuits did occur.¹⁵ Apparently, not all of the escapees were recovered, for, according to one observation, much of the menial work usually done by slaves in Texas passed by force and default to the lowly Mexicans there.¹⁶

American diplomacy and political views towards Mexico in this period were colored by the runaway slaves and the slavery issues in the United States. The American representatives contended that the Mexican government was interfering in the internal affairs of the United States when it accepted runaway slaves and refused to extradite them.¹⁷ The State Department attempted to

¹⁴John Douglas Pitts Fuller, The Movement for the Acquisition of All Mexico (Baltimore: The John Hopkins Press, 1936), 17-18; J. Fred Rippey, The United States and Mexico (New York: F. S. Crofts and Co., 1931), 218; Informe de la comisión pesquisidora de la frontera del norte al ejecutivo de la Unión sobre deprecaciones de los Indios y otros males que sufre la frontera mexicana (México: Imprenta de Díaz de León y White, 1874), 164.

¹⁵Brevet Major Persifor F. Smith, Commanding Military Department of Texas, to Col. S. Cooper, Adjutant General, San Antonio, October 10, 1855, Manning, ed., Diplomatic Correspondence, IX, 197-98; See also James M. Callahan, American Foreign Policy in Mexican Relations (New York: The Macmillan Co., 1932), especially the chapter on filibusterism; and Utley, The International Boundary, 64.

¹⁶W. P. Reyburn, Appraiser General, to F. A. Hatch, Collector of Customs of New Orleans, New Orleans, November 21, 1859, U. S. House of Representatives, "Difficulties on Southwestern Frontier," House Executive Documents printed by Order of the House of Representatives During the First Session of the Thirty-Sixth Congress, 1859-1860, No. 52, Serial No. 1050 (Washington: Thomas H. Ford, 1860), 65.

¹⁷Gadsden to Arrioja, México, November 29, 1855, Manning, ed., Diplomatic Correspondence, IX, 802.

negotiate treaties to solve the problem, but the Mexican government refused to back down from its position.¹⁸ An American historian suggests that when Senator Sam Houston, on February 16, 1858, introduced a bill providing for the establishment of a protectorate over Mexico, the American Congress opposed it because of the area being potentially slave territory.¹⁹ In the case of the McLane-Ocampo Treaty of 1859, some Mexican historians contend that its repudiation was a manifestation of the conflict between the pro-slavery and anti-slavery members of the American Senate.²⁰

The Republic of Mexico had opposed slavery from its earliest beginnings. Father Miguel Hidalgo, whose rebellion in 1810 set the War for Independence in motion, had declared slavery unlawful within a month after his call to arms.²¹ His successor, Father José María Morelos, urged his revolutionary congress to declare for the freedom of all Mexican citizens, and this was adopted in 1814 in the Constitution of Apatzingán.²² In fact, not only did

¹⁸Forsyth to Marcy, México, February 2, 1857, Ibid., 890.

¹⁹Walter Prescott Webb, The Texas Rangers: A Century of Frontier Defense (Boston: Houghton Mifflin Co., 1935), 205.

²⁰Agustín Cue Cánovas, Juárez, los EE. UU. y Europa: El Tratado McLane-Ocampo (México: Editorial Grijalbo, S. A., 1970), 233; Fuentes Mares, Juárez y los Estados Unidos, 181-84; Sierra, Juárez: su obra y su tiempo, 166-68.

²¹Hugh M. Hamill, Jr. The Hidalgo Revolt: Prelude to Mexican Independence (Gainesville: University of Florida Press, 1966), 135-36, 195.

²²Alfonso Teja Zabre, Vida de Morelos (México: Dirección General de Publicaciones, 1959), 182-83; Wilbert H. Timmons, Morelos: Priest, Soldier, Statesman of Mexico (El Paso: Texas Western College Press, 1963), 100-01.

the Constitution of Apatzingán prohibit slavery, but so also did the constitutions of 1824, 1843, and 1857.²³ With this tradition behind them, both conservatives and liberals stood strongly against slavery.²⁴

If Mexico raised her voice loudly against slavery and abolished that institution within her own borders, she could not be so vocal on the subject of servitude in general. Debt-peonage, which impoverished its victims, was wide spread and especially debilitating to the Indians. José María Castillo Velasco at the constitutional convention claimed that these unfortunates were not only worse off than slaves but than beasts of burden, as they were fully conscious of their degradation.²⁵ Ponciano Arriaga, also at the constitutional convention, asked the liberal leadership to go beyond its attacks on slavery and act to rescue those in debt-servitude who, he declared, were outcasts,

²³Carlos María de Bustamante, La constitución de Apatzingán [Volume XXI of El liberalismo mexicano en pensamiento y en acción], 178-214; Cámara de Diputados, Derechos del pueblo mexicano: México á través de sus constituciones (8 volumes; México: XLVI Legislatura de la Cámara de Diputados, 1967), I and II, passim.

²⁴Their position against slavery presented the liberals with the difficult issue of Indian relations. They believed that all men were created equal and should work to develop what they had and work for what they got. The native Mexican Indian found himself in a difficult world of competition, but he and the Black were equal to the White. Leopoldo Zea, "La ideología liberal y el liberalismo mexicano," Universidad Nacional Autónoma de México, El liberalismo y la reforma en México, 509-10.

²⁵Castillo Velasco, speech to the constitutional convention, México, June 16, 1856, Zarco, Historia del congreso extraordinario, I, 514.

without the rights of citizenship and in a worse condition than American and Cuban slaves.²⁶ It fell to Ignacio Ramírez to put the problem in perspective. If the constitution granted equality to all men, he contended, then the laborers who sacrificed their life's work and pawned their wives and children for a livelihood to satisfy the avarice of proprietors, were owed a great deal, for they had been impoverished and deprived by unconstitutional means.²⁷ Melchor Ocampo had long seen peonage as worse than serfdom or slavery, for, as he said, peones depended on their masters for their marriages, funerals, and livelihood while considering themselves free men.²⁸ Finally, Mexico's position on the extradition of escaped American slaves was somewhat embarrassed by the fact that her own runaway peones were fleeing to the United States. There they were pursued by Mexicans who paid to have them returned.²⁹

While seeking to recover her own refugee peones, many of whom were Indians, Mexico welcomed American Indians, as well as Blacks, granting both not only asylum but also extensive freedoms. Runaway slaves were allowed to live with immigrant Semin-

²⁶Arriaga, speech to the constitutional convention, México, June 23, 1856, Ibid., 549.

²⁷Ramírez, speech to the constitutional convention, México, July 18, 1856, Ibid., 717.

²⁸Ocampo, Statement to the State Congress of Michoacán, Poma, March 8, 1851, Ocampo, La religión, la iglesia y el fuero, 28-29.

²⁹Memoria del Ministro de Relaciones Exteriores, Informe de la comisión pesquisidora de la frontera del Norte al ejecutivo de la Unión en cumplimiento del Artículo 30 de la ley de 30 de septiembre de 1872 (México: Imprenta de Ignacio Cumplido, 1873), 86.

oles, Tonkawas, Muskogees (Creeks), and others, and according to one liberal commentator, the hope was that both groups would be further civilized and converted into productive members of society.³⁰ According to official Mexican complaint at a later date, the American reaction to this effort and the permitting of Blacks to live with Indians was designed not only to increase their efforts to retrieve slaves, but also to accuse them of engaging in cattle rustling and other border disturbances.³¹ According to the same official report, the owners of escaped slaves enlisted Blacks, Indians, and even Mexicans in their expeditions to recover what they considered lost property in Mexico, and they took back with them slaves and free Blacks indiscriminately.³² When Colonel H. A. Hamner, the commandant of Fort Clark, crossed the Rio Grande repeatedly to bring back slaves, he did so without authorization, mocking the Mexican laws with his claim of attempting to retrieve his own private property. According to a Mexican investigation report, the border towns he visited objected to his mission and hid the refugees.³³

The founding of a Black colony in 1857 in the state of Veracruz exemplified the liberal attitude toward former slaves

³⁰Juan N. Vidaurri, Editorial, "Tribus de Indios y de Negros," Hacienda del Nacimiento, April 1, 1856, in El Siglo XIX, May 29, 1856.

³¹Informe . . . sobre los Indios, 30.

³²Ibid.

³³Ibid., 77.

and freedmen.³⁴ Zarco, a liberal par excellence, found these former slaves from Louisiana to be hard workers, active, and willing to participate in the development of the Mexican nation. Further, he claimed their intent to be responsible as they invested their own capital to make their efforts fruitful in their new homeland. To him, that they were a "colored race" was of no significance.³⁵ Another editorial in his liberal newspaper claimed that these men had abandoned an inhospitable land to free themselves from the despotism of its law and sought to unite in equality with the family of Mexico. The editorial went on to state that what Mexico offered was liberty and free institutions and that racial differences would never be a stigma against them or anyone else.³⁶

The conservative newspaper, Mexican Extraordinary, came under Zarco's attack because it claimed that the Black colony would bring degeneration to Mexico and especially a lowering of living standards. Zarco protested, claiming that if these men had possessed funds and worked in other than in agriculture, the conservative paper would have remained silent. He went on to contend that there was no crime in poverty or rural labor and that such colonists would always be his brothers, for the Constitution extended to them, as to all races, the same rights and privileges which he enjoyed. In fact, he claimed, these

³⁴Wheat, Francisco Zarco, 177.

³⁵Zarco, editorial, El Siglo XIX, August 5, 1857.

³⁶Editorial, "La Raza Negra," Ibid., August 8, 1857.

men were doing Mexico an honor in selecting her to develop their talents and assert their natural rights.³⁷ Zarco expressed his hope for their welfare and that their talents would be demonstrated by their industry.³⁸ He felt that the Black race in Mexico, or wherever it might be found, would not constitute a negative or degenerate force. Any fears of this, he contended, were unfounded. It only demonstrated ignorance and engendered suspicion and hatred. Although Zarco was in favor of the colony and of more immigrants of the Black race, he also made it clear that he did not mean to infer that he wanted colonization by Blacks only. He favored immigration from all nations and all races.³⁹

About the same time that the Black colony in Veracruz had come under scrutiny, the Instituto de Africa was formed, in the summer of 1857. The purpose of this organization, a self-styled philanthropic society, was to spread education to the Black race and abolish the abuses it had experienced in slavery.⁴⁰ Its membership consisted not only of liberals--puros and moderados--but also conservatives. Among the members were Eulalio Degollado, a moderate, who was governor of the state of San Luis Potosí in 1857-1858 and again in 1859; Manuel Flores, another moderate,

³⁷Zarco, editorial, "Colonización de Negros," Ibid., August 3, 1857.

³⁸Zarco, editorial, Ibid., August 5, 1857.

³⁹Ibid.

⁴⁰Ibid., August 13, 1857.

who was a poet; José Urbano Fonseca, a moderate and former conservative, who had assisted Santa Anna in the past and was now concerned with the arts and humanitarian activities; Epitacio Huerta, a liberal, who was later to become governor of Michoacán and a general in the liberal army. According to Zarco, the purpose of the organization was to promote a better understanding of the civilization of the Blacks and to erase from their memories their experience of slavery.⁴¹

Another complaint of the liberal government was of the kidnapping by Texans of free Blacks in Mexico. In one instance, a party of Mexican Americans crossed into Mexico to capture one Anastasio Aguaso (alias Elúa), a Black who they alleged to be an escaped slave. After finding him in the border town of Matamoros, they reportedly beat him and kept him incommunicado for three days. When the local authorities learned of this, they complained to the American authorities and eventually secured Aguaso's freedom.⁴² Another instance occurred at Mier, a small town between Laredo and Reynosa. Melchor Valenzuela, another free Black, was hired by a certain Captain Jack to rob petty merchants on the Mexican side. The Mexican authorities imprisoned Valenzuela for his activities and then placed him free on bail. Captain Jack and other Americans forced him at the point of a gun to return to the United States.⁴³ The Mexican

⁴¹Zarco, editorial, "El Instituto de Africa," Ibid., August 14, 1857.

⁴²Ministerio de Relaciones Exteriores, Informe . . . del norte, 86.

⁴³Ibid.

investigation of such cases revealed that some of the Blacks who were forcefully returned found their way to the selling block and that others died. The report criticized the fact that Mexico's laws were being mocked, that the American army had continually participated in these acts, and that the latter had rapidly become a human marketing business.⁴⁴ In any case, even when Mexico offered a sanctuary and local individuals sought to provide hiding places and protection, the runaway slave or free Black, had to remain continually cautious. The liberal government was never solvent enough to offer all of its citizens and immigrants adequate protection.

In its lengthy deliberations on the conditions of the Blacks, the constitutional convention took into consideration the feasibility of an extradition treaty with the United States. To most of the delegates the surrender of human beings--even alleged criminals--to another nation was hard to accept. Such a treaty had importance to Mexico inasmuch as it would provide international good will and thus a basis for better treaties on other matters and closer relations between the two nations. Joaquín Ruiz and León Guzmán spoke against such a treaty. To Ruiz the former slaves would be much better off when returned than free men who had allegedly committed a crime, but still they had to be protected.⁴⁵ However, he felt that former slaves should be extradited if guilty of a crime other than running away, but

⁴⁴Ibid., 92.

⁴⁵Ruiz, speech to constitutional convention, México, July 18, 1857, Zarco, Historia del congreso extraordinario, I, 713.

with the precise condition that they could not be returned to slavery.⁴⁶ León Guzmán answered that in those countries where the "barbarous" institution of slavery existed, it was considered a crime for a slave to escape and seek freedom.⁴⁷ José María Mata claimed that no such guarantee of re-enslavement would ever be granted. He suggested that in areas where slavery was accepted, those who earned their freedom were then forced to leave the territory, the rationale for this being that other slaves should not see them free.⁴⁸ He too, felt that, in the eyes of Americans, the runaway slaves had committed a crime and that, therefore, no treaty with Mexico would insure their freedom. Mata further suggested that to sign a treaty of extradition which granted freedom to runaway slaves, and then to have it broken, would only strip Mexico of self-respect and rob her of a highly moral standard. He then urged the congress to state explicitly in the constitution that any such treaty was unlawful.⁴⁹

The opposition of liberals to slavery ran so high that it even colored their attitudes toward other constitutional issues, especially respecting the adoption of American institutions and principles. When the delegates to the constitutional convention debated the merits of a bicameral national legislature, Francisco

⁴⁶Ibid.

⁴⁷Guzmán, speech to the constitutional convention, México, July 18, 1857, Ibid.

⁴⁸Mata, speech to the constitutional convention, México, July 18, 1857, Ibid., 714.

⁴⁹Ibid.

P. de Cedejas spoke against it: "That there is a Senate in the United States is no argument [for Mexico to have one], because there is also slavery and no one would suggest that we accept slavery as a democratic institution. . . ."50 Espiridión Moreno argued that to take the United States as a model would require Mexico to legalize not only slavery but also the invasion and conquest of neighboring nations.⁵¹ Minister of Foreign Relations, Luis de la Rosa, confessed that he had previously desired complete religious toleration in Mexico but, when he saw that Protestantism in the United States was accompanied by slavery and other human problems, he could not wish that on Mexico.⁵²

The puro liberal majority and moderado minority completed their deliberations in 1857, and the final draft of the Constitution was specific on the issues of slavery and extradition of runaway slaves. In the very first section of the Constitution the delegates had established, unequivocally, that: "In the Mexican Republic all are born free. Slaves who step into national territory, recover, by that act alone, their liberty and have the complete right to be protected by all the laws of the republic."⁵³ In the same section, the Constitution declared

⁵⁰Cedejas, speech to the constitutional convention, México, September 10, 1856, Ibid., II, 301.

⁵¹Moreno, speech to the constitutional convention, México, November 18, 1856, Zarco, Historia del congreso constituyente, 274.

⁵²De la Rosa, speech to the constitutional convention, México, July 8, 1856, Zarco, Historia del congreso extraordinario, I, 674.

⁵³"La Constitución Política de la República Mexicana," Title I, Section I, Article 2, Leyes de Reforma, 55.

that no political treaty of extradition would ever be acceptable if it included the repatriation of former slaves, just as the nation would not sign treaties or conventions that would alter the guarantees and rights of her own citizens.⁵⁴ Incidentally, the new liberal Constitution provided for a representative national congress without a senate and left in abeyance the issue of religious freedom versus an established church.

The legislation of the liberal regime reflected the same spirit as the Constitution. Piracy and slave traffic were prohibited within the Mexican territory and by Mexicans beyond the national domain.⁵⁵ Furthermore, since the slave trade destroyed the civil rights of human beings, the captains of ships dedicated to that traffic were prohibited from using Mexican facilities, under pain of severe penalties: death to the captain and life imprisonment to the crew.⁵⁶ It was also enacted that any form of forced labor, indebted peonage, monopoly of servitude, or any other form of human bondage was prohibited. ". . . In summation the principles of liberty, progress, justice, and morality, which the government had proclaimed from its installation, would become effective through the respect of law."⁵⁷

⁵⁴"La Constitución . . . Mexicana," Title I, Section I, Article 15, Leyes de Reforma, 58.

⁵⁵Ezequiel Montes, Minister of Justice, decree, México, December 6, 1856, Dublán y Lozano, Legislación mexicana, VIII, 312; Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, II, 538.

⁵⁶Ibid. This is one of the few laws in the period of La Reforma that carried the death sentence.

⁵⁷José María Lafragua, Secretary of State, decree, México, May 20, 1856, Ibid., 84.

With this understanding and the laws already enacted, the liberal government had a solid basis for its reaction to United States' further proposals of treaties of extradition. In 1859, when the United States proposed a treaty for the extradition of criminals, the definition of that term itself was brought into question, and the Mexican response was negative. Again, as at the constitutional convention, the interpretation of a "criminal" was anyone who breaks the law. However, by American interpretation, the runaway slave had committed a crime by fleeing from his owner, and this position was seen as an effort from some American quarters to weaken the Mexican position on slavery. Also, as Matias Acosta stated it, such pressure would make the liberal government renege on the "glorious historical antecedents of our people and the humanitarianism of our institutions."⁵⁸

Another effort to develop an agreement on extradition occurred in 1859, and the McLane-Ocampo Treaty brought the Mexican government close to one. In the first article of the convention for the execution of this treaty, Mexico agreed to arrest and punish any criminal who had interrupted the tranquility and public safety in either republic. The criminals would be arrested in either nation and delivered to the authorities of the one where the crime took place.⁵⁹ By December of 1859 the liberal

⁵⁸Acosta to Juárez, México, May 2, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 455.

⁵⁹Treaty of Transit and Commerce between the United States and Mexico, Veracruz, December 14, 1859, as printed in toto, in Fuentes Mares, Juárez y los Estados Unidos, 227-34.

government in Veracruz desperately needed all the help she could find. The conservatives still held Mexico City and were winning most of the battles of the civil war. In this desperate moment the liberals found that softening their position on extradition was a small price to pay for American support of their democratic cause.

The Mexican liberal leadership as well as private individuals spoke clearly, forcefully, and creatively against the principle of slavery and, especially, the institution as it existed in the United States. The opposition was expressed not only in editorials and other writings, but also in speeches, in the articles of the Constitution of 1857, in the legislation of the period, and in diplomatic correspondence. The opposition to slavery reached such proportions that it prejudiced the desire of some to model their government after that of the United States simply because the latter legalized and tolerated that anti-liberal institution.

The Mexican liberals, in total agreement, staunchly opposed the extradition of runaway slaves unless explicit protection were granted to them. They also opposed the surrender of escaped criminals, as the definition of "criminal" encompassed former slaves who had fled their place of bondage. Their fear was that those extradited would be either returned to their former owners in the United States or re-enslaved simply because of their race. Indeed, the liberal government and leadership welcomed refugee slaves and freedmen, and even peaceful Indians who fled to Mexico.

Their desire was to offer all of these not only sanctuary but also complete freedom and equality.

These attitudes resulted from liberal sentiment and conviction. However, they were also influenced by very practical considerations. For political reasons, American slavery had to expand into new territories in order to survive, and this expansion threatened to absorb additional Mexican territory. Because of this the liberals had to oppose both slavery and the extradition of slaves in order to protect the national domain. They also expected that runaway slaves would become loyal to Mexico and therefore staunch allies against the pro-slavery expansionists.

The liberals continued to speak against slavery as well as against any form of human bondage. While denouncing the enslavement of Blacks in the United States and legislating against the debt-peonage of Indians and poor Mexicans on moral grounds, however, they failed to enforce this latter intention. Whether because of preoccupation with more pressing matters or inability to enforce their laws, they continued in actual practice to tolerate debt servitude.

Finally, although the liberals consistently resisted American demands for an extradition treaty for some time, on the same moral grounds, they ultimately yielded to a form of it for purely practical reasons. That is, the necessity of American aid to assure their political survival during the War of La Reforma, 1858-1861, forced them to concede the extradition of criminals. A definition of the term was not included in the convention.

CHAPTER IV

INDIAN DEPREDACTIONS

While the Mexican liberals welcomed and protected runaway slaves and other refugees from the United States, they deplored the border crossings of predatory American Indians. They blamed the laxity of American armed forces in the West for the heavy loss of life and property which the northern states of Mexico suffered from these incursions, and they attempted, without success, to revive the Treaty of Guadalupe Hidalgo stipulation which held the United States responsible for controlling the marauding tribes.

Preventing these destructive violations of the international boundary was more than a matter of one nation or the other assuming responsibility. Neither had sufficient available troops for the purpose, and the training, equipment, and expertise of those already stationed near the border were no match for the wily nomads. The military effort was also frustrated by civilian profiteering. The Indians were encouraged in their efforts by traders who purchased the plunder they took in Mexico and sold it in the United States.¹ In order to understand the nature, scope, and implications of the problem (and thus the attitude

¹J. Fred Rippy, "Indians of the Southwest in the Diplomacy of the United States and Mexico," Hispanic American Historical Review, II (August, 1919), 355.

of the Mexican liberals), it is necessary to look into the origin of the Indian raids and the policy of the United States government.

Shortly after their striking victory over the Aztecs in 1521, the Spanish conquistadores turned to the north in search of what they hoped would be "another Mexico." They did find and subjugate other sedentary Indian communities, but none were as advanced or wealthy as Tenochtitlán, and mainly they encountered hostile nomads: first the Chichimeco nations of the North Mexican Plateau and then the equally fierce and restless peoples of the Great Plains. With the first of these encounters there began the long and bloody war to bring the so-called indios bárbaros under Spanish control. However, not all of the hostility was of the white man's making. By the opening of the eighteenth century the southward movement of the Comanches on the Great Plains and the Utes in the Rocky Mountains had driven another people, the scattered Apache nation, southward against the Spanish frontier. The Apaches were then forced into a savage struggle for survival and found relief only in raiding the Spanish settlements and their Indian villages for their continued subsistence. By the middle of the nineteenth century the establishment of an international boundary between the United States and Mexico separated these marauders from their Mexican victims, but the imaginary line had little effect on the instincts and well-formed habits of the errant American tribesmen.²

²Alfred B. Thomas, ed., Teodoro de Croix and the Northern

For a short time, from 1824 to 1839, there was peace between the Mexican authorities and the Comanches and Lipan Apaches, which allowed commerce, immigration, and farming to flourish.³ However, political chaos in Mexico and the uncertainty of her military control of the frontier brought about the renewal of Indian depredations on a larger scale.

During the years between 1854 and 1864, which included those of the liberal ascendancy, the forays steadily increased throughout the northern Mexican states and the new Southwest of the United States.⁴ Now Apaches, Comanches, Kiowas, and other tribes were involved. Their hunger and the lack of trade goods had reached alarming proportions by 1854. American traders urged them to procure such goods by plundering the border settlements,⁵ and they willingly responded. Their depredations spread all along the states of Sonora, Chihuahua, Coahuila, Nuevo León,

Frontier of New Spain, 1776-1783: From the Original Document in the Archives of the Indies, Seville (Norman: University of Oklahoma Press, 1941), 6, 24; Edward H. Spicer, Cycles of Conquest: The Impact of Spain, Mexico, and the United States on the Indians of the Southwest, 1533-1960 (Tucson: The University of Arizona Press, 1962), 229-61; Max L. Moorhead, The Apache Frontier: Jacobo Ugarte and Spanish-Indian Relations in Northern New Spain, 1769-1791 (Norman: University of Oklahoma Press, 1968), 14-15.

³John L. Haynes to Hon. John Hemphill, United States Senate, and Hon. A. J. Hamilton, 2nd. Congressional District, Austin, October 1, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 25.

⁴Informe . . . sobre los Indios, 72.

⁵Carl C. Rister, Robert E. Lee in Texas (Norman: University of Oklahoma Press, 1946), 33.

Tamaulipas, and further south into San Luis Potosí, Zacatecas, Sinaloa, and Durango.⁶ The attacks were directed not merely against small towns, ranches, and villages, but also against cities and even state capitals.⁷

The reported number of Indians involved increased with the imagination and fear of the inhabitants of the area. The count varied from an insignificant number⁸ to "hordes"⁹ and "great strength."¹⁰ More specific estimates were from 150 to as many as 300.¹¹ One report explained that "Four hundred Indians spread throughout the country in a multitude of small parties, some with only two, and overcame fifteen hundred men who boldly and laboriously sought them in prairies, forests, and mountainous territories. . . ."¹²

According to the Mexican press, the immediate reason for Indian depredations were the loss of their natural hunting

⁶El Siglo XIX, February 25, 1856.

⁷Ibid., February 28, 1856; Juan Soto, Minister of War and Navy, to the First Constitutional Congress, Memorandum, México, no date, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 110.

⁸Legislature of Durango to the Congress of the Union, México, November 24, 1857, Ibid., 221.

⁹Informe . . . sobre los Indios, 48.

¹⁰Editorial in Mexican Extraordinary, Mexico City, May 25, 1861, in Library of Congress Microfilm, Despatches from United States Ministers to Mexico, 1823-1906, Vol. XXVIII.

¹¹Eligio Hurtado, editorial, El Siglo XIX, April 11, 1856; Memoria del Ministro de Relaciones Exteriores, Informe general de la comisión pesquisidora de la frontera del Noroeste al ejecutivo de la Unión en cumplimiento del artículo 30. de la ley de septiembre de 1872 (México: N. P., 1875), 45.

¹²Informe . . . sobre los Indios, 43.

grounds, the pressure of other Indian tribes and whites, a lack of understanding, and the desperate social need of the marauders for a continuum of their traditions, expressions of manliness, and other social drives. But more basic was the need for survival. When the Indians had nothing left to exchange for the goods they sought, they would obtain them by plundering the border settlements. To them the cattle, horses, and other loot from the haciendas and ranchos meant wealth, food, and clothing.¹³ The lives lost in the process of securing needed goods represented merely the hazards of the process.

It would appear that the United States, because of unconcern and unsubstantial effort, was slow in developing an effective and consistent policy toward Indian raids. She did begin to adopt a reservation policy after 1854, but her military establishment in the Southwest remained weak throughout the 1855-1861 period.¹⁴ While the Indians had thousands of warriors living in southwestern United States and northern Mexico, there were only a few hundred soldiers spread through Texas and parts of New Mexico Territory.¹⁵ As a result, the Indians apparently

¹³Editorial, "Los Bárbaros en Sonora," a copy of an official newspaper of Ures, Sonora, February 1, 1856, El Siglo XIX, March 14, 1856; Próspero Morales, editorial, Ibid., January 4, 1856; Rister, Lee in Texas, 33.

¹⁴Legislature of Durango to the Congress of the Union, México, November 24, 1857, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 220; Spicer, Cycle of Conquest, 353-54; Richard N. Ellis, The Western American Indian: Case Studies in Tribal History (Lincoln: University of Nebraska Press, 1972), ix-x.

¹⁵Rippy, The United States and Mexico, 70-71.

moved northward and southward across the border in relative freedom, at times to escape the pursuit of the troops and at times to plunder the Mexicans.¹⁶

Occasionally the western state governments made special efforts to challenge the Indians. In 1858 and 1859, under the orders of Governor Hardin R. Runnels, Texas rifles roared "from the Indian tipis North of the Red River to the Mexican jacales South of the Rio Grande. . . ."¹⁷ However, most of the time the American effort to control the Indian border crossings consisted of negotiating treaties which obliged the Indians to end their attacks, restore the captives they had taken, and make restitution for other wrongs inflicted upon the Mexicans.¹⁸ The treaties failed to restrain the Indians in any degree of consistency, and it became necessary to add military chastisement to diplomatic persuasion.¹⁹

As the depredations continued, American policy appeared to shift the responsibility for curbing the raids onto Mexico. Near the end of 1858 President Buchanan belittled the Mexican effort. He asserted that the local governments in the states of Sonora

¹⁶Rister, Lee in Texas, 59; Informe . . . sobre los Indios, 76.

¹⁷Webb, The Texas Rangers, 151.

¹⁸For a typical case, see Treaty between the United States and the Comanches, Kiowas, and Apaches, Fort Atkinson, July 27, 1853, Charles J. Kappler, ed., Indian Affairs: Laws and Treaties (5 volumes; Washington: Government Printing Office, 1904-1941), II, 600-02.

¹⁹Utley, The International Boundary, 56.

and Chihuahua, "are perfectly helpless, and are kept in a state of constant alarm by the Indians. . . ."20 The Secretary of State and at least one American general had previously accused Mexico of not possessing the will or the power to restrain them.²¹ The United States also accused the Mexican government of having friendly dealings and treaties with the Seminoles, Muskogees, Kickapoos, and other American tribes.²² It was alleged that this friendliness hurt the American Indian policy by reducing Mexico's cooperation in rounding up Indians who were involved in the depredations.²³

Among the most critical issues was the stipulation in Article II of the Treaty of Guadalupe Hidalgo of 1848 and its amendment by the Gadsden Treaty of 1853. This article stated that since the territory gained by the United States in the Mexican War was

²⁰President James Buchanan to the United States Congress, Washington, December 6, 1858, John B. Moore, ed., The Works of James Buchanan: Comprising His Speeches, State Papers, and Private Correspondence (12 volumes; New York: Antiquarian Press, Ltd., 1960), X, 256.

²¹Marcy to Almonte, Washington, January 8, 1855, and Brevet Major General Percifor F. Smith to Colonel S. Cooper, Corpus Christi, Texas, September 8, 1855, and Marcy to Forsyth, Washington, August 29, 1856, Manning, ed., Diplomatic Correspondence, IX, 175-76; 193-94; and 214.

²²Brevet Major General D. E. Twiggs to Col. L. Thomas, San Antonio, Texas, February 5, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, pp. 6-7; Rippey, "Indians of the Southwest in the Diplomacy of the United States and Mexico," Hispanic American Historical Review, II (August, 1919), 382-83; Informe . . . sobre los Indios, 128.

²³Rippey, The United States and Mexico, 76-77.

occupied by savage tribes, who will hereafter be under the exclusive control of the government of the United States, and whose incursions within the territory of Mexico would be prejudicial in extreme; it is solemnly agreed [italics in the text] that all such incursions shall be forcibly restrained by the government of the United States whensoever this may be necessary; and . . . they shall be punished by said government, and satisfaction for the same shall be exacted. . . .²⁴

The article went on to prohibit the purchase by Americans from Indians, or other persons, of any cattle, horses, or household goods taken from Mexican territory. Finally, it declared that persons captured by the Indians would, upon rescue, be promptly returned to their homes.²⁵

The United States found this part of the Treaty so burdensome that as early as 1851 Secretary of State Daniel Webster sought to change it.²⁶ The Gadsden Treaty, in December of 1853, released the United States "from all liability on account of the obligations contained in the eleventh article of the Treaty of Guadalupe Hidalgo. . . ." and also in the thirty-third article of the Treaty of 1831.²⁷ Curiously, the Gadsden Treaty left

²⁴Treaty of Guadalupe Hidalgo, Guadalupe Hidalgo, México, February 2, 1848, Charles I. Bevans, comp., Treaties and other International Agreements of the United States of America, 1776-1949 (11 volumes; Washington: Department of State Publications, 1968-1974), IX, 798.

²⁵Ibid.

²⁶Daniel Webster to President Millard Fillmore, Franklin, N.H., August 10, 1851, J. W. McIntire, comp., The Writings and Speeches of Daniel Webster (18 volumes; Boston: Little, Brown & Co., 1903), XVIII, 462; Rippey, The United States and Mexico, 83.

²⁷Gadsden Treaty, Mexico City, December 30, 1853, Bevans, Treaties and Other International Agreements, IX, 814.

unclear the matter of payment in satisfaction for depredations which occurred between 1848 and 1853. In those six years the cost of the depredations had increased and remained unpaid by the American government. Between 1853 and 1857 efforts were made by the Mexican government to have this debt paid by the American government were to no avail. In 1856 the United States categorically refused to pay Mexican claims for the damages caused by American Indian raids, alleging that the new treaty had erased all of its responsibility incurred either before or after it was signed.²⁸ The dispute over this indebtedness was eventually submitted to international arbitration.²⁹

Two other issues arose: first, whether United States armed forces possessed the right to chase Indians into Mexico; and, second, whether this alleged right should extend to the exertion of American military occupation of portions of northern Mexico in order to control and pacify unruly tribes. Starting in 1836, even before Texas won her independence, the United States consistently claimed the right of pursuit by her armed forces of marauders fleeing into Mexico. It based this claim largely upon what it considered its treaty obligations and its fundamental right of self defense.³⁰ Under this policy, Cap-

²⁸Marcy to Forsyth, Washington, August 29, 1856, Manning, ed., Diplomatic Correspondence, IX, 214-15.

²⁹Forsyth to Cass, México, April 4, 1857, Ibid., 907.

³⁰Forsyth to Manuel Gorostiza, Washington, May 10, 1836, and Forsyth to Powhattan Ellis, Washington, December 10, 1836, John Bassett Moore, ed., A Digest of International Law as Embodied in Diplomatic Discussions, Treaties, and other International Agreements, International Awards, the Decisions of Muni-

tain James Callahan led troops across the Rio Grande in 1855 and even burned the town of Piedras Negras, Coahuila.³¹ Soon after that the Secretary of State asserted that the policy of pursuing Indian marauders into Mexico would continue indefinitely, that it would be essential for the development of the American frontier.³²

As for American military control of Indians within Mexico, the excuse was that Mexico was unable to protect American citizens travelling and residing there. In some quarters it was alleged that Mexico had no effective government and that therefore the United States should annex its northern states of Tamaulipas, Nuevo León, Coahuila, Chihuahua, and Sonora in order to control the life and property of American frontiersmen.³³ This proposal had developed from a colonization scheme designed to expel the Indians from the area.³⁴ In fact, the American minister to Mexico saw the United States as the saviour of Mexi-

cial Courts, and the Writings of Jurists and Especially Documents, Published and Unpublished, Issued by Presidents and Secretaries of State of the United States, the Opinions of the Attorney-General, and the Decisions of Courts, Federal and State (8 volumes; Washington: Government Printing Office, 1906), II, 419-20.

³¹Gadsden to Miguel M. Arriola, México, November 29, 1855, Manning, ed., Diplomatic Correspondence, IX, 801.

³²Marcy to Almonte, Washington, February 4, 1856, Ibid., 199.

³³Twiggs to Thomas, New Orleans, La., January 13, 1859, House of Representatives, "Difficulties on the Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, pp. 5-6.

³⁴Cass to Forsyth, México, September 26, 1857, Manning, ed., Diplomatic Correspondence, IX, 235.

cans, coming "to snatch them from the horrors of misrule and anarchy."³⁵

The Mexican liberals drew a distinction between the peaceful Indian who lived in civilized communities and the so-called indios bárbaros, who were committing the depredations. They considered the former an unfortunate people, degraded by infinite poverty and lack of proper incentive, which they, as humanitarians, hoped to provide. According to Francisco Zarco, these Indians were in a worse condition than slaves, their misery having become humanly unbearable since they worked longer and harder than beasts of burden.³⁶ José María Castillo Velasco contended that these people were entitled to the same privileges as those being discussed for other Mexican citizens at the constitutional convention. Their contribution to the nation, he insisted, went beyond their enlisting in the armed forces and providing food for the market places of the nation. He challenged the convention to provide for their welfare.³⁷

Toward the indios bárbaros the liberals were much less sympathetic. However, they attempted to solve the problem by peaceful and constructive measures. They arranged to receive five

³⁵Forsyth to Cass, México, July 17, 1857, Ibid., 938.

³⁶Zarco, editorial, "La Raza Indígena," in El Democrata, March 23, 1850, as printed in Oscar Castañeda Batres, ed., Francisco Zarco (México: Club de Periodistas de México, 1961), 318.

³⁷Castillo Velasco, speech to the constitutional convention, México, June 16, 1856, Zarco, Historia del congreso extraordinario, I, 514-15.

hundred peaceful Seminole Indian families from the United States and colonize them near the international boundary. Their hope was that these civilized Indians would help deter those who lived by raiding from invading the Mexican borderlands. To make the offer more attractive, they promised the Seminoles land, equipment, and citizenship.³⁸ Meanwhile, the liberal government's efforts to keep the Lipan Apaches, Kickapoos, and Creeks, at peace had succeeded. The Lipans encamped in Mexico from time to time, and their aggressions in Mexico, reportedly, were encouraged by the government and people of Texas.³⁹ The Kickapoos, although now at peace with the Mexicans, were still hostile toward the Americans. According to the same report, the Creeks refused to injure anyone who was friendly to Mexico. These tribes and the Seminoles had allowed runaway slaves to join them.⁴⁰

Some members of the liberal cabinet, army, and constitutional covention were optimistic about the future of the hostiles. Guillermo Prieto sought their transformation into useful and industrious members of society.⁴¹ Santos Degollado claimed that they should be protected in spite of their repeated atrocities,

³⁸Governor Santiago Vidaurri to the Minister of War and Navy, Monterrey, September 16, 1857, Crónica Oficial, October 5, 1857; Vidaurri to E. L. Barnard, Monterrey, September 14, 1857, Ibid.

³⁹Informe . . . sobre los Indios, 127.

⁴⁰Editorial, "Tribus de Indios y de Negros," El Siglo XIX, May 29, 1856.

⁴¹Parliamentary papers of Guillermo Prieto, México, July 30, 1856, Diario Oficial, August 2, 1856.

and that this would be to the eternal glory of the nation.⁴²

Manuel Buenrostro recommended that Jesuit priests be used again to pacify and Christianize those who continued as belligerents.⁴³

Zarco took a more realistic attitude toward the marauding tribes. Their depredations, he pointed out, had left the northern states in complete poverty. Meanwhile, the conditions of the government in the central states prohibited the sending of large reinforcements to the North. Finally, it was inhumane for those living in safety to speak in platitudes while others faced devastation, poverty, hunger, and death at the hands of the Indians.⁴⁴ José María Castillo Velasco, in contrast to his views on peaceful Indians, magnified the atrocities of the bárbaros, who, he said, fought like lions. Still, he admitted, their capacity for creative beauty could not be denied. He hoped to curb their belligerency and encourage their artistic instincts.⁴⁵

The liberals did oppose and feel they had to stop the waves of destruction from the North. As they saw it, the raiding Indians were destroying whatever they could not carry off. They

⁴²Degollado, proclamation to the National Army, Colima, March 30, 1858, Torre Villar, ed., Triunfo de la república liberal, 57.

⁴³Buenrostro, speech to constitutional convention, México, June 6, 1856, Zarco, Historia del congreso extraordinario, I, 386.

⁴⁴Zarco, speech to the constitutional convention, México, November 6, 1856, Zarco, Historia del congreso constituyente, 823.

⁴⁵Castillo Velasco, speech to the constitutional convention, México, June 16, 1856, Zarco, Historia del congreso extraordinario, I, 515; The same attitude was expressed in the Memoria de Ministro de Relaciones Exteriores, Informe . . . del noroeste, 15.

had taken the cattle, horses, mules, and sheep, burned the homes and other buildings, and ruined the crop lands. The legislature of Durango viewed the situation as desperate. Not only was the state's agriculture and livestock industry in ruins, but the mines, its richest resource, had all been closed up. There was no security for life or property on the roads or even in the villages.⁴⁶ As the depredations continued, the value of real estate fell off, prospective buyers disappeared, and colonization in the northern states declined sharply. In order to stimulate colonization, which the liberals considered vital for defense, the Ministry of Justice ordered a survey of all unappropriated federal lands so that, with precise boundary descriptions, the purchase and colonization of land might become more attractive.⁴⁷

Not only was the countryside laid waste but small villages as well. Entire communities had abandoned their homes and migrated to larger towns. Traffic and internal commerce had become precarious and in some instances had ceased.⁴⁸ American as well as Mexican families living south of the Rio Grande had moved to

⁴⁶Editorial, El Siglo XIX, January 10, 1856; Legislature of Durango to the Congress of the Union, Durango, November 24, 1857, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 220.

⁴⁷José María Iglesias, decree, México, March 13, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 260; Joaquín Izquierdo, El problema de los indios bárbaros a la terminación de la guerra con los Estados Unidos (México: Academia Mexicana de la Historia, 1948), 5-6.

⁴⁸Juan Soto, Memoir to the First Constitutional Congress, México, no date, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 110.

larger towns such as Matamoros for protection.⁴⁹ Mail carriers stopped their services as the danger to their lives increased.⁵⁰ Conditions grew desperate in northern Mexico and the blame was placed north of the Rio Grande.

Although the liberal government was facing revolts in other parts of Mexico, it still considered the situation in the north sufficiently critical to send such troops as were available to Durango, Chihuahua, Sonora, Coahuila, and Nuevo León to stem the Indian invasions.⁵¹ But it was not sufficient to send troops. The northern states also needed funds to pay for their military defense, assist farmers and ranchers, revive commerce, and restore law and order. As Minister of Interior, Benito Juárez assigned six million pesos for northern Mexico, one million of which was specifically designated for the Indian war.⁵²

In a further effort to bolster the northern defenses against invading Indians, the liberal government authorized the formation of state militias. The state of Durango had expressed a willingness to raise its own troops early in 1856,⁵³ and the national

⁴⁹Informe . . . sobre los Indios, 46.

⁵⁰Postal Administration report to Minister of Hacienda Miguel Lerdo de Tejada, México, January 4, 1857, Lerdo de Tejada, Documentos de la memoria presentada al Excmo. Sr. Presidente, 585; Guillerme Prieto to the Ministro de Hacienda, México, February 25, 1857, El Estandarte Nacional, March 2, 1857.

⁵¹El Siglo XIX, January 23, 1856.

⁵²Juárez, decree, México, November 6, 1857, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 187-88; Vidaurre to the Sovereign Constitutional Congress, Monterrey, May 11, 1856, Zarco, Historia del congreso extraordinario, I, 279-80.

⁵³José María del Regato to the Minister of the Department of

delegation included in the Constitution of 1857 a clause allowing the northern states to form militias with the sole responsibility of making war on invading Indians.⁵⁴

The liberal government of Mexico contended that the United States was not fully living up to her responsibilities in controlling her predatory tribes, just as the State Department had criticized Mexico on the same score.⁵⁵ The liberal press maintained that the United States was blaming the wrong party, that she should have been attacking her own Indians or at least restricting them from crossing the border.⁵⁶ The official report on Mexico's formal investigation of the Indian trouble claimed that the United States was not acting in good faith toward Mexico, that she had employed such American tribes as the Apaches, Comanches, and Kiowas with ulterior motives to devastate Mexico.⁵⁷ In support of this contention it noted that the military commanders at Fort Duncan and Fort McIntosh, among others, had overlooked the depredations of the Indians and even aided them with arms and

Interior, Victoria de Durango, February 8, 1856, Boletín Oficial del Supremo Gobierno, February 20, 1856.

⁵⁴Constitución Política de la República Mexicana, Título V, "De los Estados de la Federación," Artículo 111, Leyes de Reforma, 83.

⁵⁵Gadsden to Arrioja, México, November 29, 1855, Manning, ed., Diplomatic Correspondence, IX, 802; Informe . . . sobre los Indios, 43-44, 51.

⁵⁶Editorial, El Siglo XIX, August 18, 1857; Ibid., August 30, 1857.

⁵⁷Informe . . . sobre los Indios, 129.

ammunition.⁵⁸ It also contended that an Indian named Perico, who was captured in February of 1856 by a Mexican officer, Colonel Miguel Blanco, admitted that it was through the help of Americans that they were able to attack Mexico.⁵⁹ The report went on to assert that the state of Texas still harbored dreams of expansion and speculated that the Indian raids inspired by American whites might easily become the first step toward further conquests.⁶⁰ Juan N. Almonte, a conservative who for a time represented the liberal government in Washington, complained to the Secretary of State that the Indian marauders from the United States did not carry bow and arrows but fire arms provided by Americans.⁶¹ Santiago Vidaurri, the governor of Nuevo León and Coahuila, demanded that the United States armed forces immediately stop making armaments available to the Indians as these were used only for their attacks in Mexico.⁶² Thus, it was abundantly evident that there existed a deep suspicion in official Mexican circles that the American activities were designed to weaken, divide, and eventually possess larger parts of the republic.

⁵⁸Ibid., 74, 123-24.

⁵⁹Ibid., 123.

⁶⁰Ibid., 29-30.

⁶¹Almonte to Marcy, Washington, January 26, 1856, Manning, ed., Diplomatic Correspondence, IX, 822.

⁶²Vidaurri to Commandant Daniel Ruggles, Monterrey, March 16, 1856, Informe . . . sobre los Indios, 123.

The liberal government further alleged that white Americans were openly purchasing the plunder from these raids, in violation of treaty stipulations, and it amassed evidence in support of these accusations. According to recorded testimony, Apaches raiding Sonora took their stolen goods to the presidio of El Cobre, where Americans accepted it in exchange for arms, ammunition, and other war material. The testimony went on to indicate that the commandant and also the principal civilian authority of Galeana, specified that three well-known Apache chiefs--Mangas Coloradas, Delgadillo, and Cuchillo Negro--were involved in these transactions.⁶³ José Pierson, a resident of Uris, Chihuahua, claimed to have seen daily transactions between Chiricahua and Tularosa Apaches, on the one hand, and American whites, on the other involving the exchange of horses and mules for guns, powder, clothes, and liquor (aguardiente).⁶⁴

There were other accusations that the American Indian commissioners were seriously and deeply involved in such activities, that they encouraged the Indian raids on Mexico and purchased the acquired loot.⁶⁵

Another charge made in the official Mexican investigation was that the chain of thirteen American forts, from Fort Bliss to Tucson, served not to protect the border, or to keep the marauding Indians out of Mexico, but only to protect the communi-

⁶³Julián Moreno, Memoir, El Cobre, Sonora, no date, Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 17.

⁶⁴José Pierson, Uris, Chihuahua, report, no date, Ibid.

⁶⁵Informe . . . sobre los Indios, 129.

ties on the American side, whereas, on the basis of both treaty obligation and concern for humanity, they should also have attempted to prevent American Indians from invading Mexico.⁶⁶

The Mexican report even accused American civilians of participating in some of the depredations. Captain Agustín Menchaca and a certain Ugartechea, who had been actively involved in Indian warfare since 1836, claimed that the attacks were not made by Indians but by lawless Texans disguised as Comanches, Apaches, and other tribes men.⁶⁷ The report admitted that Mexico had become an easy prey and that these adventurers had been able to descend upon Mexican towns and villages and take their toll at a small price.⁶⁸ One witness reported seeing some whites buying stolen goods from Indians while others, disguised as such, crossed the border and attacked the Mexicans.⁶⁹

In its frustration over the borderland depredations the liberal government of Mexico complained to the United States through diplomatic channels and charged it with the responsibility. Investigating the problem, the Mexican minister at Washington uncovered several American documents--messages of the President, reports of the Secretary of War, memoranda from the Commissioners of Indian Affairs, and other official state-

⁶⁶Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 46.

⁶⁷Informe . . . sobre los Indios, 50.

⁶⁸Ibid., 129.

⁶⁹Marcial Gallegos, "Informe general," no date, Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 18.

ments--all of which accepted United States responsibility for the Indian depredations.⁷⁰ The United States, however, never officially recognized these admissions. Meanwhile, the Mexican representative claimed that since the Indians were raiding Mexico from north of the border, it should have been an act of human compassion for the United States to look for ways and means to end the suffering of the Mexican people at their hands.⁷¹

In Mexico City, Minister of Justice, Ezequiel Montes, also held the American nation responsible. He maintained that no treaty could erase the moral responsibility of any nation nor take away its obligations to restrain the attacks of its people on another nation.⁷² Juan Soto, the Minister of War, blamed both the American government and its military leaders for inadequate control of the Indians, who, he contended, passed only a short distance from their forts, and in large numbers on their way to invade Mexico.⁷³ Closer to the actual scene of devastation, the governor of Nuevo León also insisted that the Indian war was an American responsibility and that it was compounding

⁷⁰Manuel Robles Pezuela to Marcy, Washington, February 21, 1857, Manning, ed., Diplomatic Correspondence, IX, 899.

⁷¹Robles Pezuela to Marcy, Washington, May 27, 1856, Ibid., 834.

⁷²Montes, circular, México, January 9, 1856, Zarco, Historia del congreso extraordinario, I, 124-25; Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 429.

⁷³Soto, Memorandum to the first Constitutional Congress, México, no date, Buenrostro, ed., Historia del primer congreso constituyente de la República Mexicana, I, 110.

the problems of Mexico.⁷⁴

The liberal press in Mexico placed some of the blame on its own national and state governments. One critic claimed that the authorities were doing little to prevent the destruction of life and property.⁷⁵ Reports from several cities and towns in the North expressed the deep frustration of the people who tried to repel or pursue the Indians who crossed the border.⁷⁶

The reaction of the liberal Mexican government was not entirely negative. It not only extended permission to the states to form coalitions for the purpose of resisting the Indian incursions but, in a radical departure from its humanitarian doctrine, authorized cash payments for the presentation to the local governments of the severed heads of Indian raiders. The bounty was set locally, as high as two hundred pesos per head in some areas and four hundred pesos in Durango.⁷⁷ Moreover, several

⁷⁴Vidaurri to Juárez, Monterrey, January 31, 1858, Santiago Roel, ed., Correspondencia particular de d. Santiago Vidaurri, gobernador de Nuevo León (1855-1864) (2 volumes; Monterrey: Universidad de Nuevo León, 1946), I, 10.

⁷⁵José Cristóbal Revueltas to the Mexican public, México, August 12, 1857, El Siglo XIX.

⁷⁶Ignacio Galindo, letter to the public, Piedras Negras, Coah., February 2, and 21, 1856; editorial, "Los Apaches en Sonora," copied from the Ures, Sonora newspaper, January 15, 1856, Vidaurri, letter to the public, November 21, 1855, editorial, "Los Bárbaros en Durango," El Siglo XIX, August 14, 1856.

⁷⁷Ignacio López de Lara, report, San Miguel del Mezquital, April 18, 1856, Boletín Oficial de Supreme Gobierno, May 17, 1856; Editorial, "Cabezas de Bárbaros," El Siglo XIX, May 16, 1856.

governors sought ways of attacking their common problem jointly.⁷⁸ Zarco made the point, editorially, that the Indian invasions constituted a national problem and that the unity of the states was essential to combat it.⁷⁹

From the foregoing it is apparent that liberal Mexican attitudes on the issue of Indian depredations were based on nationalistic and pragmatic, rather than doctrinaire, considerations, that liberalism as such was not seriously involved. Some of the liberals did take a humanitarian position by recognizing the potential of the primitive marauders for eventual productive citizenship, and some even rationalized their predatory acts. All, however, agreed that, for the present, they constituted a seriously destructive menace to civilized society in the northern part of the republic. The national administration even went so far as to wage a veritable war to the death on the raiders and to pay large cash awards for the heads of those who were slain. The crisis had reached such proportions that what humanitarian concern they still demonstrated was reserved for the Mexican citizenry in the beleaguered states.

It is also apparent that Mexican protests against inaction and complicity were expressed more vociferously within the nation than through diplomatic channels. Communications exchanged by

⁷⁸José de la Barcena, Governor of Durango, decree, Crónica Oficial, December 11, 1857; Eulogio Barrera, speech to the constitutional convention, México, May 30, 1856, Zarco, Historia del congreso extraordinario, I, 343.

⁷⁹Editorial, "Indios Bárbaros," El Siglo XIX, May 7, 1856.

Mexican military and civilian authorities, reports of official investigations, and formal editorials as well as letters of citizens in the newspapers all spoke more vigorously on the subject than did the Ministry of Foreign Relations or its representatives in Washington. The principal allegations were that the United States had not even assumed a moral responsibility for the criminal acts of its Indians, that her troops near the border were making only token efforts to contain these invaders, that her citizens were encouraging the raiders by purchasing their plunder from Mexico, and that these depredations appeared suspiciously like the beginning of another American invasion.

Such official protests as the liberal administration did launch had to stress the ethical, rather than the legal, obligations of the United States. This was due to the circumstances that a previous, conservative regime had agreed in the Gadsden Treaty of 1853 to relieve the United States of the responsibility she had assumed at Guadalupe Hidalgo in 1848 for the border violations of her Indians. The Mexican position was further weakened by the military revolt of late 1857. This drove the liberal administration from Mexico City and touched off a bitter three-year civil war which deprived it of American diplomatic recognition for several months. Consequently, the liberals became more concerned with regaining recognition and with obtaining material assistance from the United States than with placing blame for, or even securing relief from, the depredations of a few hundred American Indians. The rapidly diminishing number of official and private pronouncements on the subject after 1857 indicates that

the previously absorbing Indian problem in the North had become almost completely overshadowed by the new national crisis.

CHAPTER V

THE PLIGHT OF THE MEXICAN AMERICANS

The liberal leaders of Mexico recognized the distress of Mexican Americans in the United States and felt hopelessly incapable of acting on their behalf. These people of Mexican descent had remained north of the new border trusting in the guarantees of the Treaty of Guadalupe Hidalgo and believing that the promises of citizenship and constitutional rights had been made in good faith. Instead of equality, however, they experienced economic deprivation, social humiliation, and legal prejudice. The liberal government in Mexico held that their civil rights could be restored and the wrongs they had suffered could be corrected within the framework of the American judicial system and public conscience, without official Mexican intervention. As a matter of fact, as long as internal revolution and filibustering and Indian depredations from the United States continued, the liberal government was helpless to act vigorously on their behalf. Furthermore, it was technically a problem involving only citizens of the United States.

The people called Mexican Americans came into existence with the Texas Revolution and the Mexican War. What the Treaty of Velasco had begun in 1836, the Treaty of Guadalupe Hidalgo had completed in 1848. Mexico lost not only the immense northern territories of Texas, New Mexico, and California, but also most

of the population therein. A foreign army had occupied the national capital, the economy was in shambles, and the society was disoriented. The very existence of the nation had been called into question.¹ The national shock in Mexico was shortly matched by the cultural shock in the United States among the Mexicans of the annexed territories who became American citizens.

The Treaty of 1848 gave these people a choice of becoming American citizens or retaining their nationality, with a full year in which to decide. American citizenship would be conferred as soon as the United States Constitution allowed, and in the meantime their rights and privileges under the Mexican constitution would prevail.² The Treaty also guaranteed that these people could retain their property in the annexed territory or dispose of it and take the proceeds wherever they pleased without subjection on that account to any contribution, tax, or charge.³ It provided further that the present owners of property, their heirs, and all Mexicans who might thereafter acquire the property by contract, would have as full protection of it as would citizens of the United States. Finally, it was stipulated that

. . . all grants of land made by the Mexican government or by the competent authorities previously

¹Niceto de Zamacois, Historia de Méjico, desde sus tiempos más remotos hasta nuestros días (19 volumes; Méjico: J. F. Porres, y Compa., Editores, 1879-1882), XIII, 110.

²Article VIII, Treaty of Guadalupe Hidalgo, Guadalupe Hidalgo, México, February 2, 1848, Bevans, ed., Treaties of the United States, IX, 796-97.

³Ibid.

appertaining to Mexico, and remaining for the future within the limits of the United States, shall be respected as valid, to the same extent that the same grant would be valid if the said territory had remained within the limits of Mexico. . . .⁴

Under the Treaty of Guadalupe Hidalgo, therefore, the Mexicans in annexed territory inherited the same rights as those held by American citizens. Herein lay their hope, that what Mexico had not given them since independence, their new citizenship would provide.

However, such was not to be. Shortly after the signing of the treaty, complaints arose among the Mexican Americans that its guarantees were not being enforced and among the Anglo-Americans, that the former enemy population was being overly favored. The grumbling and dissatisfaction between the two peoples obviously resulted from memories of the bitter Texas War of Independence and the subsequent war between Mexico and the United States. However, there were also the continuing raids of American Indians into Mexico, the sanctuary Mexico afforded runaway American slaves, and the prohibitive Mexican tariff, which transformed American merchants into smugglers who, despite comfortable profits, bitterly resented Mexico's enforcement of custom regulations.⁵

The expression of American ill-will towards Mexicans took

⁴Ibid., 797.

⁵John L. Haynes to Senator John Hemphill and Congressman A.J. Hamilton, Austin, October 1, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 26; Utley, The International Boundary, 62-63; Webb, The Texas Rangers, 127, 176.

several forms. Among the more persistent of these was physical attacks on Mexicans. A few examples illustrate this violence. Three leagues from the American fort of Agua Caliente, near the Plazuela de la Madama, in Arizona Territory, Jesús Bárrrios and Santiago Telles were assassinated without apparent motive. They had been stabbed and shot. According to an official Mexican report, the crime went unpunished for lack of authority in the area and because of a suspicion that the Mexicans had participated in the death of Henry A. Crabb, an American filibuster who entered Mexico through southern Arizona, that is, near Agua Caliente.⁶ In May, 1857, according to the same Mexican report, Leonardo Orozco and Benito López, of Calabazas, Territory of Arizona, received orders from eight Americans to leave the territory by the next dawn or die. When they sought police protection, they found none available.⁷

The assassination, torture, and lynching of Mexicans continued. On October 14 and 17, 1857, the State of Texas reported the murder of several Mexicans. The lack of apparent cause for these killings suggested to the American Secretary of State that such assassinations had become an avocation. Again there was no serious attempt to punish the killers.⁸ When an armed band of Americans killed a Mexican at the Magueyes ranch, the authorities did form a committee of inquiry but, beyond that, the re-

⁶Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 11.

⁷Ibid., 10-11.

⁸Cass to Robles Pezuela, Washington, December 21, 1857, Manning, ed., Diplomatic Correspondence, IX, 248.

sults were disappointing to the Mexican representative at Washington.⁹ In 1855, of 538 persons violently killed in California, it was found that a majority of the victims were of Mexican descent.¹⁰ As if to prove that killing Mexicans had almost become a sport in 1859, the executors of two Mexicans in Santa Barbara went free, apparently because those who had died were Mexican.¹¹ The same took place in Los Angeles, where a constable named Jenkins shot Antonio Ruiz without apparent cause. He went free even under the protests of the citizenry.¹²

Perhaps the most widespread persecution of the Mexican Americans appeared under the land laws of the annexed territories, which bore little resemblance to Spanish law in spite of the guarantees of the Treaty of Guadalupe Hidalgo that the latter would prevail where the Mexican Americans were involved. Part of the continuous conflict resulted, however, from the vagueness and irregularity of the Spanish and Mexican land grants. At the same time, the consideration that the confirmation of all such titles would have left little land for the conquerors carried much weight.¹³ Because of the number of claims and counter

⁹Report of an Inquiry of the criminal death of a man, carried out by an armed force of Americans, Magueyitos Ranch, no date, Correspondencia de la legación mexicana en Washington, I, 225.

¹⁰Hubert Howe Bancroft, Popular Tribunals (2 volumes [volume XXXVI-XXXVII of The Works of Hubert Howe Bancroft, 39 volumes; San Francisco: The History Company, Publishers, 1886-1891]), II, 131.

¹¹Ibid., 482.

¹²Ibid., 496.

¹³Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 62, 64; John Walton Caughey, California (New York: Pren-

claims, the United States established a Land Claims Commission, which tried to verify land grants of the Mexican Americans. Some of its decisions were challenged and ultimately reached the Supreme Court,¹⁴ but the expense of the process and the inexperience of the Mexicans deprived many of them of their property, even when it would have been confirmed at the end of the trial.¹⁵ Meanwhile, Anglo-Americans pampered squatters to get their votes, and this made it almost impossible for Mexicans to get their land back even when supported by Supreme Court rulings.¹⁶ In other cases, especially those involving long trials, the Mexicans had to borrow money to carry them to a higher court or to survive the daily costs of the trial. These loans, according to a California ranger and mayor of San Francisco, were made at such high rates of interest that the "American shylocks" came to possess the Mexican lands through the process of foreclosure.¹⁷

The Mexican consul at Brownsville, Texas, complained that the ill-treatment of the Mexicans was economic as well as phys-

tice-Hall, Inc., 1940), 364; Leonard Pitt, The Decline of the Californios: A Social History of the Spanish Speaking Californians, 1846-1890 (Los Angeles: University of California Press, 1966), 96.

¹⁴Elisha Oscar Crosby, Memoirs of Elisha Oscar Crosby: Reminiscences of California and Guatemala from 1849 to 1864, edited by Charles Albro Barker (San Marino, Cal.: The Huntington Library, 1945), 71-72.

¹⁵Ibid., 70; Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 62-63; Pitt, Decline of the Californios, 95-96.

¹⁶Crosby, Reminiscences of California, 70, 72.

¹⁷Horace Bell, On the Old West Coast: Being Further Reminiscences of a Ranger, edited by Lanier Bartlett (New York: William Morrow & Co., 1930), 5.

ical, that loans to them accumulated interest faster than those made to Americans.¹⁸

Another way that the American hostility expressed itself was in attacks on border towns, often without apparent reason. On September 14, 1855, according to an official Mexican report, three Americans attacked Piedras Negras from the Texas side of the Rio Grande. They had requested a small boat to carry them across and, when denied, opened fire on the houses on the Mexican side. The Mexican authorities did not return the fire since the Americans had not set foot on Mexican soil. The attack lasted two and a half hours, during which time neither the civil nor military American authorities attempted to intervene. The authors of the Mexican report saw this as indicating a "complete indifference towards the fulfillment of their responsibilities."¹⁹ On December 31, 1859, according to the official Mexican report, the sentry box at Santa Cruz in Matamoros came under attack without known cause. The attacks continued through the night, again without interference by the American authorities.²⁰ However, the mayor of Brownsville claimed to have captured two suspects, Washington Jaiburn and Antonio Espinosa, and that, after "a judicial examination,"

¹⁸Andrés Treviño to Juárez, Tampico, February 2, 1860, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 603. El Siglo XIX reported similar conditions in the issue of February 16, 1857.

¹⁹Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 87.

²⁰José Empáran to the Minister of the Mexican Republic in Washington, Veracruz, May 10, 1860, Correspondencia de la legación mexicana en Washington, I, 216.

the two had received a citation and a fine for violating the international border.²¹

The border crimes increased in boldness. Reportedly, some Texans had developed a habit not only of stealing the cattle of neighboring Mexican Americans but also of crossing the Rio Grande to steal Mexican cattle as well.²² This was in evidence soon after 1848 and developed rapidly without interference from either federal or state authorities.²³ According to the Mexican Minister of Foreign Relations, one of the rustlers was Richard King, the distinguished proprietor of the Santa Gertrudis ranch (present-day King Ranch), in Nueces County. Reportedly, King had groups of men going out in all directions branding calves not belonging to him. "It is impossible to state that the people in those groups had any moral sentiment; and the Texas laws, offering no energetic remedies, were unable to keep them under control."²⁴

According to a leading Texas historian, both Americans and their government were contemptuous of anything Mexican, either people or property. Some were openly destroying, robbing, and

²¹Stephen Power to the Military Commandancy of the line of the Bravo, Brownsville, January 4, 1860, Manning, ed., Diplomatic Correspondence, IX, 1192.

²²Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 37.

²³Cass to Robles Pezuela, Washington, October 24, 1857, Manning, ed., Diplomatic Correspondence, IX, 242-43; Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 19-20; Webb, The Texas Rangers, 176.

²⁴Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 59.

killing all along the frontier. Many Texans, convinced that the Texas Rangers knew best how to control and punish Mexicans, wanted the United States to accept the Rangers into the federal army so they could teach the troops how to run all Mexicans into the Rio Grande and all the Indians into the Red River!²⁵

The career of Juan Nepomuceno Cortina illustrates the sorry plight of the American of Mexican descent during this period. Cortina lived at his mother's ranch, about twelve miles northwest of Brownsville. His brother, José María Cortina, had been elected as the Democratic nominee to the office of County Assessor.²⁶ Juan Nepomuceno called himself an American citizen²⁷ and, according to José María Mata, the Mexican Consul at Brownsville had declared him an American citizen.²⁸ Mata also reported that the American Consul to Matamoros and General Winfield Scott had both declared Cortina an American citizen.²⁹

The small town of Brownsville in 1859 had a population of

²⁵Webb, The Texas Rangers, 127.

²⁶R. Fitzpatrick, Consul of the United States at Matamoros, to Cass, Matamoros, October 1, 1859, National Archives, Despatches from United States Consuls to Matamoros, vols. VII-IX, microfilm roll 3; W. P. Reyburn, Appraiser General, to F.A. Hatch, New Orleans Collector of Customs, New Orleans, November 21, 1859, House of Representatives, "Difficulties of Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 65.

²⁷Juan N. Cortina, Proclamation to the Citizens of the State of Texas, Rancho del Carmen, September 30, 1859, Ibid., 71-72.

²⁸Mata to Minister of Foreign Relations in Veracruz, Washington, January 10, 1860, Correspondencia de la legación mexicana en Washington, I, 21-22.

²⁹Ibid.

more than 2,000 people. Mexican Americans constituted the majority of the population, but Anglo-Americans controlled its social and political life, referring to the Mexicans as "crossed-marked patriots" and catering to them only during elections.³⁰ It was widely recognized that most of the latter had learned to suffer in silence the abuse and injustice which befell them under American rule.³¹

Juan Nepomuceno Cortina was an exception and dared to act in behalf of his people. By 1859 he had announced himself as their champion, justifying his and their cause on the grounds of their losses of land through Anglo-American judiciary maneuvering and excessive prosecution for petty offences.³² According to one Texas historian their condition was such as to invite insurrection and race war.³³

³⁰Webb, The Texas Rangers, 175.

³¹Francisco Zepeda, President of the Ayuntamiento de Reynosa, to Colonel Robert E. Lee, Reynosa, April 8, 1860, House of Representatives, "Troubles on the Texas Frontier," Executive Documents printed by Order of the House of Representatives During the First Session of the Thirty-Sixth Congress, 1859-60, No. 81, Serial number 1056 (Washington: Thomas H. Ford, Printer, 1860), 85-86; Juegueri Arquilles to the Commandant of Fort Brown, Matamoros, February 7, 1860, Ibid., 67-68; Pezuela to Cass, New York, October 14, 1857, Manning ed., Diplomatic Correspondence, IX, 944; Armstrong, to Marcy, Matamoros, October 8, 1856, National Archives, Despatches from United States Consuls to Matamoros, vols. IV-VI, microfilm roll 2; Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 19, 63-64; Webb, The Texas Rangers, 151, 183.

³²Cortina, proclamation, Rancho del Carmen, November 23, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 80.

³³Webb, The Texas Rangers, 176.

Cortina took up the cause of his people actively on July 13, 1859, when he witnessed the sheriff of Brownsville, Robert Shears, dragging a Mexican to jail. Cortina complained to the sheriff asking him to free the man. Then heated words were exchanged. Finally Cortina wounded the sheriff and fled with the prisoner.³⁴ A few days later a Thomas Cabrera was arrested, charged with aiding Cortina, and imprisoned, deepening the already strained feelings. Through prominent local businessmen, Cortina demanded Cabrera's release, and when the authorities denied this, Cortina invaded Brownsville with from fifty to a hundred men on the night of September 28, 1859, taking over the city amid shouts of "Mueran los gringos!," "Viva México!" and "Viva Cheño!"³⁵ When the invaders discovered that Cabrera had died in prison, after being held two months without trial, Cortinas ordered the killing of the mayor, the sheriff, and two others. However, the mayor and the sheriff managed to escape.³⁶

³⁴Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 72; Webb, The Texas Rangers, 178.

³⁵Major S. P. Heintzelman to Col. Lee, Fort Brown, March 1, 1860, House of Representatives, "Troubles in the Texas Frontier," House Executive Documents, No. 81, 36th Congress, 1st Session, No. 1056, p. 3; Rister, Lee in Texas, 108; "Cheño" is the nickname of Nepomuceno, which probably meant Cortina himself.

³⁶Juan N. Cortina, proclamation, Rancho del Carmen, September 30, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 70; W. P. Reyburn to F. A. Hatch, New Orleans, November 21, 1859, Ibid., 65; Heintzelman to Lee, Fort Brown, March 1, 1860, House of Representatives, "Troubles in the Texas Frontier," House Executive Documents, No. 81, 36th Congress, 1st Session, No. 1056, pp. 4-5; Memoria del ministro de Relaciones Exteriores, Informe . . . del norte, 117-18.

Immediately following his invasion of Brownsville, Cortina issued his first proclamation, which was followed less than two months later by another. In these public statements he appealed for equal justice for Mexicans and Americans, condemned the way Americans had treated the Mexican people, and accused the American people, their elected officials, their lawyers, and others of continually seeking ways of abusing, defrauding, and spreading terror among the unwary Mexican Americans, who, after their goods were stolen, all too often paid with their lives.³⁷

The American authorities at Brownsville and Fort Borwn had failed to act and now lacked sufficient men, guns, and ammunition to control Cortina. In this situation Brownsville asked the authorities of Matamoros to assist it in repulsing Cortina from their town and to deny him sanctuary in theirs.³⁸ Miguel Tijerina and other influential citizens of Matamoros had already induced Cortina to leave Brownsville.³⁹ In October Mexican volunteers, accompanied by Texas Rangers, attempted to capture Cortina, but failed. Their failure only enhanced Cortina's popu-

³⁷Cortina, proclamations, Rancho del Carmen, September 30, and November 23, 1859, National Archives, Despatches from United States Consuls to Matamoros, vols. VII-IX, microfilm roll 3.

³⁸W. G. Hale to J. B. Floyd, Galveston, November 7, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 42; Reyburn to Hatch, New Orleans, November 21, 1859, Ibid., 67; Empáran to the Minister of México in Washington, Veracruz, June 21, 1860, Correspondencia de la legación mexicana en Washington, I, 224.

³⁹Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 66; Webb, The Texas Rangers, 179.

larity.⁴⁰ Shortly the Mexican army was asked to leave Brownsville and the citizens organized themselves into volunteer companies. They kept patrols day and night through the streets of the city and its environs.⁴¹ The anti-Mexican feelings of Texans now turned towards the Mexican troops they had invited to protect their city, for suspicions now arose that they intended to invade the State of Texas and intervene in American affairs.⁴²

Late in 1859 a combination of Texas Rangers, under Captain John S. Ford, and federal troops, under Major S. P. Heintzelman, defeated Cortina at La Ebronal.⁴³ From this time on Cortina was in flight, but his stature among Mexicans in Texas remained high. They saw him as a liberator and a hero. Some even considered him a restorer of Mexican nationalism. To the Americans he remained a killer and a thief. However, the customs collector at Port Isabel reported that, when Cortina and his followers were there, not one of the bales of goods had been opened, that the treasury had not been molested, and that Cortina had committed no overt act against the United States.⁴⁴ Apparently, Cortina did not

⁴⁰Editorial, American-Flag Extra, October 25, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 45; Israel B. Bigelow to the Editors News, Brownsville, October 24, 1859, Ibid., 47.

⁴¹Hale to Floyd, Galveston, February 7, 1859, Ibid., 42.

⁴²Ibid.

⁴³Floyd to President Buchanan, report, Washington, March 5, 1860, Correspondencia de la legación mexicana en Washington, I, 57.

⁴⁴Reyburn to Hatch, New Orleans, November 21, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 66.

seek self-aggrandizement or riches, but only the justice that had been denied the Mexican Americans.

After his defeat, Cortina's enemies claimed he had taken refuge in Mexico. Actually, the authorities of that nation had denied him entry. They wanted to capture Cortina as much as did those of the United States.⁴⁵ American military forces did cross the border, claiming to be in pursuit of Cortina, but doing so without Mexico's approval. The Mexicans had increased their frontier defenses in order to capture him and also to avoid a border incident.⁴⁶ However, the Mexican authorities demanded that for American forces to cross the border, advanced notification and permission had to be secured. This was done from time to time.⁴⁷

Cortina's activities did not end in 1860. Avoiding the search-and-destroy missions a while longer, he finally entered Mexico and enlisted in the Mexican army during the French Intervention (1862-1867). Meanwhile, although neither the American nor the Mexican government approved his actions in behalf of the down-trodden Mexican Americans, he remained a hero to that population group in southern Texas.⁴⁸

⁴⁵Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 88.

⁴⁶Guadalupe García to Heintzelman, Matamoros, February 5, 1860, House of Representatives, "Troubles on the Texas Frontier," House Executive Documents, No. 81, 36th Congress, 1st Session, No. 1056, pp. 65-66.

⁴⁷Manuel Treviño to Mata, Brownsville, February 5, 1860, Manning, ed., Diplomatic Correspondence, IX, 1162.

⁴⁸Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 62.

Perhaps the small number of Americans living in Brownsville assisted in creating Cortina's "Mexican bandit" reputation by spreading wild exaggerations of his activities.⁴⁹ The claims that Cortina intended to take possession of the whole country between the Rio Grande and the Nueces River and that his activities were directed from Mexico, with the intent of affecting either international relations or the internal politics of Mexico⁵⁰ was but one of those exaggerations. Another was that throughout Tamaulipas and Nuevo León bands of Mexican highwaymen were marching towards Texas to plunder commerce, murder citizens, and lay waste the frontier in order to assist Cortina and get revenge on the Americans.⁵¹

Owing to Anglo-American reaction, Mexicans in the territory

⁴⁹Hale to Floyd, Galveston, November 7, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 42; Brownsville to Floyd, open letter of the citizens, Brownsville, March 9, 1860, Ibid., 12; Reyburn to Hatch, New Orleans, November 21, 1859, Ibid., 68; Duff Green to Cass, Austin, December 24, 1859, Manning, ed., Diplomatic Correspondence, IX, 1153; Fitzpatrick to Cass, Matamoros, October 1, 1859, National Archives, Despatches from United States Consuls to Matamoros, vols. VII-IX, microfilm roll 3; Floyd to President Buchanan, Washington, March 5, 1860, Correspondencia de la legación mexicana en Washington, I, 57; Mata to the Minister of Foreign Relations in Veracruz, Washington, January 10, 1860, Ibid., 21-22.

⁵⁰Hale to Floyd, Galveston, November 7, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 43; Green to Cass, Berwick Bay, La., February 20, 1860, Manning, ed., Diplomatic Correspondence, IX, 1164.

⁵¹Citizens of Brownsville to Floyd, Brownsville, March 9, 1860, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 13.

conquered by the United States actually suffered more severely during the "Cortinas War" than previously. Even those who were not involved in the conflict were victims of vandalism and murder.⁵² Conditions worsened to the point that, as in 1855 and 1857, in 1860, the Mexican government officially requested their protection.⁵³ The Mexican protest linked the persecution of Mexican Americans to the public support of filibusterism and contended that the latter activity would increase and keep the borderland in turmoil until the United States Army replaced the Texas Rangers and took direct action.⁵⁴

Even though the liberal government in Mexico criticized the United States for its weakness in protecting the Mexican Americans, it was incapable of pressing the matter. While the persecution in the United States continued and even increased, the liberal government of Mexico was struggling for its life in the civil war of 1858-1861. It could not afford to antagonize the American government, for it sorely needed its support against the conservative force occupying Mexico City. The need for American assistance, coupled with the embarrassing fact that the persecuted

⁵²Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 10.

⁵³Gadsden to Marcy, México, April 17, 1855, Manning, ed., Diplomatic Correspondence, IX, 757; Cass to Pezuela, Washington, October 24, 1857, Ibid., 242; Empáran to Mata, Veracruz, May 8, 1860, Ibid., 1191; Mata to Minister of Foreign Relations, New York, July 23, 1860, Correspondencia de la legación mexicana en Washington, I, 100.

⁵⁴Mata to Minister of Foreign Relations, Washington, February 25, 1860, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 618; Fitzpatrick to Cass, Matamoros, January 4, 1860, National Archives, Despatches from United States Consuls to Matamoros, vols. VII-IX, microfilm roll 3.

Mexicans were actually American citizens, went far toward muffling the liberal reaction in Mexico, even as it was expressed through diplomatic channels.

The Mexican liberal leadership feared that such Americans as Governor Sam Houston would take advantage of the Cortina affair, as well as of the filibustering expeditions and Indian depredations into Mexico to launch further invasions of their nation.⁵⁵ Protests against such potential attacks increased even in the lower levels of Mexican government. To most Mexicans the Cortina affair and others like it were of purely American concern and without potential danger to their already beleaguered government.⁵⁶ On the other hand, American military authority in Texas admitted that Texas Rangers were continuing to cross over into Mexico in spite of the Mexican protests, allegedly in pursuit of Cortina. Men, women, and children died at the hands of the Texas Rangers until Colonel Robert E. Lee moved to the border to control the Rangers and suspend their unnecessary crossing of the Rio Grande.⁵⁷

⁵⁵Mata to Minister of Foreign Relations, Richmond, Va., March 31, 1860, Correspondencia de la legación mexicana en Washington, I, 62; Zepeda to Lee, Reynosa, April 8, 1860, House of Representatives, "Trouble on the Texas Frontier," House Executive Documents, No. 81, 36th Congress, 1st Session, No. 1056, p. 86; Empáran to Mata, Veracruz, May 8, 1860, Manning, ed., Diplomatic Correspondence, IX, 1191.

⁵⁶Mata to the Minister of Foreign Relations, Richmond, Va., March 31, 1860, Correspondencia de la legación mexicana en Washington, I, 62; Fitzpatrick to Cass, Matamoros, January 4, 1860, National Archives, Despatches from United States Consuls in Matamoros, vols. VII-IX, microfilm roll 3.

⁵⁷Lee to Cooper, Fort Worth, April 11, 1860, House of Representatives, "Troubles on the Texas Frontier," House Executive Documents, No. 81, 36th Congress, 1st Session, No. 1056, p. 94.

The Mexican authorities quite early professed disinterest in aiding Cortina. Instead, they offered immediate and continuous assistance to apprehend him as a bandit.⁵⁸ Several Americans, however, rejected this spirit of cooperation and continued to accuse Mexico of aiding and abetting Cortina.⁵⁹ Meanwhile, General Guadalupe García announced that the Mexican army would prosecute him and other criminals, with all of their available forces, and he insisted that this policy illustrated the good will of Mexico and her desire to end both the illegal activities and the misunderstandings.⁶⁰

The Mexican representatives in the United States observed and reported that some Americans had sided with the Mexican Americans in contending that Cortina had justice on his side. At least one American editorial praised his skill and courage in confronting the Texas Rangers with such a small following while

⁵⁸Henry Ray de la Reintrie, United States Chargé d'Affairs ad interim, to Cass, Veracruz, October 22, 1859, Manning, ed., Diplomatic Correspondence, IX, 1131, Robert M. McLane to Cass, Veracruz, December 7, 1859, Ibid., 1135-36.

⁵⁹Stephen Powers, Chief Justice of Cameron County and Mayor of Brownsville, to James Buchanan, Brownsville, October 18, 1859, House of Representatives, "Difficulties on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 34; William D. Thomas and Nathaniel White, signed and sworn in the presence of John B. Davis, San Patricio County, November 6, 1859, Ibid., 49-50; Hale to Floyd, Galveston, November 7, 1859, Ibid., 43.

⁶⁰Letters responding to the statements of General García and other Mexican officials: Heintzelman to García, Fort Brown, February 6, 1860, House of Representatives, "Troubles on the Texas Frontier," House Executive Documents, No. 81, 36th Congress, 1st Session, No. 1056, p. 67; Lee to Zepeda, Edinburg, April 9, 1860, Ibid., 87; Emparán to Mata, Veracruz, May 8, 1860, Manning, ed., Diplomatic Correspondence, IX, 1191.

campaigning for reform.⁶¹ Letters from American representatives in Mexico reported that Mexican military personnel felt that most of the news on Cortina carried false and fabricated statements, with the purpose of deepening the hostility between the two peoples in Texas.⁶²

The Mexican authorities looked upon the border troubles with deep concern. They realized that the relations with the United States could deteriorate further if they continued. Their most persistent concern was the operations of the Texas Rangers, who reportedly crossed the border and took Mexican law enforcement into their own hands.⁶³ They accused the Rangers not only of pursuing Cortina but also of burning homes and destroying farms.⁶⁴ As a result of these accusations, the liberal government at Veracruz demanded that Washington remove the Rangers from the area and rely instead on federal troops. It charged that the Rangers had fabricated and blown out of proportion reports on Cortina as an excuse to enter Mexico.⁶⁵

⁶¹Editorial in American-Flag Extra, Brownsville, October 25, 1859; House of Representatives, "Troubles on Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 46.

⁶²Floyd to President Buchanan, Washington, March 5, 1860, Correspondencia de la legación mexicana en Washington, I, 56-57.

⁶³Zepeda to Lee, Reynosa, April 10, 1860, House of Representatives, "Troubles on the Texas Frontier," House Executive Documents, No. 81, 36th Congress, 1st Session, No. 1056, p. 101; Mata to Minister of Foreign Affairs, Washington, February 25, 1860, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 618.

⁶⁴Mata to Minister of Foreign Relations, Washington, no date, Correspondencia de la legación mexicana en Washington, I, 39.

⁶⁵Mata to Minister of Foreign Affairs, Washington, February 25, 1860, Ibid., 43; Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 78.

Although the problem with the Texas Rangers caused a deterioration in Mexico's relations with the United States, one American gesture appeared, at least momentarily, to be in the interests of good will. In 1858 it came to Mexico's attention that an American senator was seeking to aid a person of Mexican descent. Senator William M. Gwin of California had taken on the responsibility to fight for the release from a Mexican jail of Austin Ainsa, a Mexican-American.⁶⁶ He introduced a resolution in the Senate demanding that Mexico free him. But just as Mexico showed interest in complying, it became concerned that the Senator was interfering in Mexican justice, and especially so when it was learned that Ainsa had participated in Henry A. Crabb's filibustering expedition.⁶⁷

The Mexican government also expressed concern over American attitudes toward Mexicans in the United States. Official Mexican reports noted that Mexicans were commonly being called "dogs"⁶⁸ and "greasers."⁶⁹ More seriously, the official reports claimed that Mexican Americans were being denied the free use of public

⁶⁶Pezuela to the Minister of Foreign Relations, Washington, May 20, 1858, Instituto Nacional de Antropología é Historia, Documentos inéditos o muy raros sobre la reforma, I, 115.

⁶⁷Ibid. The activities of Henry A. Crabb in Mexico are dealt with in the following chapter.

⁶⁸Reporte No. 290 in Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 12.

⁶⁹Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 63-64; see also Pitt, Decline of the Californios, 69.

roads and even of carts for transportation.⁷⁰ Their most severe criticism was levied at the failure of the American authorities to provide justice and protection to what they insisted were good, innocent, and law-abiding citizens.⁷¹

The delegates to the extraordinary congress, or constitutional convention, of 1856-1857 spoke freely and openly about the conditions of the Mexican Americans in the United States. They were especially critical of what they considered a flagrant violation of the Treaty of Guadalupe Hidalgo. Francisco Zarco, although often pro-American, accused the American people of an unjustified prejudice against those Mexicans who choose to remain in the territories that were ceded to the United States. He claimed that neither their land nor other property remained safe, for the American officers of law enforcement refused to protect them from the lawless encroachments of many Americans. He alleged that lawless mobs were allowed to attack peace-loving Mexican Americans and rob them of their possessions. He also accused José María Mata and others of defending the United States and its "merciless acts" against the Mexicans.⁷² His latter charges indicate that not all Mexicans had turned against the American people and that even the liberal party was not unified in this respect.

⁷⁰Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 63, 72.

⁷¹Ibid., 63, 70, and 83.

⁷²Zarco, speech to the constitutional convention, México, October 27, 1856, Zarco, Historia del congreso extraordinario, II, 493.

Mata, whom Zarco had criticized for defending the American policy, now sought to clarify his position. He claimed that his praise had not been universal and that he held serious reservations on the matter. For instance, he could not condone the failure of the United States to live up to her responsibilities under the Treaty of Guadalupe Hidalgo. He also expressed dismay at the lack of justice accorded Mexicans in many of the legal cases in which they were involved. However, he defended in principle the American expropriation of Mexican-held land, pointing out that in some cases the Mexican Americans did not possess clear title and that in others the titles failed to show precise boundaries. In fact, Mata was inclined to blame the Spanish and Mexican governments for Mexican American losses, owing to the lack of precise description in the land grants they had made. This, he contended did not in any way sanction the abuses, violence, or the infamy in the American treatment of Mexicans.⁷³

A few years later, when he was Minister to the United States, Mata's attitude remained both critical and conciliatory. During the "Cortina War" he asked the Mexican border cities and their authorities to remain calm, wait for justice, and not take matters into their own hands.⁷⁴ To him, the fact that American troops were mistreating Mexicans in Texas was accidental, and if they had crossed into Mexico, they could have been invited.

⁷³Mata, Speech to the constitutional convention, México, October 27, 1856, Ibid., 495.

⁷⁴Mata to Treviño, Washington, February 18, 1860, Correspondencia de la legación mexicana en Washington, I, 41.

In either case, he insisted, such acts, although constituting dangerous precedents, should hardly alter the peace between the two nations.⁷⁵ He shortly rejoiced in announcing that the United States had ordered the removal of the Texas Rangers from the border areas, for he, like Zarco, believed that they constituted the main cause of difficulties.⁷⁶

While pleading for a conciliatory policy on the part of his own government, Mata severely criticized American acts of injustice and violence. When American citizens fired upon Matamoros and the Brownsville authorities did little to stop them, he wrote harshly to the authorities in Washington.⁷⁷ He found no joy, he said, in the acts and attitudes of Texas authorities, especially those of Governor Houston. He felt that Houston had abused Mexicans in Texas and promoted ill feelings towards them in order to enhance his own political career and his plans against Mexico.⁷⁸ Most of all, however, Mata sought reconciliation between the two nations and peaceful means to solve the dilemma of the Mexican-Americans in respect to their economic, social and judicial prob-

⁷⁵Mata to the Minister of Foreign Relations, Washington, February 25, 1860, Ibid., 43-44.

⁷⁶Mata to the Minister of Foreign Relations, New York, July 23, 1860, Ibid., 100.

⁷⁷Mata to the Minister of Foreign Relations, Washington, no date, Ibid., 39; Mata to Cass, Washington, February 18, 1860, Manning, ed., Diplomatic Correspondence, IX, 1163.

⁷⁸Mata to the Minister of Foreign Relations, Washington, March 8, 1860, Correspondencia de la legación mexicana en Washington, I, 51.

lems.⁷⁹

Not all representatives of the Mexican foreign office followed Mata's line of reasoning. Others pursued a more belligerent course. José Empáran, Acting-Minister of Foreign Affairs in mid-1860, informed his emissary at Washington that President Juárez demanded that such violations as the attack on Matamoros and the abuses of Mexicans in Texas cease forthwith. He claimed that the government of the United States had a serious responsibility to bring such acts to an abrupt end.⁸⁰

Earlier, Manuel Robles Pezuela, while minister to Washington, had accused the American people of hunting down Mexicans in Texas and other places without any feelings of wrong doing. He pointed to an instance at San Antonio, where they had pursued a large number of Mexicans and killed approximately seventy-five of them in cold blood.⁸¹ A few days later, he called attention to the lack of concern over the outrages Americans had committed against Mexicans in that area, as reported in the Brownsville newspaper, Bandera Americana.⁸²

⁷⁹Mata to the Minister of Foreign Relations, Richmond, Va., March 31, 1860, Ibid., 62; Mata to the Consul of Mexico in Brownsville, Washington, February 18, 1860, Ibid., 40; Mata to Cass, Washington, February 16, 1860, Manning, ed., Diplomatic Correspondence, IX, 1163.

⁸⁰Empáran to Mata, Veracruz, May 8, 1860, Ibid., 1191.

⁸¹Robles Pezuela to Cass, New York, October 14, 1857, Ibid., 944.

⁸²Robles Pezuela to Cass, New York, October 19, 1857, Ibid., 945.

An official Mexican investigation report on frontier conditions expressed indignation at American attitudes toward Mexicans in the American border states. It alleged that the lack of sufficient police and military authorities made possible the outrages against the Mexicans and that such officers as did exist closed their eyes to such acts.⁸³ The report contended that American prejudice against Mexicans was so deeply rooted that no effort was made to conceal it and that acts of discrimination were flagrant, that they were committed without prudence, and that they often went unpunished.⁸⁴ It suggested that, if the Mexicans who lived in the American border states had ever had faith in American justice, they had lost that faith after "the conquest," for from that time on they had experienced little if any justice.⁸⁵ Another report alleged that the Americans considered Mexicans meek, mild-mannered, and, since they spoke no English, ignorant of the law, and that this made them vulnerable to the unscrupulous acts of both the authorities and the people.⁸⁶ Perhaps the most important point made in the two reports was that if Mexicans in the United States revolted or resorted to crime, the cause might lie in the inhumanity and injustice they had suffered at American hands, that, although American laws had been passed to protect

⁸³Memoria del Ministro de Relaciones Exteriores, Informe
. . . del noroeste, 11.

⁸⁴Ibid., 61.

⁸⁵Ibid., 36.

⁸⁶Memorias del Ministro de Relaciones Exteriores, Informe
. . . del norte, 63.

these people, laws not enforced were no laws at all.⁸⁷

The Mexican authorities realized their own helplessness to intervene actively in behalf of their unfortunate kinsmen in the United States. With the War of La Reforma raging in their own country, they could ill afford to send troops to either protect the border or defend the rights of Mexican Americans. Even before the outbreak of their civil war, they realized that in spite of the bad treatment they received in the United States, Mexicans continued to emigrate, abandoning their homes, businesses, and farms for a supposedly better life in that country.⁸⁸ Nevertheless, the liberal government attempted in 1859, during the darkest year of the War of La Reforma, to secure through diplomacy what was impossible by military force.

In the McLane-Ocampo Treaty a clause was inserted which they hoped would afford better protection for Mexican Americans in the future, through direct Mexican intervention in the United States. The clause stated: ". . . The safety and security of citizens of either nation when in danger within the other Republic, and when the legitimate government of that nation cannot act for any reason, the other nation will be obliged to interfere to prevent disorder, and keep the security of said nation where violations and disorders have taken place. . . ."⁸⁹ Whether Mexican forces

⁸⁷Ibid., 22, 24, 28.

⁸⁸Iniciative presented to the Congress of the Union by representatives of Tamaulipas, México, October 21, 1857, Buenrostro, ed., Historia del primer congreso de la República Mexicana, I, 158-59.

⁸⁹Convención para ejecutar las estipulaciones de los Tratados y conservar el orden y la seguridad en el Territorio de las Repúblicas de México y de los Estados Unidos, McLane-Ocampo Treaty,

would have been allowed to intervene in behalf of either the Mexican Americans or even Mexican citizens in the United States, was never tested. Since the treaty itself was not ratified by the American Senate, the clause had no force.

Although the liberal government at Veracruz recognized the serious difficulties of the Mexican Americans, most of its officers, such as Benito Juárez, Melchor Ocampo, Miguel Lerdo de Tejada, and Manuel Ruiz, had little to say publicly on the subject. The reason for their silence is not fully revealed, but several considerations may have contributed to it. Their government was not in control of the entire country and not even of the traditional capital; it was in dire need of American financial and military assistance and could therefore not afford to antagonize either the government or the people of that nation; and the problem of the Mexican Americans was, in one sense, an internal problem of the United States.

Still, the Mexican liberals did react, officially but more often unofficially, expressing strong criticism at the constitutional convention, in newspaper editorials, in government reports, and, less ardently, through diplomatic channels.

The liberal reaction appears to have been more nationalistic than either partisan or doctrinaire. Although it was well within the liberal conscience to espouse the cause of oppressed peoples, the Mexican liberals had done little as yet for their own much-

Veracruz, December 14, 1859, in Fuentes Mares, Juárez y los Estados Unidos, Appendix A.

abused masses. The main burden of their criticism appears to have been legalistic, that the United States had not lived up to its accepted obligations under the Treaty Guadalupe-Hidalgo. And even on this point the liberals were divided. Francisco Zarco, speaking for those who now cast the United States in its past role--as an aggressor nation--attacked each instance of Mexican American misfortune as the result of ruthless oppression. José María Mata spoke for those who saw the American nation in a future role--as a potential savior of the liberal cause in its bitter struggle with the conservatives. The difference, however, was only in the degree to which the two condemned the United States for the worsening plight of the Mexican Americans.

CHAPTER VI

FILIBUSTERISM

Mexico's war with the United States ended officially in 1848 with the Treaty of Guadalupe Hidalgo, but American invasions of the northern Mexican states continued sporadically for another eleven years, well into 1859. The continuing hostilities were carried on not by regular armed forces but, for the most part, by small bands of private adventurers, usually operating without official United States authorization but often with considerable popular support and little government restraint. To the newly entrenched liberals in Mexico the filibustering expeditions constituted acts of outright piracy. They held the United States government responsible for the acts of aggression, not only for its laxity in deterring them but also for continuing to promote the national spirit of "manifest destiny," which obviously encouraged them. From 1855 to 1861 the Mexican liberals looked upon the continuing filibusterism as an American attempt to despoil their troubled nation still further of both its sovereignty and territory.

The "manifest destiny" expansionism of the 1840's continued through the 1850's with different means of expression. To the American westerner it meant expansion, prearranged by Heaven, over an area not clearly defined. In some minds it meant expansion to the Pacific, which had already been accomplished; in

others, it meant expansion over the North American continent; and, in still others, over the entire hemisphere. The justification for incorporating the territory of Mexico was the supposed need to extend American democracy and social progress to a people in need of these supposed advantages.¹ The advocates of the expansionist doctrine were also impatient. "They were less inclined to wait while Mexico considered entering the temple of freedom; more inclined to drag her in, or, at least, some of her possessions."²

The Treaty of Guadalupe Hidalgo and its benefits constituted one of the greatest goals achieved by these expansionists. However, if their imperialistic drive increased the territory of the United States, it never satiated their appetite.³ Many Texans and Californians of the 1850's could not believe that their present borders would remain for long.⁴ They felt that these marked but a pause in the natural advance of the people. Consequently, the 1850's became a golden age of filibusterism. "Manifest destiny" demanded that the American nation continue to expand, and

¹Frederick Merk, Manifest Destiny and Mission in American History: A Reinterpretation (New York: Alfred A. Knopf, 1963), 24-33.

²Ibid., 38.

³John W. Caughey, California (New York: Prentice-Hall, Inc., 1940), 357; William O. Scroggs, Filibusters and Financiers: The Story of William Walker and His Associates (New York: The Macmillan Company, 1916), 2-4.

⁴Joseph Allen Stout, Jr., The Liberators: Filibustering Expeditions into Mexico, 1848-1862, and the Last Thrust of Manifest Destiny (Los Angeles: Westernlore Press, 1973), 27.

this, in turn, provided an altruistic disguise for the mercenary objectives of the typical filibustering expedition.⁵

Filibustering, in the sense used here, was the fitting out and conducting under private initiative of armed expeditions from the United States against other nations during peacetime. The purpose of this adventurism, supposedly was for the "benevolent assimilation" of a territory.⁶ It flourished during the years from 1848 to 1865, when the "boom town" condition of California and other areas of the American West left men adjusted to disorder and violence and imbued with a restless and adventurous spirit.⁷ Some, in their fertile imaginations, envisioned the creation of new "nations," such as the Republic of Sierra Madre--to be formed from the Mexican states of Coahuila, Nuevo León, and Tamaulipas. Others sought to bring the invaded territory under the flag of the United States. The states of California and Texas offered the principal bases for both the rumors of filibustering and the invasions themselves. The fabled mineral wealth of Sonora and other northern Mexican states offered an incentive, and the internal difficulties of Mexico provided the opportunity.⁸ A French count, Gaston Raousset-Boulbon, had sailed from California in 1852 and 1853 to conquer Sonora and crown himself "Sultan." William Walker, an American, had tried

⁵Ibid., 186; Utley, The International Boundary, 59-60.

⁶Scroggs, Filibusters and Financiers, 4.

⁷Stout, The Liberators, 24.

⁸Utley, The International Boundary, 60.

to do much the same late in 1853.⁹

Although the Mexican government complained of the filibustering expeditions, the United States did little to end or discourage them. President Buchanan admitted that he could find no remedy except to form an American protectorate in northern Mexico and establish military posts within the states of Sonora and Chihuahua. Others in his administration had echoed these sentiments and espoused them in a variety of forms,¹⁰ all of which only enhanced and encouraged the filibustering urge. The policy of further annexation was justified by the "need," according to the American Minister to Mexico, to civilize the Mexicans, but the purpose was to secure vast commercial and industrial advantages.¹¹

Both the American people and their government occasionally condoned filibusterism in the 1850's. An example of this attitude was clearly demonstrated in the 1858 trial of William Walker after his first invasion of Nicaragua. At that time he was accused of breaking the neutrality law of 1818. William Walker, in fact, represented the filibustering spirit at its zenith. He had moved from New Orleans to California in 1850 during the "gold rush."

⁹Rufus Kay Wyllys, The French in Sonora (1850-1854): The Story of French Adventurers from California into Mexico (Berkeley: University of California Press, 1932), 144-54; Scroggs, Filibusters and Financiers, 24-51.

¹⁰Buchanan to the United States Congress, Second Annual Message, December 6, 1858, Moore, ed., The Works of James Buchanan, X, 256; Cass to Forsyth, Washington, January 6, 1858, Manning, ed., Diplomatic Correspondence, IX, 249; Duff Green to Cass, Austin, December 24, 1859, Ibid., 1153.

¹¹Forsyth to Marcy, México, November 8, 1856, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 339.

There he failed to strike it rich and began to look for new enterprises. In 1852 he heard of Count Raousset-Boulbon's expedition to Sonora, and this gave him the idea of an adventure of his own in Mexico, including the establishment of military colonies along the frontier.¹²

Walker landed in Guaymas in June, 1853, and requested colonization permits. After some difficulties with local authorities, and also learning of Indian raids in the vicinity, he returned to the United States convinced that Sonora would welcome an American protectorate. In California he immediately began to enlist men, and many a ruined gambler, outlaw, and drifter flocked to his standard. Recruiting men was easy, for newspapers in California gave him considerable space. Finally, his expedition sailed, landed in Baja California, and captured La Paz, on November 8, 1853. This and his landing in Guaymas, Sonora, a few days later created havoc in the diplomatic efforts of James Gadsden to purchase La Mesilla from Mexico. From Guaymas Walker moved north to Ensenada, Baja California, but, when his reinforcements arrived without adequate provisions and supplies, he returned to Sonora. Enroute, he lost a large number of men through desertion, turned back, was attacked by Mexican "bandits" under Guadalupe Melendrez, and was arrested in San Diego. Having failed in his Mexican adventure, Walker led another expedition to Nicaragua where he was victorious for a time in 1855 but ultimately defeated.¹³

¹²Stout, The Liberators, 82-83.

¹³Ibid., 99-101.

The American press reported the expeditions of Walker and other filibustering adventurers as though they were legitimate enterprises, and they often had material public support. According to Mayor Horace Bell of San Francisco, the arms Walker took to Nicaragua were furnished by the Second Great San Francisco Vigilance Committee and other equipment by the City Guard.¹⁴ The Mobile and Nicaragua Steamship Company, which supported his Central American activities, was incorporated by an act of the state legislature of Alabama.¹⁵ Finally, when Walker was tried for violating the American neutrality law only two of the jurors voted for conviction.¹⁶ Meanwhile, The Weekly Alta California continued to publicize the preparations of new filibustering expeditions into Mexico.¹⁷

During President Buchanan's administration private adventurers from bases in Texas and California invaded Mexico almost at will. Four such enterprises merit particular attention for the reaction they provoked among the Mexican liberals. These were the attack of Captain James H. Callahan on Piedras Negras, Coahuila; the landing of Juan N. Zerman at La Paz, Baja California; the "colonization" expedition of Henry A. Crabb into Sonora; and the intervention of Commander William D. Porter in Guaymas, Sonora.

¹⁴Bell, On the Old West Coast, 37-39.

¹⁵Scroggs, Filibusters and Financiers, 369.

¹⁶Commercial Bulletin, New Orleans, June 1, 1858; Ibid.

¹⁷Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 9.

In 1855 Captain James J. Callahan had been authorized to mobilize a volunteer army in Texas to chastise the Indians who had been raiding in that state and into Mexico. Sometime after the volunteers were on the march, however, the United States Army Commander at San Antonio reported that their purpose seemed to have changed, for they were now seeking runaway slaves as well as hostile Indians.¹⁸ For whatever reason, Captain Callahan and his men crossed the Rio Grande near Piedras Negras, still claiming to be hunting Indians. On Mexican soil they shortly met a large force of Mexicans, Indians, and runaway slaves who chased them into Piedras Negras.¹⁹ Once in the town they prepared to defend themselves but, realizing the impossibility of maintaining a long defense, they set fire to the town and, under cover of the artillery of Fort Duncan, they returned across the Rio Grande.²⁰ In his official explanation to the Mexican government of Callahan's burning of Piedras Negras, the American minister contended that ". . . he found the necessity, in accordance with the usages of warfare, to cover his retreat in the destruction of a village, which was unwilling and could no longer afford protection to his threatened force. . . ."21

¹⁸Brevet Major General Persifor F. Smith, Commanding the Military Department of Texas, to Col. S. Cooper, Adjutant General, San Antonio, October 10, 1855, Manning, ed., Diplomatic Correspondence, IX, 197-98.

¹⁹Gadsden to Arrioja, México, November 29, 1855, Ibid., 801; Webb, The Texas Rangers, 146.

²⁰Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 92-93, 101.

²¹Gadsden to Arrioja, México, November 29, 1855, Manning, ed.,

The case of Juan Napoleon Zerman differs from that of Captain Callahan in several basic respects. Zerman, a private citizen in California, became interested in the liberal cause pronounced in the Plan de Ayutla. Early in 1856 he offered the liberals a small squadron of ships to gain them possession of the Pacific ports in exchange for the rank of admiral for himself. When this offer was refused, he volunteered a thousand soldiers to fight for the liberal cause in Sonora and Sinaloa, but it was also declined.²² Notwithstanding these refusals, Zerman sailed to La Paz, Baja California aboard the ship Archibald Gracie, accompanied by the whaling bark Rebecca Adams.²³ There Governor José María Blancarte apparently convinced him to land and, when he did, took him prisoner along with his family and 115 men.²⁴

Diplomatic Correspondence, IX, 801; In self-defense, and seeking a favor, William R. Henry, Mayor of San Antonio and a Texas Ranger, a few months later wrote President Juárez that it had been a deplorable act, but that it had been reported wrongly and that neither he nor the others were guilty of any wrong doing. Henry to Juárez, San Antonio, July 1, 1858, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 380-81; Secretary Marcy claimed that the Commandant at Fort Duncan did nothing wrong for all the fort did was to point a few cannons toward Mexico. " . . . If by doing this, he succeeded in saving the life of even one of his country men . . . the act deserves praise. . . ." Marcy to Almonte, Washington, February 4, 1856, Manning, ed., Diplomatic Correspondence, IX, 200.

²²Muñoz y Pérez, ed., Juan Álvarez-documentos, 95.

²³Forsyth to Marcy, México, October 25, 1856, Manning, ed., Diplomatic Correspondence, IX, 856; Manuel Romero Rubio to the constitutional convention, México, May 16, 1856, Zarco, Historia del congreso extraordinario, I, 249.

²⁴Forsyth to Marcy, México, October 25, 1856, Manning, ed., Diplomatic Correspondence, IX, 851; Muñoz y Pérez, ed., Juan Álvarez-documentos, 95; El Siglo XIX, January 15, 1856.

Eventually Zerman and his family were taken to Mexico City, where they remained for some time awaiting trial on charges of illegal entry.

The largest filibustering expedition of the period was led into Sonora by Henry A. Crabb. He was a disappointed and defeated California politician who had been involved with William Walker, possibly in Sonora but clearly in politically and ideological conversations. Crabb had connections with Sonora as his wife's family wealth had been abandoned there in one of the many changes of the state's government.²⁵ Crabb, like Zerman, claimed that the liberal authorities of Sonora had invited him to help develop the state's resources, a claim which they repeatedly denied.²⁶ He began his negotiations with Sonora in 1855 and even journeyed there with his brother-in-law, Agustín Ainsa, purportedly in response to a request from the Mexican authorities for assistance. Early in 1857 he formed a colonization company and brought to Sonora some one thousand men from California and elsewhere in the West.²⁷

Crabb made no effort to disguise his preparations, intentions, and trip to Mexico. He travelled well-armed and apparently thoroughly prepared for any eventuality, but he was well aware of the resistance he would meet. Even before entering

²⁵Horace Bell, Reminiscences of a Ranger, or, Early Times in Southern California (Los Angeles: Yarnell, Caystile & Mathes, 1881), 218.

²⁶Pezuela to Cass, Washington, March 18, 1857, Manning, ed., Diplomatic Correspondence, IX, 902; Scroggs, Filibusters and Financiers, 310-11; Stout, The Liberators, 144-45.

²⁷Stout, The Liberators, 145-46.

Mexico, in April 1857, he alleged foul play, that the Mexicans had poisoned the well water and had turned the Papago Indians against him. He claimed for himself and his followers the right to enter and live in Sonora as legitimate colonists and asserted that if any battles or bloodshed occurred, it would be Mexico's fault. He was, he said, prepared to fight his way into Mexico and even die in the attempt.²⁸ Governor Ignacio Pesqueira confronted Crabb and his followers as soon as they crossed into Sonora, defeated them in a battle in which a large number were killed, and took several prisoners including Crabb himself. Those captured were given a speedy trial, found guilty of filibusterism and executed.²⁹

The United States immediately protested, asserting that Crabb and his followers had been executed without sufficient proof of their guilt, that they could have been innocent colonizers, and that even if their intentions had been hostile, they had been shot down before this had been established.³⁰ But while protesting the "abhorrent" conduct of the Sonora authori-

²⁸Crabb to José María Redondo, Prefecto del Distrito del Altar, La Voz de Sonora, April 3, 1857, in Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 10; Bell, Reminiscences of a Ranger, 220; Soto, memoir, no date, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 115.

²⁹Forsyth to Juan Antonio de la Fuente, Minister of Foreign Relations, México, May 30, 1857, Manning, ed., Diplomatic Correspondence, IX, 921-22; John Appleton, Acting Secretary of State, to Forsyth, Washington, June 17, 1857, Ibid., 222; Rodolfo F. Acuña, Sonoran Strongman: Ignacio Pesqueira and His Times (Tucson: The University of Arizona Press, 1974), 35-37.

³⁰Forsyth to De la Fuente, México, May 30, 1857, Manning, ed., Diplomatic Correspondence, IX, 921-22.

ties in attacking the "peaceful colonists" and executing them without a fair trial, the American Minister complained to his own government that Crabb's "expeditionists" had chosen an unfortunate time, that their actions would damage peaceful Americans in Sonora and further deteriorate the already strained feelings between the two nations.³¹

The fourth incident which aroused major Mexican condemnation as filibusterism was that which Commander William H. Porter of the United States Navy provoked in 1859 at Guaymas, Sonora. On October 5 of that year Commander Porter anchored his corvette, the St. Mary, at Guaymas to register an official American complaint against the state authorities at Hermosillo. The charge was that they had banished the American consul at Guaymas, Charles P. Stone, without just cause. Not satisfied with merely launching a protest, Porter then ordered the American flag and consular shield raised over the private residence of another American citizen, Fawelly Allden, and demanded the immediate recognition of Allden as the American vice-consul. Governor Pesqueira considered these acts not only an insult to the Mexican people but also a breach of an international agreement, and the people of Guaymas expressed their feelings by lowering and destroying the flag and the shield. When Porter threatened to attack the town, the citizens united in its defense.³²

³¹Forsyth to Cass, México, April 24 and 28, 1857, Ibid., 917, 921-22.

³²Pesqueira to Minister Plenipotentiary of México to Washington, Guaymas, November 21, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 552-59; Soto, report to

Further complications arose when another American, R. S. Ewell, entered Sonora allegedly to liberate Stone, who had never been arrested, and was himself imprisoned. When Ewell's incarceration became known, Porter demanded his immediate release and an official apology. The state authorities refused both demands, and Porter, realizing his own untenable position, pressed for a compromise. Unable to achieve even this, he ceased protesting and abandoned the port.³³

In addition to the incidents involving Captain Callahan, Zerman, Crabb, and Commander Porter, which the Mexican authorities considered acts of filibusterism, the liberals also condemned the recommendations of some American congressmen, particularly Senator Sam Houston, to exert military control over Mexico. In May, 1858, Houston introduced in the Senate a bill which would create an American protectorate not only of Mexico but of Central America as well.³⁴ Later, as Governor of the State of Texas, he kept demanding the same intervention, threatening that if the federal government did not take action, the State of Texas, in

the first constitutional congress, México, no date, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 115; Acuña, Sonoran Strongman, 56-64.

³³Pesqueira to Minister Plenipotentiary, Guaymas, November 21, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 559.

³⁴Sam Houston, Deficiency Bill, A Mexican Protectorate, Washington, no date, Instituto Nacional de Antropología é Historia, Documentos inéditos sobre la reforma, I, 107.

self defense, would.³⁵ President Buchanan's confidential agent felt that if Houston triumphed it would catapult him to national prominence and probably to the White House.³⁶

Even the American minister to Mexico felt that some measure of United States control over that nation was essential for its own peace. He suggested that Americans infiltrate the Mexican army and control it, that the Mexican troops were docile and easy to manage. He also recommended colonizing the border areas and sea ports militarily. If this were accomplished, he asked,

Would we not enjoy all the advantages of annexation without responsibilities? Could we not secure to our compatriots the enjoyment of the rich Mexican resources without the danger of introducing into our social and political system the most ignorant people?³⁷

The Mexican government's protests against American filibusterism and expansionist designs grew loudest when they learned of President Buchanan's statements in his State of the Union address of 1858.³⁸ The Mexican Minister in Washington reported

³⁵Houston to Floyd, Austin, February 15, 1860, Correspondencia de la legación mexicana en Washington, I, 57; Owing to Houston's threats, the Secretary of State had to assure Mexico, as early as January of 1856, that the United States would not attack her. Marcy to Almonte, Washington, January 23, 1856, Manning, ed., Diplomatic Correspondence, IX, 197.

³⁶Duff Green to Cass, Austin, February 10, 1860, Manning, ed., Diplomatic Correspondence, IX, 1161.

³⁷Forsyth to Marcy, México, November 8, 1856, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 339-40; Forsyth to Marcy, México, November 15, 1856, Manning, ed., Diplomatic Correspondence, IX, 859.

³⁸President Buchanan to United States Congress, State of the Union Address, Washington, December 6, 1858, Moore, ed., The Works of James Buchanan, X, 253-56.

that President Buchanan had publicly proclaimed that Mexico was defenseless, that her destitute borders could not protect her, and that anyone, even thieves, could cross them without molestation.³⁹ J. H. Manero, the Mexican Consul in New Orleans, claimed that Buchanan had adopted the policies of President Polk, that this kind of talk was used merely to win votes to keep him in the White House, and that his were policies that approved vandalism and favored territorial increase at the expense of Mexico.⁴⁰ A report of the Ministry of Foreign Relations complained that "manifest destiny" policy continued to grip the President and that Mexico was having to pay for it.⁴¹

In respect to the specific acts of alleged filibusterism, the Mexican liberals were even more vocal. Their Minister to Washington demanded to know what right the military forces of Texas had to invade a sovereign nation, as Captain Callahan's men had done, and under whose authority had they destroyed an innocent city. He then assured Governor Santiago Vidaurri that his protest against the United States had been delivered and that all possible would be done to punish the invaders, make

³⁹Mata to Minister of Foreign Relations, New York, January 4, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 478. A similar reaction took place at the end of 1859 after Buchanan's third State of the Union Address. Mata to Minister of Foreign Relations, Washington, December 27, 1859, Correspondencia de la legación mexicana en Washington, I, 8-9.

⁴⁰Manero to the Minister of Foreign Relations, New Orleans, August 29, 1859, Instituto Nacional de Antropología é Historia, Documentos inéditos sobre la reforma, I, 212.

⁴¹Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 13.

restitution to those who had lost property, and prevent any repetition of such actions.⁴² The United States, however, claimed that Callahan had been invited into Mexico and that, therefore, it had no obligation to pay for injuries since Mexican forces, whenever invited, could do as much in the United States.⁴³ It further asserted that the Callahan party had been planned and organized in Texas for the protection of its citizens and that, therefore, it was a legitimate operation beyond acceptable complaint.⁴⁴

Governor Vidaurri registered his complaint more through action than words. As governor of Nuevo León, he took decisive steps to unite his state with that of Coahuila, in which the attacked town of Piedras Negras lay. This, he claimed would confront the filibusters with a better coordinated and prepared military force, that the union of the armed forces of Coahuila and Nuevo León would keep the adventurers under control.⁴⁵ American authorities showed both surprise and concern over Vidaurri's extreme measures and especially over his mobilization of forces

⁴²Almonte to Marcy, Washington, November 5, 1855, Manning, ed., Diplomatic Correspondence, IX, 791; Almonte to Vidaurri, Washington, November 16, 1855, as printed in El Siglo XIX, January 16, 1856; Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 93.

⁴³Marcy to Almonte, Washington, February 4, 1856, Manning, ed., Diplomatic Correspondence, IX, 199.

⁴⁴Gadsden to Arrioja, México, November 29, 1855, Ibid., 800-01.

⁴⁵El Siglo XIX, March 4, 1856.

at the border.⁴⁶ Then, when Vidaurri tried to communicate directly with American authorities, the liberals in Mexico began to criticize him, on the suspicion that he was cooperating with them.⁴⁷ Other suspicions arose when word reached Mexico City that Vidaurri was considering the formation of a new nation, the Republic of Sierra Madre, which might eventually be incorporated into the United States, and that he was cooperating closely with filibustering activities.⁴⁸ Such attacks on Vidaurri soon lost their edge, however, for they remained unsupported by fact, and the constitutional convention accepted his temporary union of the two states.

As Minister of Foreign Affairs, Melchor Ocampo bitterly accused the United States of being responsible for both vandalism and violent injustice. He also asked his own government to act with all deliberate speed to provide forces "to repulse and chastise such actions."⁴⁹ According to the American representative, Ocampo's successor, Miguel M. Arriola, continued the criti-

⁴⁶Gadsden to Marcy, México, November 5 and 17, 1855, Manning, ed., Diplomatic Correspondence, IX, 792-93 and 797.

⁴⁷Pezuela to Marcy, Washington, May 9, 1856, Ibid., 833; Gadsden to Marcy, México, November 5, 1855, Ibid., 792.

⁴⁸Diario Oficial, August 19, 1856; Luis García Arellano, speech to the constitutional convention, México, September 15, 1856, Zarco, Historia del congreso extraordinario, II, 310.

⁴⁹Ocampo to Gadsden, Cuernavaca, no date, and to the Minister of the Treasury, Cuernavaca, October 17, 1855, Angel Pola, ed., Obras completas de Melchor Ocampo (3 volumes; México: F. Vazquez, ed., 1901), 252-53.

cism of the United States and anti-American newspapers echoed his complaints.⁵⁰ Shortly, Arrijoja was claiming that the United States had broken the letter of the Treaty of Guadalupe Hidalgo and the spirit of the Gadsden Treaty.⁵¹ It also asserted that no American state authority, such as Governor Eliasha M. Pease of Texas, had the right to order forces across an international border even when claiming direct invitation, for these remained "merely claims" since no substantial proof of invitation could "ever be produced." He refuted the American justification for destroying a Mexican town as a traditional defensive measure and turned a deaf ear to all pretexts offered by Texas and Washington.⁵²

At the constitutional convention Espiridión Moreno asserted that the border violations represented the efforts of a moribund and evil system to survive, and that Mexico needed to counteract such abuses or disorder or anarchy would result.⁵³ Later, a report of the Mexican government on the borderland situation disclaimed the innocence of the federal government of the United States, contending that it had authorized Fort Duncan to train

⁵⁰Gadsden to Marcy, México, November 17, 1855, Manning, ed., Diplomatic Correspondence, IX, 795-96.

⁵¹Gadsden to Marcy, México, December 5, 1855, Ibid., 806; Luis de la Rosa to Gadsden, México, January 10, 1856, Ibid., 815.

⁵²Almonte to Marcy, Washington, January 14 and 26, 1856, Ibid., 816 and 821.

⁵³Moreno, speech to the constitutional convention, México, May 30, 1856, Zarco, Historia del congreso extraordinario, I, 353.

her guns on Piedras Negras in defense of the filibusters, to keep the Mexicans out of their reach and out of the town.⁵⁴

Mexico's reaction to Zerman and his expedition was equally critical. The American minister to Mexico admitted that Zerman was a filibuster, that he had entered Mexico for purposes of conquest without the American government's blessing.⁵⁵ Taking that as a cue, the new liberal government charged that, without authorization, Zerman had actually captured his two ships on the high seas and placed the Mexican flag on them; that this constituted an act of piracy.⁵⁶ Zerman's reputation had further deteriorated when news reached La Paz and Mexico City that he was about to receive reinforcements and that these had already left California.⁵⁷ Finally, his name became involved with those who had assisted William Walker's earlier adventures in Baja Cali-

⁵⁴Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 93. This idea was also expressed in defending the acts of Vidaurri, by Ponciano Arriaga in his letter to Manuel Doblado, Monterrey, October 11, 1855, Genaro García, ed., La revolución de Ayutla segun el archivo del General Doblado [vol. XXVI of Documentos inéditos o muy raros para la historia de México] (México: Librería de la Vda. de Ch. Bouret, 1909), 236-37.

⁵⁵Gadsden to Arrijoja, México, November 16, 1855, Manning, ed., Diplomatic Correspondence, IX, 795.

⁵⁶Lerdo de Tejada to Forsyth, México, December 1, 1856, Ibid., 864; Mariano Macedo, José María Lacunza, José A. Cacheli, José Vargas, and Juan Morales, "La Expedición Zerman," México, November 25, 1857, in El Siglo XIX, December 19, 1857; Soto, Memoir, México, no date, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 113.

⁵⁷Pezuela to Marcy, Washington, February 12, 1857, Manning, ed., Diplomatic Correspondence, IX, 894-95; "Nueva Expedición Filibustera," editorial, El Siglo XIX, February 20, 1856.

fornia and Sonora.⁵⁸

Whereas Zerman insisted that he had received proper Mexican authorization to raise funds, munitions, and personnel to fight for the liberals, the liberal authorities themselves did not agree. President Juan Álvarez and Ignacio Comonfort admitted having authorized him to purchase munitions and raise funds for the liberal forces, but both strenuously denied any authorization to raise an army for other purposes.⁵⁹ According to Miguel Lerdo de Tejada, even if the American Minister to Mexico had not accused Zerman of piracy, his operations in San Francisco, activities upon the high seas, and the statements at La Paz would characterize him as one.⁶⁰ As Minister of Foreign Relations, Ezequiel Montes, admonished the American minister for involving himself in Mexican justice and political matters and especially for interfering in the Zerman case.⁶¹ Zerman's case continued to arouse Mexican reaction, as it remained unsolved

⁵⁸Tomás Spence, Francisco Sosa, and Ignacio de la Fuente, statement, Guaymas, December 8, 1855, El Siglo XIX, January 15, 1856; Gen. José María Yañez, undated statement in Vicente Riva Palacio, ed., México á través de los siglos: historia general y completa del desenvolvimiento social, político, religioso, militar, artístico, científico y literario de México desde la antigüedad más remota hasta la época actual (5 volumes; México: Ballesca y Compañía, Editores, 1888-89), V, 217-18.

⁵⁹Montes to Forsyth, México, January 21, 1857, Manning, ed., Diplomatic Correspondence, IX, 879-83; Muñoz y Pérez, ed., Juan Álvarez-documentos, 95.

⁶⁰Lerdo to Forsyth, México, December 1, 1856, Manning, ed., Diplomatic Correspondence, IX, 864-65.

⁶¹Minutes of a conference between Montes and Forsyth, México, April 21, 1857, Ibid., 913.

for a long period of time.

As for Henry A. Crabb, he had acted as a filibuster, according to Juan Soto, Minister of War and Navy, and had been treated accordingly. It was Soto's contention that Crabb had entered Sonora in the hope of influencing the leadership to seceded from Mexico and that his continual bragging that 900 men were on the way to assist him justified his being condemned as a filibuster.⁶² Manuel R. Pezuela cited Crabb's own advertisements in the San Francisco Bulletin and the National Intelligencer as proof that he was an admitted filibuster.⁶³ Other prominent liberals--Miguel Lerdo de Tejada, Comonfort, Zarco, and Luis Bossero--saw him as such and urged his full prosecution and condemnation to the death penalty.⁶⁴ An unsigned editorial in the ardently liberal El Siglo XIX, depicted the killing of Crabb and his followers, either in battle or in execution after a trial, as justified in that it prevented unlawful filibustering from becoming ennobled.⁶⁵ The statements of John Appleton and John Forsyth that Crabb and his followers had been executed without

⁶²Soto, memoir to the first constitutional congress, México, no date, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 115-16.

⁶³Pezuela to Marcy, Washington, February 18, 1857, Manning, ed., Diplomatic Correspondence, IX, 897.

⁶⁴Memorandum of an interview of Lerdo de Tejada and Forsyth, México, December 16, 1856, Ibid., 873; Comonfort to Joaquín Moreno, México, February 18, 1857, Manuscript of Ignacio Comonfort, García Collection, University of Texas at Austin; Zarco, editorial, El Siglo XIX, April 26, 1857; Luis G. Bossero, editorial, "Invasión de Sonora," El Estandarte Nacional, April 24, 1857.

⁶⁵"El Filibusterismo," El Siglo XIX, July 24, 1857.

a trial were rejected completely by Lerdo de Tejada, Bossero, and others on the grounds that both the national press and the authorities had reported the judicial proceedings.⁶⁶ Francisco Zarco contended that Mexican liberal leadership could not understand how, while the United States minister had called Crabb a filibuster,⁶⁷ many other Americans defended him in Los Angeles and San Francisco, and even in the congress.⁶⁸ It also seemed inconsistent to him that American statesmen should criticize Mexico. As a liberal who admired the United States for its foundation of justice and fair understanding, Zarco found this hard to either accept or understand.⁶⁹

In the case of Commandant William H. Porter, Governor Pesqueira claimed in his report that the entire incident had been merely another effort of the United States to take over the state of Sonora, which, he felt, was essential to American con-

⁶⁶Forsyth to Cass, México, April 24, 1857, Manning, ed., Diplomatic Correspondence, IX, 919; Lerdo de Tejada to Forsyth, México, December 16, 1856, Ibid., 873; Editorial, El Siglo XIX, April 26, 1857; Bossero, editorial, "Invasión de Sonora," El Estandarte Nacional, April 24, 1857; Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 10, 55.

⁶⁷Forsyth to Cass, México, April 28, 1857, Manning, ed., Diplomatic Correspondence, IX, 917.

⁶⁸Silvester Mowry, William G. Gwinn, Henry P. Haun, Charles L. Scott, and others, to Mata, Washington, February 28, 1860, Correspondencia de la legación mexicana en Washington, I, 52; "Intelligences," "Captivity of an American Citizen," Washington, May 17, 1858, Thirty-fifth Congress, 1st Session, Instituto Nacional de Antropología é Historia, Documentos inéditos de la reforma, I, 119-20.

⁶⁹Zarco, editorial, "El Clamor Público," El Siglo XIX, July 16, 1857.

trol of the Pacific Ocean.⁷⁰ The reaction of Sonora, and especially of Guaymas, to the Porter incident was supported by the national government. Through José María Mata, its minister at Washington, it condemned both the acts and attitudes of Porter and Allden as attacks on a sovereign nation at peace and therefore not to be tolerated. Mata held the United States government responsible since Porter was an officer of its navy, giving the incident the appearance that the American armed force had joined in the process of attacking the Mexican Republic.⁷¹ The State Department acknowledged Mata's letter of criticism but offered no defense.⁷² The Sonoran citizens, who had experienced similar adventurism in the past, remained agitated by the audacity of Porter and Allden, but, according to some state and national officials, they were also imbued with a new sense of unity and of belonging to the Mexican nation.⁷³

In general the liberal national leaders expressed both deep concern and distress at the continuing American filibustering. Some felt that expeditions launched from Texas and California

⁷⁰Pesqueira to Mata, Guaymas, November 21, 1859, Correspondencia de la legación mexicana en Washington, I, 15-16.

⁷¹Mata to Cass, Washington, December 30, 1859, Ibid., 10; also in Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 563.

⁷²Cass to Mata, Washington, January 12, 1860, Correspondencia de la legación mexicana en Washington, I, 22.

⁷³Pesqueira and Monterde to Mata, November 21, 1859, Ibid., 14; Soto, report to the first constitutional congress, México, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 115.

represented the greatest danger and that this adventurism was aimed at provoking a confrontation between the two nations which would eventually gain for the United States more Mexican territory.⁷⁴ They knew that Texas had passed special laws in 1856 which had prohibited filibustering, but they were also convinced that those laws had never been enforced.⁷⁵ They saw Texas as the land of Sam Houston, who, first as a senator and then as a governor, had suggested for the protection of his state an American take-over of all or part of Mexico.⁷⁶ This made the national authorities wary of Texas and her people, so much so that when Texas volunteered assistance to the liberal cause during the War of La Reforma, President Juárez and his administration irrevocably refused to consider it.⁷⁷

It is significant that the only law calling for the death penalty which the liberal government had enacted throughout the

⁷⁴Ibid.; Memoria del Ministro de Relaciones Exteriores, Informe . . . del norte, 69-70.

⁷⁵Ibid., 70.

⁷⁶Cuevas to the Mexican legation in the United States, n.p., May 17, 1858, Instituto Nacional de Antropología é Historia, Documentos inéditos sobre la reforma, I, 111; Houston, Senate Deficiency Bill, "Protectorado Mexicano,: Washington, n. d., Ibid., 109; Pezuela to Manuel G. Zamora, Governor of Veracruz, Washington, February 21, 1858, Ibid., 92; Houston to Floyd, Austin, February 15, 1860, Correspondencia de la legación mexicana en Washington, I, 57.

⁷⁷Juárez to William R. Henry, Sheriff of San Antonio, Veracruz, August 3, 1858, Archivo Benito Juárez, Colección de Manuscritos de la Biblioteca Nacional de México, Ms. J., I - 26; Mata to Ocampo, Washington, May 6, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 595; Bossero, editorial, El Estandarte Nacional, January 9, 1857.

period was one dealing with the filibustering activity. It defined filibustering as any armed invasion of the national territory, by either Mexicans or foreigners, without a prior declaration of war. More specifically, it included all who caused public disturbances, and those attracted by such activities, for the purpose of destroying either national or private property by armed force. The punishment prescribed ranged from a fine to death, depending upon the position, rank, and extent of involvement of those tried and found guilty.⁷⁸

Even before this law was decreed by the Minister of Justice, the subject was drawing fire in the constitutional convention. To one delegate, Espiridión Moreno, filibusterism exposed the irony of Mexicans looking to the North for an example of a perfect republic.⁷⁹ Ignacio Ramírez, portrayed the United States in even harsher terms. He asserted that the ". . . people of Mexico desire neither the diamond-studded throne of Napoleon, swimming in blood, nor the rich booty that the United States divides each year, seized by the fruits of piracy and conserved by slaves. . . ."80

Melchor Ocampo saw filibusterism as an American sickness which needed curing. He suggested no remedy but urged that

⁷⁸Ezequiel Montes, decree, México, December 6, 1856, Dublán & Lozano, Legislación mexicana, VIII, 317.

⁷⁹Moreno, speech to the constitutional convention, México, November 18, 1856, Zarco, Historia del congreso extraordinario, II, 274.

⁸⁰Ramírez, speech, México, July 7, 1856, Ramírez, Obras de Ignacio Ramírez, I, 189.

greater efforts be made to stop it.⁸¹ Francisco Zarco, however, viewed filibusterism as incongruous with United States policy, asserting that the American nation sought democracy and liberty for all the peoples of the continent but, at the same time, irrationally permitted acts aimed at the conquest of Mexico.⁸² Mexico's Minister to France, Juan Antonio de la Fuente, expressed much the same idea.⁸³

Such liberal military leaders as Minister of War and Navy, Juan Soto, and Governor of Nuevo León, Santiago Vidaurri, opposed filibusterism by mobilizing armies and by threatening war and death to those found guilty of trespassing the border with piratical purposes.⁸⁴ As for accepting the assistance of American volunteers in the War of La Reforma, the leadership continued to refuse it. President Juárez declined the aid of William R. Henry; Zarco, through editorials, opposed Crabb's coming

⁸¹Ocampo to Gadsden, Cuernavaca, n. d., Pola, ed., Obras completas de Ocampo, II, 252.

⁸²Zarco, editorial, "Congreso Hispano-Americano," El Siglo XIX, March 26, 1856.

⁸³De la Fuente, report of the Mexican legation to France, Paris, August 20, 1861, Archivo Histórico Diplomático Mexicano, Notas de Juan Antonio de la Fuente: Ministro de México cerca de Napoleón III (México: Publicaciones de la Secretaría de Relaciones Exteriores, 1924), 9-10.

⁸⁴Soto, memoria, México, n. d., Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 111-13; Vidaurri to Colonel Ignacio Zaragoza, Monterrey, March 13, 1859, Ignacio Zaragoza, Epistolario de Zaragoza-Vidaurri, 1855-1859 (México: Sociedad Mexicana de Geografía y Estadística, Sección de Historia, 1962), 78; Vidaurri to Almonte, Monterrey, November 16, 1855, El Siglo XIX, January 22, 1856.

to help; Ponciano Arriaga accused him and his followers of being invaders and challenged other liberals to rise and wage war against them.⁸⁵

To the liberal administration--Juárez, Ocampo, Ruiz, and Lerdo de Tejada--the United States had abused Mexico beyond acceptable grounds. It was therefore necessary to establish and maintain vigilance, raise the alarm when needed, attack those who would disturb the nation, and destroy them. The government declared that it was seeking through all the means available to end forever the infamous attacks.⁸⁶

As in other areas of aggravation from the north, the liberal regime was unable to employ sufficient force to deter filibusterism. The insurrections it faced from the outset in 1855 and, especially, the three-year civil war which broke out in 1858, absorbed its military energies and left it with little more than a verbal defense with which to confront the continuing intrusions. The liberals waged their war of words not only through diplomatic channels, congressional oratory, and newspaper editorials, but also in severely punitive legislation and judicial prosecution. In the case of liberal reaction to this American provocation the

⁸⁵Juárez to Henry, autographic note, n. d., Archivo Benito Juárez, Colección de Manuscritos de la Biblioteca Nacional de México, Ms. J., I - 26; Zarco, editorial, "La Frontera del Norte," El Siglo XIX, April 12, 1856; Arriaga to Doblado, Monterrey, October 11, 1855, García, ed., Revolución de Ayutla según el archivo del general Doblado, 237.

⁸⁶The Constitutional government to the nation, manifesto, Veracruz, July 7, 1859, Pola, ed., Discursos y manifestos de Juárez, 225-26; Memoria del Ministro de Relaciones Exteriores, Informe . . . del noroeste, 8, 10.

issue involved not mere philosophic principle or partisan expediency but the integrity and security of the nation itself. Therefore, although the protests centered on legal and moral violations, they really reflected national desperation. As the aggressive adventurism was more often condoned than restrained by the United States government, the prospect of still another loss of territory and sovereignty appeared to the Mexican liberals as a real present danger.

CHAPTER VII

AMERICAN ECONOMIC ENTERPRISE

After thirty-four years of political independence the Mexican Republic had experienced almost no economic development. In fact, her mining industry, roads, and public revenues had actually deteriorated, and, in general, the nation still labored under a colonial economy. One of the principal aims of the liberal administration of 1855-1861 was to break the grip of this economic stagnation and, through the encouragement of free enterprise, to advance the nation's commerce, industry, and agriculture. It recognized in the United States a splendid example of what could be accomplished along these lines by a former colony and also a convenient source of the financial and technical assistance which would be required. However, it also saw in the neighbor to the north a long-standing threat to Mexico's political autonomy and territorial integrity. How the Mexican liberals reconciled these disparate roles of the United States is the subject of this chapter.

Conditions in Mexico were chaotic even during the decade of peace between the American invasion and the War of La Reforma. Former soldiers, vagabonds, common thieves, cut-throats, hostile Indians, and filibusters roamed the countryside, making life miserable and commerce impossible. Agricultural production supplied little beyond local needs. The fabulous mineral wealth

of colonial times was depleted, the shafts flooded, and the entire mining industry in decay for lack of new technology. Commerce stagnated as deteriorating roads, Indian depredations in the north, and banditry in all sections paralyzed transportation. The economic condition of the nation appeared even more dismal when compared to that of the United States in the same period.

There the national economy flourished as new technology, a mobile labor force, and recently-acquired territory led to more venturesome investment. The agricultural frontier spread westward and the mining frontier eastward, from California through the present mountain states. The rapid expansion of the cotton plantation, wheat farm, and textile mill was overshadowed, for a time, by a bonanza of gold and silver. Moreover, transportation kept pace as roads, rivers, and railways also flourished. Eventually, individual enterprise outran the available resources of the nation, and American entrepreneurs turned to Mexico and the rest of Latin America. It became the public policy of the United States government to promote American economic enterprise in Mexico by every available means.¹

As early as 1853 the United States had pressed the conservative regime of President Santa Anna for American economic advantages, and some were conceded in the Gadsden Purchase Treaty. However, little actual development took place or was even en-

¹President Buchanan to the United States Congress, Third Annual State of the Union Address, Washington, December 19, 1859, Moore, ed., The Works of James Buchanan, X, 355.

couraged by that Mexican government.² The announcement of the Plan de Ayutla in 1854 and the subsequent revolution gave some Americans a renewed hope for profitable investment in Mexico.³ James Gadsden interpreted the revolution of 1855 as "a most signal triumph" for the United States. As he saw it, "through the liberal policy of the new government, we have already obtained that freedom of intercourse, and of commercial interchanges, with the removal of monopolies, prohibitions and duties on exportations by legislation," which he considered preferable to mere international agreement.⁴

Throughout the rest of that decade the United States followed a policy of developing and strengthening its commercial and industrial beachhead. When enterprising American citizens in Mexico felt the need of protection, they requested United States intervention, and at least one United States chargé d'affairs, Henry Ray de la Reintrie, recommended it.⁵ While asking for protection, however, the Americans enjoyed economic promise beyond

²J. Fred Rippey, "The Boundary of New Mexico and the Gadsden Treaty," Hispanic American Historical Review, IV (November, 1921), 724; Paul N. Garber, The Gadsden Treaty (Philadelphia: The University of Pennsylvania Press, 1924), Chs. II-IV.

³Gadsden, a Declaration, México, no date, Riva Palacio, ed., México á través de los siglos, V, 73.

⁴Gadsden to Marcy, México, November 5, 1855, Manning, ed., Diplomatic Correspondence, IX, 793.

⁵American Citizens of Durango to President Franklin Pierce (16 signatures), Durango, October 16, 1855, National Archives, Despatches from United States Consuls in Mexico City, 1822-1906, vols. IX-X, microfilm roll 5; Reintrie to Cass, Veracruz, November 6, 1859, Manning, ed., Diplomatic Correspondence, IX, 1134.

their dreams. The potential of wealth brought a growing desire by both Americans and Mexicans for a continuation of the peaceful and friendly relations that would enhance their mutual enrichment.⁶ Throughout the period, and even during Mexico's three-year civil war, American residents and their own government continued to see the underdeveloped nation as a source of great potential.⁷

In official circles American optimism was more cautious, as President Buchanan expressed it in 1858, ". . . this fine country, blessed with a productive soil and a benign climate, has been reduced by civil dissension to a condition of almost hopeless anarchy and imbecility. . . ." ⁸ A year later he still saw Mexico as a potentially rich and prosperous republic possessing extensive territory, a fertile soil, and an incalculable store of mineral wealth. He noted also that Mexico's Isthmus of Tehuantepec could provide interoceanic communication, between the Gulf

⁶Thomas Corwin, Special Minister of the United States, to Juárez, México, May, 1861, National Archives, Despatches from United States Ministers to Mexico, 1823-1906, vol. XXVIII: Manuel María Zamacona to De la Fuente, México, August 29, 1861, Archivo Histórico Diplomático Mexicano, La labor diplomática de d. Manuel María Zamacona como secretario de relaciones exteriores (México: Publicaciones de la Secretaría de Relaciones Exteriores, 1928), 66-67; Comonfort, manifesto to the nation, México, March 4, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 84.

⁷For more on this point, see David M. Pletcher, "A Prospecting Expedition Across Central Mexico, 1856-1857," Pacific Historical Review, XXI (February, 1952), 21-41.

⁸Buchanan to the United States Congress, Second State of the Union Address, Washington, December 6, 1858, Moore, ed., The Works of James Buchanan, X, 254.

of Mexico and the Pacific, for easier world-wide travel and commerce.⁹ He admitted that Mexico would have to run certain risks in order to receive the foreign support necessary for economic development but insisted that without the risk, her commercialization and industrialization would never be attained.¹⁰

John Forsyth warned his government in 1857 that its people were losing their commercial and industrial drive in Mexico; that efforts had to be made to outdo Spain, France, Germany, and England. These nations, he reported, carried on more business than the United States, which did not even have an importing house in Mexico City.¹¹ This the United States could ill afford. President Buchanan insisted that both Mexico and Central America were essential to American growth and industrial development and would not be lost.¹²

Under this policy the United States took more forceful action to protect the persons, enterprises, and properties of its citizens in Mexico.¹³ Moreover, when the liberal government was

⁹Buchanan to the United States Congress, Third Annual State of the Union Address, Washington, December 19, 1859, Ibid., 357.

¹⁰Ibid.

¹¹Forsyth to Cass, México, September 29, 1857, Manning, ed., Diplomatic Correspondence, IX, 941.

¹²Buchanan to Congress, Second and Third Annual State of the Union Addresses, Washington, December 6, 1858, and December 19, 1859, Moore, ed., The Works of James Buchanan, X, 254 and 360.

¹³For examples, see Pezuela to Cass, memorandum, Washington, July 31, 1858, and Cass to McLane, Washington, March 7, 1859, Manning, ed., Diplomatic Correspondence, IX, 1016, 258; Mata to Minister of Foreign Relations, Washington, December 27, 1859;

forced to abandon Mexico City in 1858, the American government withdrew its recognition and granted it to the rival conservative regime, which now controlled the national capital. The latter circumstance was offered as an explanation, but one liberal, Justo Sierra, insinuated that the United States expected more concessions from the new regime, notwithstanding the pro-American statements and acts of the liberals.¹⁴

The liberals had welcomed and encouraged American enterprise before they lost control of the national capital and resumed the same policy when they regained it. Among the prominent beneficiaries was Edward Lee Plumb, whose earlier license to prospect for gold and silver during the Santa Anna regime was renewed by both President Álvarez and President Comonfort. His success led to his later appointment as his government's minister to Mexico.¹⁵ Other American concessionaires included the less successful John Sanders and such railroad promoters and engineers as D. R. Bisdom, Luke Lea, and Every Lyons, some of whom worked

Floyd to Buchanan, Washington, March 5, 1860; Mata to Minister of Foreign Relations, Washington, March 8, 1860, Correspondencia de la legación mexicana en Washington, I, 7, 55, and 51; John B. Wel-
ler, United States legation to Mexico, to Commodore G. L. Pender-
grast, Commander in Chief of the Home Squadron at Veracruz, México,
February 16, 1861, Despatches from the United States Ministers to
Mexico, 1826-1906, vol. XXVII.

¹⁴Forsyth to Ocampo, México, January 30, 1858, Tamayo, ed.,
Juárez: documentos, discursos y correspondencia, II, 346; Sierra,
Juárez: su obra y su tiempo, 173.

¹⁵Siliceo, decree, México, June 27, 1857, El Siglo XIX,
August 13, 1857; Fletcher, "A Prospecting Expedition Across Cen-
tral Mexico, 1856-1857," Pacific Historical Review, XXI (Febru-
ary, 1952), 21-41.

in concert with Mexican entrepreneurs. Many others obtained grants, concessions, patents, and permits to use special machines and implements, although some of the applications were denied.¹⁶

The liberal administration's encouragement of American economic enterprise was consistent with its publicly pronounced revolutionary aims. The Plan de Ayutla and its amendment at Acapulco both promised more national government effort to stimulate the lagging economy, and the Acapulco declaration asserted that one of the major concerns of the revolutionaries was to free, protect, and expand the nation's commerce.¹⁷ After gaining control of the government, moreover, the principal liberal statesmen reiterated their intentions. President Comonfort, President Juárez, cabinet members Ocampo and Lerdo de Tejada, and the Mexican minister at Washington, Mata, continued to stress the need for economic development.¹⁸ An indication of the new national emphasis was the pro-

¹⁶John Black to Gadsden, México, July 16, 1855, Despatches from United States Consuls in Mexico City, 1822-1906, vols. IX-X, microfilm reel 5; Gustavo Baz and E. L. Gallo, History of the Mexican Railway: Wealth of Mexico, in the Region Extending from the Gulf to the Capital of the Republic, Considered in its Geological, Agricultural, Manufacturing and Commercial Aspects: With Scientific, Historical and Statistical Notes (Translated by George F. Henderson; México: Gallo & Co., Editors, 1876), 14, 60, 91; D. R. Bisdorf to Juárez, Davenport, Iowa, December 20, 1860, Archivo Benito Juárez, Biblioteca Nacional de México, Ms. J., 2-68; Mata to Minister of Foreign Relations, Washington, February 16, 1860, Correspondencia de la legación mexicana en Washington, I, 38.

¹⁷Point 6, Plan de Ayutla, March 1, 1854; Point 7, Plan de Acapulco, March 11, 1854, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 8, 16.

¹⁸Comonfort, Manifesto to the nation, México, March 8, 1857, Ibid., III, 84; Juárez, Ocampo, Ruiz, Lerdo de Tejada, manifesto, Veracruz, July 7, 1859, Pola, ed., Discursos y manifestos de Juárez, 237-38; Mata to the Minister of Foreign Relations, Washington, February 16, 1860, Correspondencia de la legación mexicana en Washington, I, 38.

motion of industrial expositions, the first of which was held in 1857 at the city of Aguascalientes.¹⁹

Economic development through private enterprise was so important to the liberals that they wrote it into the Constitution of 1857. Article 28 of Section I provided that:

There will be no monopolies, not any kind of special privileges, or prohibition of protective titles to the industries. The only exception shall be those related to the coinage of money, to the mails, and to other privileges which, for a limited time, the law would grant to the inventor or perfectionist of some improvement.²⁰

In the constitutional convention the delegates discussed the relative merits of protectionism and free competition and of controlling American enterprise without discouraging it. León Guzmán, Guillermo Prieto, José María Mata, Ignacio Ramírez, and Joaquín García Granados discussed the French, English, and American methods of taxation and their policies designed to balance free enterprise with essential national revenue.²¹

Some prominent liberals openly expressed a desire to emulate the United States in industrialization. Santos Degollado urged not only that Mexico follow the American pattern in economic development, but that she encourage greater private investment and establish limits on government taxation and monopolization of economic enterprise. Benito Juárez suggested international co-

¹⁹El Siglo XIX, June 7, 1857.

²⁰"Constitución federal de los Estados Unidos Mexicanos," Section I, Article 28, Zarco, Historia del congreso extraordinario, II, 997; also in Leyes de reforma, 61.

²¹Debates at the constitutional convention, México, October 7, 1856, Zarco, Historia del congreso extraordinario, II, 405-10.

operation as a means to solve the problem of national monopolies; José María Iglesias proposed the colonization of idle lands and those devastated by Indian depredations to stimulate economic growth; José María Mata advocated placing the natural resources at the disposal of all Mexican, and even American, developers; and Ignacio Ramírez suggested that although the Mexican economic dream had been interrupted by historical events, its realization lay in the hands of leaders who could encourage individual talent and resourcefulness, like the American authorities had done.²² To Manuel Doblado, former governor of Guanajuato, the civil war was Mexico's chief handicap to commercial development but other drawbacks were the egoism of its leaders and the lack of national pride.²³ President Juárez blamed the lack of industry in Mexico for the absence of moral concern in the distribution of government revenue, at both the national and local level.²⁴

Juárez, Ocampo, Ruiz, and Lerdo de Tejada expressed a strong conviction that only with industrialization and other economic de-

²²Degollado, proclamation to the Federal Army, Colima, March 30, 1858, Torre Villar, ed., Triunfo de la república liberal, 57; Juárez, response to speech of United States Minister, México, January 30, 1861, Despatches from United States Ministers to México, 1826-1906, vol. XXVII; Iglesias, decree, México, March 13, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 260; Mata to Ocampo, Washington, May 19, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 597; Ramírez, speech, México, September 16, 1861, Ramírez, Obras de Ignacio Ramírez, I, 139.

²³Doblado, Manifesto to the citizens of Guanajuato, San Luis Potosí, August 12, 1859, Torre Villar, ed., Triunfo de la república liberal, 117.

²⁴Juárez, proclamation, Veracruz, October 31, 1858, Ibid., 84.

velopment could Mexico survive her current crisis. They felt that the best history could say of them was that they had done all in their power to enhance the fortunes of Mexico.²⁵

The policy of economic development and emulation of the United States met near disaster during the War of La Reforma. From 1858 to 1861 the national capacity to guarantee safe-conduct of people and property became eroded, and the United States demanded even more forcefully than before the right to protect her people and enterprise in Mexico. It argued that Mexico had not and could not secure her roads and that, therefore, she should allow the Americans to do it. It further contended that such protection would bring Mexico not only the desired prosperity but also incalculable other advantages through the improvement of property and the establishment of additional industries; that American protection would also guarantee the investors their fifteen-percent interest, as promised by treaty, and more important, would induce other investors to participate in a peaceful and prosperous enterprise within Mexico.²⁶

In the treaty negotiations of 1859, the American envoy reported that the Minister of Foreign Relations, Ocampo, opposed for practical reasons any Mexican protection of American enterprise.²⁷ In the McLane-Ocampo Treaty of that year, Mexico agreed

²⁵The Constitutional Government to the Nation, manifesto, Veracruz, July 7, 1859, Pola, ed., Discursos y manifestos de Juárez, 241-42.

²⁶McLane to Cass, Veracruz, April 7, 1859, and Cass to McLane, Washington, May 24, 1859, Manning, ed., Diplomatic Correspondence, IX, 261-64, and 271.

²⁷McLane to Cass, Veracruz, April 7, 1859, Ibid., 1038-39.

to American government intervention to protect private enterprise and public roads, but this concession was made more in desperation during the civil war than in keeping with normal policy. Perhaps it was to avoid American intervention that President Juárez's administration urged his military forces to special effort to keep the roads and towns clear and safe for commerce.²⁸

Even with adequate protection, Mexico's roads were inadequate for the demands of a growing economy. What was most needed to attract further investment and serve new industries was rail transportation. Railroads were almost totally non-existent at the time. The first line, from Veracruz to Mexico City had been planned since 1830, and its construction had begun in 1850, but scant progress had been made toward its completion, nor would be made until the achievement of internal peace. Nonetheless, the liberal administration began letting new contracts, and at least nine such concessions were granted in 1856 and 1857, before the War of La Reforma broke out. Most of these were for railroads that would pass from or through Mexico City to smaller towns around the capital. Others were to pass from the American border to such interior cities as Monterrey or to such west coast seaports as Manzanillo. Still others proposed to go from coast to coast, such as that from Veracruz via Mexico City to Acapulco. Some of these allowed for the construction of short roads feeding a main line and serving towns of some importance. However, independent short

²⁸Juárez, Ocampo, Ruiz, Lerdo de Tejada, Manifesto to the Nation, Veracruz, July 7, 1859, Pola, ed., Discursos y manifestos de Juárez, 225-26.

routes, such as those between Querétaro and La Piedad, Chilpancingo and Acapulco, and Monterrey and Matamoros, were also projected.²⁹ No basic pattern appears to have existed, nor any attempt to serve only centers of maximum productivity, but, when ultimately completed, the new lines did stimulate the economy.

As in the United States, railroad building required much more than government permission. The companies demanded and the federal authorities granted subsidies in the form of land and money, navigation rights on existing rivers and canals, and other special privileges.³⁰ The land grants were usually issued in the form of a ninety-nine-year lease, dated from the completion of the project,³¹

²⁹For the Veracruz to the Pacific grant, see Congressional session of October 26, 1857, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 168. Other concessions were to Francisco Havarez for a railroad from Chilpancingo to Acapulco, México, February 24, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 788, and Legislación mejicana, colección completa de leyes, XII, 394; to Alberto C. Ramsey for a railroad from Punto Antón Lizardo to Acapulco, México, August 2, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, II, 275; to Luis Hammeken for a railroad from Mexico City to Tacubaya, México, August 13, 1856, Ibid., 294-95; for a railroad in El Bajío of the State of Guanajuato, México, June 1, 1857, Ibid., III, 648-49; to J. N. Moore for a railroad from the northern border to the Pacific between Altata and Manzanillo, México, August 25, 1857, Ibid., 771-72; to Estevan Zenteno and José Dionisio González for a railroad between Matamoros and Monterrey, México, May 15, 1856, Legislación mejicana, colección completa de leyes, XII, 508; to a Mr. Gotschut for a railroad between Mexico City and the Llanos de Apam, El Siglo XIX, May 12, 1856; to Florez and Cendejas, for the railroad between Veracruz and the Pacific, México, September 26, 1857, Crónica Oficial, October 29, 1857.

³⁰Siliceo, decree, México, May 15, 1856, Legislación mejicana, colección completa de leyes, XII, 510.

³¹Siliceo, decree, México, February 23, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 79.

which provided the companies with a long period of revenue from sub-leasing the land. The companies had to submit specific plans to the federal authorities, meet certain minimum standards in the construction, and complete their projects within a specified period of time, but they were also given almost unlimited latitude in the operation of the completed lines.³² The liberal privileges which the government extended represented not only its commitment to free enterprise and the economic development of the nation, but also its conviction that the proliferation of railroads would shorten the civil war and unify Mexico forever.³³

The liberal regime also sought to promote mining, banking, and foreign commerce. In each of these developments the government adopted ideas and welcomed assistance from the American community. Mining had been a traditional occupation in Mexico, but war, rebellion, and the depletion of mineral deposits with the passing of time had resulted in large-scale deterioration and abandonment. Gold and silver production had always been profitable, but by 1855 coal, oil (aguas fociles), and non-precious minerals were in great demand in the industrial countries. By 1857 the liberal government was encouraging Americans to participate in exploring for these minerals.³⁴ As Minister of the Treasury, Miguel Lerdo de Tejada, eased the tax burden on the mining in-

³²Ibid.

³³Juárez, Ocampo, Ruiz, Lerdo de Tejada, manifesto, Veracruz, July 7, 1859, Pola, ed., Discursos y manifestos de Juárez, 237.

³⁴Siliceo, decree, México, June 27, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 685-86.

dustry by significantly reducing the rates on new machinery and certain other materials. Other branches of the government also extended preferential treatment to the industry,³⁵ and many of the beneficiaries were Americans.

To the liberal leadership, a strong banking system was essential for the development of the much-desired new industrial and commercial enterprises.³⁶ By 1857 such a financial structure had been developed and was in successful operation. In fact, President Comonfort credited it with making possible the railroad between Mexico City and Guadalupe-Hidalgo. To facilitate still further the financing of American economic development in Mexico, the government began to seek agents to represent the Mexican bank in the United States. It hoped that these agents would lure new enterprises, provide them with loans, and coordinate efforts in both countries.³⁷

³⁵Lerdo de Tejada, decree, México, November 14, 1856, Ibid., II, 513-14; Siliceo, decree, México, January 28, 1856, Ibid., I, 509-11; Siliceo, decree, México, February 23, 1856, Legislación mejicana, colección completa de leyes, XII, 395; Siliceo, decree, México, February 1, 1856, El Siglo XIX, February 9, 1856; Editorial, El Siglo XIX, February 17, 1856.

³⁶Siliceo, decree, México, July 25, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 710-36; El Siglo XIX, September 5, 1857; Hernández Rodríguez, Ignacio Comonfort, 49.

³⁷Comonfort, Message to the Congress, México, October 8, 1857, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 79; República Mexicana, Informes y manifiestos de los poderes ejecutivo y legislativo de 1821 a 1904 (3 volumes; México: Imprenta del Gobierno Federal, 1905), I, 440; Mata to the Minister of State, New Orleans, April 15, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 431; Editorial, El Siglo XIX, September 6, 1857; Ibid., September 8, 1857 and September 12, 1857.

The stimulation of international trade appeared to be as important to the liberals as the promotion of banking, and their efforts at encouraging it included not only the establishment of special ports of entry on the coast and inland but also the re-adjustment of tariff rates to more just and attractive levels. Smuggling and black-marketing continued to thrive, however, notwithstanding special agreements with the United States, stricter controls of the border, and confiscation of contraband goods.³⁸ Mexican authorities accused American businessmen at the border of resorting to all kinds of devices to enlarge the smuggling and evade the legal duties of Mexico. They also blamed the United States for doing little to control it and allowing it to become a cause for international disagreement.³⁹

The establishment and control of ports of entry was especially significant, as customs duties had long constituted the major

³⁸Editorial, El Heraldó: periódico industrial, agrícola, mercantil, August 5, 1855, in Despatches from United States Consuls in Mexico City, 1822-1906, Vol. IX-X; Lerdo de Tejada to Comonfort, México, June 28, 1856, Lerdo de Tejada, Documentos en las memoria presentada al Exmo. Sr. Presidente, 11; Forsyth to Marcy, México, September 29, 1857, Manning, ed., Diplomatic Correspondence, IX, 940-42; Carreño, La diplomacia extraordinaria, 118-19.

³⁹Lerdo de Tejada, Regulations of the Ministry of the Treasury, México, September 22, 1856, Dublán & Lozano, eds., Legislación mexicana, VIII, 248; Samuel P. Armstrong, Consul of the United States, to Marcy, Matamoros, October 25, 1856, Despatches of the United States Consuls to Matamoros, vols. IV-VI, microfilm roll 2; Manuel Payno to Custom Houses of the Nation, Order from the Treasury Department, México, December 23, 1857, Ibid.; P. Seuzeneau, Consul of the United States, to Cass, Special report, Matamoros, April 4, 1858, Ibid., vols. VII-IX, microfilm roll 3; Seuzeneau to Cass, report, Matamoros, April 14, 1858, Ibid.

source of government revenue in Mexico. Fortunately for the liberals, their control of Veracruz, the major seaport, assured them of most of that revenue throughout the War of La Reforma. In 1859, President Juárez and his cabinet called for radical reforms in the customs service. The aim was to eliminate the favoritism of traditional special interests, some of which dated from colonial times and were still retarding the development of national wealth, and to protect the new national industries with higher tariff rates on the goods entering the nation in competition with their products.⁴⁰

Although the liberals sought to protect the new industries from foreign competition, they wished to expand Mexico's foreign commerce in general. Manuel Siliceo urged the enlargement of trade with all nations, but Miguel Lerdo de Tejada pressed for the retention of the United States as the most favorable nation. The hope of the entire liberal leadership was that Mexican goods could be produced in sufficient quantities for profitable export.⁴¹

An important step that was needed for the development of foreign commerce, investment, and industrialization in Mexico,

⁴⁰Juárez, Ocampo, Ruiz, and Lerdo de Tejada, decree, Veracruz, July 7, 1859, Torre Villar, ed., Triunfo de la república liberal, 104.

⁴¹Siliceo, decree, México, January 6, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 438-39; Lerdo de Tejada, decree, México, September 22, 1856, Dublán & Lozano, eds., Legislación mexicana, VIII, 248; Juárez, Ocampo, Ruiz, and Lerdo de Tejada, the Constitutional government to the nation, decree, Veracruz, July 7, 1859, Pola, ed., Discursos y manifestos de Juárez, 230; Lerdo de Tejada, Memoria presentada al Exmo. Sr. Presidente sustituto de la república, 13-14.

was the removal of the alcabala. This excise duty, of colonial origin, was levied not only on the original sale but also on each successive exchange of goods and again at the crossing of international and state borders. Since it was compounded at every transaction and border crossing, it imposed a burdensome cost on commerce in general.⁴² The delegates at special constitutional congress of 1856-1857 sought ways to abolish it in response to the free-trade promises of the Plan de Acapulco.⁴³ However, the liberal government's requirement for immediate revenue outweighed its desires for free enterprise and future development, and the burdensome alcabala remained in effect for several years.⁴⁴

Another means the liberals adopted to promote economic development was the encouragement of foreign immigration, which had been so successful for prosperity in the United States. Early in 1856 the liberals went on record as favoring immigration to colonize the underdeveloped areas of the republic.⁴⁵ In order to

⁴²For more details on the alcabala see C. H. Haring, The Spanish Empire in America (New York: Oxford University Press, 1947), 287-89.

⁴³Manuel María del Llano and Trinidad de la Garza y Melo to the Governor of Nuevo León, Santiago Vidaurri, April 30, 1856, Zarco, Historia del congreso extraordinario, I, 283; Plan de Acapulco, Acapulco, March 11, 1854, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 16; Initiative of the State of Sinaloa to Lerdo de Tejada, México, November 25, 1857, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 225-27, Boletín Oficial, April 30, 1856.

⁴⁴Hernández Rodríguez, Ignacio Comonfort, 30; Valadés, Pensamiento política de Juárez, 158; Ocaranza, Juárez y sus amigos, 22.

⁴⁵Siliceo, decree, México, February 1, 1856, Dublán & Lozano, eds., Legislación mexicana, VIII, 95; Iglesias, editorials, El Siglo XIX, February 6 and March 5, 1856.

encourage foreigners to come, the government made it permissible for them to purchase urban or rural lands, develop mines, and enter into any legitimate enterprise.⁴⁶ If they desired, they could establish and develop industrial and agricultural enterprises. They could also purchase and establish their colonies on any unclaimed public land.⁴⁷

The liberal government did see fit to place several restrictions and responsibilities on the immigrants. Siliceo's decree of February, 1856, specified that, although they were to be treated as citizens, the foreigners who secured land would be subjected to all prior laws, decrees, and controls. They would be required to pay all legitimate taxes and would be entitled to no exemptions merely because they were foreigners. They would be obligated to military service whenever local authority, the preservation of order, or the public welfare required it.⁴⁸ If organized in corporate groups, they would be treated as national

⁴⁶Lerdo de Tejada to the Governor of Michoacán, México, December 19, 1856, Miguel Lerdo de Tejada, Documentos que se citan en esta memoria: memoria presentada al Exmo. Sr. Presidente sustituto de la república (Ignacio Comonfort) (México: Imprenta de Vicente García Torres, 1857), 147; Siliceo, decree, México, August 2, 1856, Legislación mejicana, colección completa de leyes, XIII, 62; also in Archivo Mexicano, Colección completa de leyes, decretos, circulares y otros documentos, II, 276.

⁴⁷Siliceo, decree, México, February 1, 1856, Dublán & Lozano, eds., Legislación mexicana, VIII, 95; Siliceo, decree, México, August 2, 1856, Legislación mejicana, colección completa de leyes, XIII, 62-63; Zarco, circular, México, January 20, 1861, Torre Villar, ed., Triunfo de la república liberal, 278.

⁴⁸Siliceo, decree, México, February 1, 1856, Dublán & Lozano, eds., Legislación mexicana, VIII, 95.

companies, without special rights or privileges and always subjected to the Mexican laws.⁴⁹ All such companies would be looked upon as Mexican organizations and could not ask, demand, or even consider the intervention of their mother country under any circumstances, under penalty of losing all of the rights and privileges already granted them.⁵⁰ It is apparent that as much as the liberals desired to develop the Mexican economy, they remembered well their experience with immigrants in Texas and the American spirit of "manifest destiny," which still lingered.

Notwithstanding a cautious attitude whenever national security might be involved, the liberal administration pursued a general policy of freeing Mexico's economy from its traditional restraints. It also felt it necessary to enunciate and justify the new policy from time to time. In 1856, for instance, Minister of State and Interior, José María Lafragua, declared that the nation had a moral responsibility to protect both individual and corporate rights, to establish fair and progressive regulation of foreign enterprise (so as to avoid the frequent protests of aliens), and to deal with both foreign and domestic enterprise in accordance

⁴⁹Siliceo, decree, México, August 2, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, II, 275-82; also in Legislación mejicana, colección completa de leyes, XIII, especially pages 62-63.

⁵⁰Siliceo, decree, México, August 13, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, II, 297; Siliceo, decree, México, March 27, 1856, Legislación mejicana, colección completa de leyes, XII, 118-19; Siliceo, decree, México, February 24, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 788; Siliceo, decree, México, August 2, 1856, Ibid., 277-82; Siliceo, decree, México, June 27, 1857, Ibid., III, 687.

with the philosophical ideas of the time, rather than of the past.⁵¹ President Comonfort promised industry, agriculture, and commerce his own protection and also the nation's financial assistance.⁵² He also came out in favor of consolidating the national debt, floating a new loan to refinance the government and thereby provide additional funds for new industry. This, he admitted, would increase expenses at first, but he was confident that the nation's new productivity would more than cover the additional cost.⁵³ Comonfort also recognized that Mexico's economic development required peaceful conditions, and after the outbreak of the civil war, President Juárez and his cabinet recognized how true this was.⁵⁴ When the conflict finally ended, Francisco Zarco, the leading publicist of the liberal cause, urged that peace be vigorously protected and that the government resume its efforts to free commerce, industry, and agriculture from all official restraints.⁵⁵

⁵¹Lafragua, decree, México, May 20, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, II, 80-92.

⁵²Comonfort, speech to the opening of Congress, México, October 8, 1857, República Mexicana, Informes y manifestos de los poderes ejecutivo y legislativo, I, 440.

⁵³Comonfort, manifesto, México, March 4, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 83; Diario Oficial, September 26, 1856.

⁵⁴Comonfort, manifesto, México, March 4, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 84; Juárez, manifesto to the Mexicans, Veracruz, October 31, 1858, Henestrosa, ed., Juárez, textos políticos, 31; Juárez, Ocampo, Ruiz, Lerdo de Tejada, decree, Veracruz, July 7, 1859, Torre Villar, ed., Triunfo de la república liberal, 104.

⁵⁵Zarco, circular, México, January 20, 1861, Torre Villar, ed., Triunfo de la república liberal, 278.

In summary, the liberal regime of 1855-1861 attempted in a variety of ways--by policy statements, legislative enactments, and administrative grants--to put its economic philosophy into practice, to lift the nation from bankruptcy by encouraging almost every phase of the economy. In keeping with the liberal doctrine of the century, it not only promoted new enterprise--especially in mining, commerce, transportation, and banking--through active measures, but also encouraged it with a passive policy of laissez faire. Consistent with their political and social aims, the liberals also stimulated the national economy by abolishing, or at least limiting, the historical monopolies and other restrictive privileges of feudalism and clericalism, thus favoring scientific and technological progress rather than seigneurial or theological restraint. In pursuing this course, the leadership of La Reforma emulated the United States, which it had resisted in so many other respects. By encouraging free enterprise in Mexico--both foreign and domestic--its authorities were following the economic liberalism of the "Colossus of the North." By favoring American investment, technology, and commerce, they were recognizing that the United States could become the salvation as well as the destruction of Mexico.

CHAPTER VIII

DIPLOMATIC EXPLOITATION

Although neither Mexico nor the United States was content with the treaties which they had signed in 1848 and 1853, the reformist regime in Mexico found itself at a particular disadvantage in its negotiations for a more satisfactory arrangement between 1855 and 1861, especially after the outbreak of civil war in 1858. Driven from the national capital, deprived of diplomatic recognition, and threatened with military defeat, the liberals had to negotiate from a position of weakness which was little improved from the foreign occupation and bankrupt dictatorship of the recent past. As a result, the liberal regime had to pay dearly once more for the little it received from its more powerful neighbor, and the reaction expressed by its adherents was understandably bitter and necessarily defensive.

Mexico's dissatisfaction with the Treaty of Guadalupe Hidalgo, which ended the war with the United States in 1848, was fully understandable. Through the terms it had been obliged not only to recognize the earlier American annexation of Texas but also to surrender other extensive northern territories and most of the people who inhabited them. These were the provinces of Alta California and Nuevo México. The latter included the present states of New Mexico, Arizona, Nevada, Utah, and portions of Wyoming and Colorado. In compensation, the United

States had paid Mexico fifteen million dollars plus the amount of the outstanding American claims against the Mexican government, guaranteed equality and special privileges to those Mexicans who remained in the ceded territory, and assumed responsibility for preventing her own Indians from raiding into Mexico. Finally, the treaty had provided for the removal from Mexico of the American occupation forces and for the establishment of immediate peace and eternal friendship between the two nations.¹

American dissatisfaction with the arrangement stemmed from her failure to acquire Baja California, interoceanic transit rights across the Isthmus of Tehuantepec, and (shortly) the Mesilla Valley. The United States also soon regretted her assumption of responsibility for the depredations of her Indians.²

When a new treaty was negotiated five years later, Mexico was again at a disadvantage. Although the United States was in need of additional territory for a southern railroad route to the Pacific Coast and made the first overtures, Mexico was even more sorely in need of financial aid. Antonio López de Santa Anna, who had become President of Mexico again in April of 1853--this time with almost unlimited authority--was in desperate need of funds to support his lavish regime. Recognizing the circumstances of both nations, James Gadsden, the United States Minister to Mexico, suggested an American purchase of the desired territory

¹Treaty of Guadalupe Hidalgo, February 2, 1848, Bevans, ed., Treaties and Other International Agreements, IX, 791-806.

²Fuentes Mares, Juárez y los Estados Unidos, 19-23; Rippey, The United States and Mexico, Chapters IV and VI; Spicer, Cycles of Conquest, 245-46.

as a solution to both problems.³ At first President Santa Anna refused the offer, but before the end of the year, the budgetary deficit of his regime came to outweigh his own patriotic considerations, and the Gadsden Treaty was signed.

In this agreement Mexico not only ceded the Mesilla Territory, to the south of the Gila River (now known as the Gadsden Purchase), but also granted the United States extensive transit rights across the Isthmus of Tehuantepec and released her from her obligations--under Article XI of the Treaty of Guadalupe Hidalgo--to restrain American Indians from crossing the new international line. For these considerable concessions the United States agreed to pay Mexico the sum of ten million dollars, of which seven million were to be paid immediately upon the exchange of the ratifications of the treaty, and the remaining three million as soon as the new boundary was established.⁴

It is easy to understand how the United States was able to acquire the extensive concessions of the Treaty of Guadalupe Hidalgo, for she was in military control of Mexico's heartland at that time. In the Gadsden negotiations, however, Mexico suffered from neither conquest nor even the threat of war. Instead, her strength at the conference table was sapped from within by the exorbitant financial needs and the unprincipled will of her own dictator. And so, for a comparatively modest monetary consideration, Mexico gave up additional territory, sovereignty

³Callahan, American Policy in Mexican Relations, 215-17.

⁴The Gadsden Treaty, Mexico City, December 30, 1853, Bevans, ed., Treaties and Other International Agreements, IX, 812-16.

over the Isthmus, and protection on her northern border. Moreover, the treaties of both 1848 and 1853 left her with a deeply wounded national pride and with a conscious awareness that her more powerful neighbor was still not satisfied with its recent territorial gains.

There was another reason for Mexico's continued uneasiness. From 1855 to 1861 the United States persisted in its exploitation of Mexico's weakness through aggressive diplomacy. Early in 1855 Secretary of State William Marcy warned the Mexican minister at Washington that in order to enforce the recent treaty arrangements for the security and protection of the international border, "the United States Government has not hesitated to dispose of two-thirds of its whole available military force along the lines of Texas, New Mexico, and California. . . ." ⁵ In the following year the American minister to Mexico recommended that, in order to protect American citizens and collect their claims for damages, the United States should conclude a treaty that would "in short" make Mexico "an American protectorate," for, as he asserted, no Mexican authority could ever succeed in ruling that nation without the total intervention of the American government. ⁶ He then reminded the next Secretary of State that American troops, in pursuit of hostile Indians and outlaws, had already crossed into

⁵Marcy to Almonte, Washington, January 8, 1855, Manning, ed., Diplomatic Correspondence, IX, 175.

⁶Forsyth to Marcy, México, November 8, 1856, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 339.

Mexico without informing the Mexican authorities.⁷ In 1857 the subject of a Mexican protectorate arose again in connection with the American control of raiding Indians, which, Secretary of State Lewis Cass suggested, could be much improved if the United States had control of the attacked territory.⁸ In 1859 the American minister to Mexico reported that an American protectorate of Mexico was now feasible and that any opposition to it from within Mexico would be merely partisan and sectional, particularly in the northern states of Nuevo León and Sonora.⁹

By 1858 President Buchanan had lost faith in the conservative regime at Mexico City. In that year he told Congress that were it not for his expectation that the liberals would grant fuller protection to American citizens and property, he would have immediately asked for the authority "to take possession of a sufficient portion of the remote and unsettled territory of Mexico to be held in pledge until our injuries shall be redressed and our just demands satisfied. . . ." Specifically, he could think of no possible remedy or means of restoring law and order in northern Mexico than "for the government of the United States to assume a temporary protectorate over the northern portions of Chihuahua and Sonora, to establish military posts within the same--

⁷Forsyth to Cass, México, November 19, 1856, and September 15, 1857, Manning, ed., Diplomatic Correspondence, IX, 863 and 934.

⁸Cass to Forsyth, Washington, September 26, 1857, Ibid., 235. See also Twiggs to Thomas, New Orleans, January 13, 1859, U.S. House of Representatives, "Difficulties on the Southwest Frontier," House Executive Documents, No. 52, 36th Congress, 1st Session, No. 1050, p. 35.

⁹McLane to Cass, Veracruz, November 5, 1859, Manning, ed., Diplomatic Correspondence, IX, 1225.

and this I earnestly recommend to Congress."¹⁰ In the following year he told the same body that he had reluctantly come to the same conclusion reached by the American minister to Mexico, that he should ask Congress to authorize an armed intervention in behalf of the aggrieved American citizens.¹¹

Although the demands of the United States were ostensibly for the purpose of protecting the persons and property of American citizens in Mexico, they all too often insisted on additional control of Mexican territory, whether under a protectorate, a lien, a lease, or an outright cession. The territory coveted was northern Mexico in general and Baja California, Sonora, and Chihuahua in particular.¹² At one point, early in 1858, the United States offered the recently deposed Ignacio Comonfort a loan of \$600,000 on the understanding that, when he might regain the Mexican presidency, he would arrange for a cession of territory.¹³

¹⁰Buchanan to Congress, Washington, December 6, 1858, Moore, ed., The Works of James Buchanan, 253 and 255-56.

¹¹Buchanan to Congress, Washington, December 19, 1859, Ibid., 356-57.

¹²See especially Cass to Forsyth, Washington, July 15 and 17, 1857, Manning, ed., Diplomatic Correspondence, IX, 235; Forsyth to Cass, México, November 8 and 18, 1857, Ibid., 863-64 and 946; Cass to McLane, Washington, March 7, and July 30, 1859, Ibid., 274; McLane to Cass, Veracruz, June 22, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 600; McLane, "Reminiscences, 1827-1879," as printed in Jorge L. Tamayo, ed., Epistolario de Benito Juárez (2nd edition; México, D. F.: Fondo de Cultura Económica, 1972), 194.

¹³Forsyth to Cass, México, January 14, 1858, Manning, ed., Diplomatic Correspondence, IX, 963. Although nothing came of this offer, since Comonfort was never restored to power, the United States shortly attempted a similar arrangement. McLane to Cass, México, July 12, 1859, Ibid., 1109.

It was clear to the United States that she could readily pursue an aggressive diplomatic policy toward Mexico. The leadership of that country, whether liberal or conservative, needed American good will, assistance, and cooperation.¹⁴ In fact, a succession of American ministers reported that the Mexican authorities were weak inferiors, incapable of surviving politically on their own.¹⁵ In retrospect, a prominent Mexican historian has concluded that the policy and diplomacy of the United States throughout this period was influenced by her feeling and expression of superiority.¹⁶

When the conservative military forces seized Mexico City and the liberal civilian authorities fled, in January of 1858, the superiority of the American bargaining position was even more apparent. Now, for maximum advantage to herself, the United States could play the new regime at Mexico City against the refugee government which presently established itself at Veracruz. This was especially true since victory for one regime over the other depended in large part on American recognition and assistance.

By vacating the national capital the liberals had temporarily lost favor with the United States, which almost immediately entered into negotiations with the new conservative regime. The

¹⁴Forsyth to Marcy, México, November 8, 1856, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 338.

¹⁵Gadsden to Marcy, México, April 5, 1856, Manning, ed., Diplomatic Correspondence, IX, 828; Forsyth to Cass, México, September 26, 1857, Ibid., 937; McLane to Cass, Veracruz, November 5, 1860, Ibid., 1224.

¹⁶Fuentes Mares, Juárez y los Estados Unidos, 119-20.

American price for full recognition, however, was high, involving a Mexican cession of additional northern territory. John Forsyth, the American emissary, made it clear to General Félix Zuloaga, the provisional President at Mexico City, that he, Forsyth, would exert his best effort to accomplish "the objects contemplated by my instructions in reference to a new boundary" and that he would spare no means "to take advantage of the changing conditions of affairs in Mexico, to fulfill the wishes of my government."¹⁷ When the Zuloaga administration refused to trade national territory for diplomatic recognition, the United States extended a similar offer to the liberal regime.¹⁸

American diplomatic exploitation was also apparent in her extending of financial aid to Mexico. In 1857 a treaty was arranged in which the United States would lend the Comonfort administration fifteen million dollars. However, seven million of the loan, at four percent interest, was to be guaranteed by thirteen percent of Mexico's annual customs receipts, three of these seven million would remain in the United States to settle American claims against the Mexican government, and the other four million would go toward retiring Mexico's English debt. Mexico itself would receive only eight million of the full loan, and this, carrying an interest rate of four percent, would be guaranteed by twenty

¹⁷Forsyth to Cass, México, January 30, 1858, Manning, ed., Diplomatic Correspondence, IX, 955-56.

¹⁸McLane to Cass, Veracruz, April 7, 1859, Ibid., 1151.

percent of her annual customs revenue.¹⁹ An even more unfavorable loan was negotiated in 1859 with private American bankers but through the supposedly good offices of William M. Churchwell, recently returned from Mexico as a special agent of the State Department. This was for a loan of a half million dollars in exchange for \$1,200,000 worth of Mexican bonds paying six percent interest and an additional \$750,000 from any funds the United States government might provide to Mexico in connection with a treaty. Harsh as the terms appeared to José María Mata, the Juárez administration's representative in Washington, he accepted them, for, as he said, he could see no other way to obtain the badly needed funds.²⁰

A continuing cause of strained relations in this period, as also in the past, was the real or imagined damage suffered by American persons and property in Mexico and the claims for compensation from the Mexican government which the State Department pressed in their behalf. Most of these arose from incidents of common occurrence in countries where government itself was violently contested and where foreign interference was intensely resented: insults to diplomatic personnel, damage to foreign-owned property in zones of combat or turmoil, real or alleged atrocities committed on the aliens themselves, and the endangering of contractual rights and privileges. In each such instance

¹⁹Forsyth to Montes, Treaty of Loan and Anticipation of Duties, México, February 10, 1857, Ibid., 892-93.

²⁰Mata to Ocampo, Washington, May 6, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 594-95.

the United States expressed its objections and pressed its claims in strong and sometimes threatening terms.²¹ In respect to the damage claims, the American government usually insisted on full payment as a condition of any treaty between the two nations. This had been the case for the Treaty of Guadalupe Hidalgo in 1848 and the Gadsden Treaty in 1853, and it was insisted on again in the proposed treaty of alliance in 1856²² and in the negotiations for the McLane-Ocampo Treaty of 1859.²³

Of particular interest to the United States after its acquisition of California was a shorter sea route between her east and west coasts than that around the distant cape of South America or through the stormy Straits of Magellan. By 1855 she had built an interoceanic railroad across Panama, but the less remote trans-isthmian route in Nicaragua and even nearer one in Mexico offered more economic and strategic advantage. In 1853 the United States had secured the right of transit across Mexico's Isthmus of Tehuantepec, by the Gadsden Treaty, and a contract to build a road, railway, or ship canal from sea to sea there had been made by her citizens with Mexico. However, the security and permanence of the concession remained in doubt. The American minister to Mexico feared that for the United States to consent to an annul-

²¹See especially Forsyth to Cass, México, September 26, 1857, Manning, ed., Diplomatic Correspondence, IX, 937, and McLane to Cass, Veracruz, April 21, August 28, and October 31, 1859, Ibid., 1055, 1123, and 1133.

²²Forsyth to Marcy, México, November 8, 1856, Ibid., 855.

²³McLane to Cass, Veracruz, July 10, 1859, Ibid., 1105-06.

ment of the Tehuantepec grant would be to justify Mexico's disregard of other treaty and convention provisions. So vital was the potential isthmian route to the United States that, he felt, any surrender of the concessions would be tantamount to treason.²⁴ According to one estimate, the retention of the transit rights were worth the American payment of at least a million dollars "if not another."²⁵ From his conversations with President Buchanan in 1858, the Mexican representative in Washington understood that the validity of the concession would be insisted upon as a condition for American recognition of the liberal regime at Veracruz.²⁶

If Mexico was vulnerable to an aggressive American policy before 1859, the crisis of that year rendered her particularly susceptible to diplomatic exploitation. The War of La Reforma had been going badly for the liberals since its beginning. Now a large conservative army was advancing on Veracruz from the central highlands, a flotilla of warships was being formed in Spanish Cuba to blockade it by sea, and the embattled liberal regime, although finally recognized by the United States, was in immediate danger of losing that technical advantage. A stronger treaty of friendship with the United States was therefore of vital importance.

Realizing that continuing American recognition and substantial

²⁴Forsyth to Cass, México, September 15, 1857, Ibid., 934.

²⁵Cazneau to Buchanan, Washington, June 5, 1858, reproduced as documentary photostat No. 3 in Fuentes Mares, Juárez y los Estados Unidos.

²⁶Mata to Juárez, Washington, July 2, 1858, Tamayo, ed., Epistolario de Benito Juárez, 156.

assistance were essential to the very survival of the liberal regime, the United States could once more demand a high price for these favors. At first the condition was a cession of additional territory--Baja California in particular--, but eventually this demand was scaled down to extensive right-of-way concessions and privileges for military intervention.

In April of 1859 Robert M. McLane, the American emissary, informed Melchor Ocampo, the Mexican Minister of Foreign Relations, that, unless the liberals granted the concessions demanded, they might risk losing American recognition.²⁷ What he did not perceive was that, as early as May, the liberals had decided that, as a last resort, they would mortgage the territory of Baja California in order to secure a loan which would carry their government through its current crisis.²⁸ Unaware of this, McLane reported a month later that he would no longer press for the cession of Baja California since Mexico had remained obstinately opposed to it.²⁹ Three days later, however, he told Ocampo that under no circumstances would the United States sign a treaty which did not grant considerable advantages to the American people and that Ocampo's demand for a guarantee of Mexico's territorial integrity was inadmissible.³⁰ By July, when the liberal military position

²⁷McLane to Ocampo, Veracruz, April 26, 1859, Pola, ed., Obras completas de Melchor Ocampo, II, 221.

²⁸Mata to Ocampo, Washington, May 19, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 600.

²⁹McLane to Cass, Veracruz, June 22, 1859, Ibid.

³⁰McLane to Cass, Veracruz, June 25, 1859, Manning, ed., Diplomatic Correspondence, IX, 1094.

was even more precarious, McLane reported that he could probably scale down the Mexican demands:

I think I can reduce the amount of five million [dollars to be paid to Mexico for concessions] to four million . . . which amount I do not think unreasonable in view of the great advantages which the free transit of merchandise from [the seaport of] Guaymas to Arizona offers to the United States.

He also thought he could reserve two of the four million dollars to pay American citizens for their claims against the Mexican government.³¹

As signed at Veracruz in December of 1859, the McLane-Ocampo Treaty bound the two nations more closely together economically and militarily and thus assured the beleaguered liberals of American support. Aside from a reciprocal trade clause, which allowed the duty-free importation into either country of the non-competitive natural products of the other, most of the provisions favored the United States.³²

By the terms of the agreement Mexico ceded to the United States, as she had done in the Gadsden Treaty, a perpetual right-of-way across the Isthmus of Tehuantepec for the construction of an interoceanic route of commerce. She now agreed to protect that artery, summoning American military assistance when required but dismissing it when no longer needed or desired; to permit the transit across the isthmus of American troops, munitions, and

³¹McLane to Cass, Veracruz, July 10, 1859, Ibid., 1105-06.

³²A copy of the treaty appears as an enclosure with McLane to Cass, Veracruz, December 14, 1859, Ibid., 1137-41. For the Spanish-language version, see Fuentes Mares, Juárez y los Estados Unidos (Appendix A), 227-34.

military supplies; to open ports at both terminals for the deposit of merchandise when the road was completed; and to levy no duties on foreign passengers or possessions using the road merely for interoceanic commerce.

Mexico also ceded in perpetuity a right-of-way across the northern part of the republic over two separate routes: from Nogales, on the Arizona border, to the Pacific port of Guaymas and from either Camargo or Matamoros, near the mouth of the Rio Grande, through Monterrey to the Pacific port of Mazatlán, with military transportation privileges on the Nogales-Guaymas route.

In other articles, American citizens in Mexico were granted total religious freedom and complete exemption from forced loans. To compensate Mexico for her loss of customs revenue from merchandise crossing the Isthmus of Tehuantepec, the United States was to pay her four million dollars, but two million of this was ear-marked for paying American claims. In a supplemental convention each nation was required to seek the aid of the other to protect its respective citizens and property and to enforce the treaty's provisions whenever it was unable to do so itself, and each was to extradite the criminals of the other who might be apprehended in the border area.

Although most of the provisions of the McLane-Ocampo treaty favored the United States, Mexico was in fact the principal beneficiary. All of the concessions she had made were cancelled before they took effect, for the United States Senate refused to ratify the agreement. Meanwhile, the American government, in the spirit of the treaty, employed her naval forces to intercept

the warships from Cuba which were sailing to support the conservative offensive against Veracruz. This intervention, together with President Juárez's confiscatory reform decrees of 1859, sapped the strength of the conservative regime and turned the tide of the civil war. On January 1, 1861, the victorious liberals reoccupied Mexico City. After the fact, the United States Minister claimed credit for much of what had happened, by having issued the request for American intervention.³³

The reaction of the Mexican liberals to American policy and to the several treaties between the two nations swayed back and forth between an eagerness to court favor with the United States and an open resentment of her apparent measures of exploitation. For the most part, they were expressing the hopes and despairs of a political movement which was fighting for its life, aspiring to reform and revitalize a nation that was divided from within and endangered from abroad.

Resentment of American non-compliance with the Treaty of Guadalupe Hidalgo was frequently voiced by the men of La Reforma. Ezequiel Montes, the Minister of Justice, condemned the United States for not living up to its treaty obligations to contain the Indians within her new borders.³⁴ Manuel Robles Pezuela complained of the damages committed by these raiders and of the

³³McLane to Cass, México, January 21, 1860, Manning, ed., Diplomatic Correspondence, IX, 1157.

³⁴Montes, circular, México, January 6, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 429.

attacks of American citizens on Matamoros.³⁵ Francisco Zarco denounced the American ill-treatment of the Mexicans who remained in the American-annexed territory.³⁶ And José María Mata and Ezequiel Montes condemned the treaty itself for having given up the "sacred" soil of Mexico to foreign military invaders.³⁷

If the Treaty of Guadalupe Hidalgo was ill received, the Gadsden Treaty was even more so. Montes accused both the United States and former President Santa Anna of having committed acts which violated justice and Mexico's national dignity. The latter, he alleged, had broken his solemn oath of office and betrayed the nation.³⁸ Montes particularly deplored the provisions which released the United States from further responsibility of controlling her Indians.³⁹ This was especially disconcerting to Robles Pezuela and Acosta since the former had learned that the United States was interpreting this concession as being retroactive to the year 1848.⁴⁰

³⁵Robles Pezuela to Marcy, Washington, July 31, 1856, Manning, ed., Diplomatic Correspondence, IX, 841-42.

³⁶Zarco, speech to the constitutional convention, México, October 27, 1856, Zarco, Historia del congreso extraordinario, II, 492.

³⁷Mata, speech to the constitutional convention, México, April 7, 1856, Ibid., 120-21; Montes, decree, México, January 9, 1856, Ibid., 125-26.

³⁸Montes, decree, México, January 9, 1856, Ibid., 121.

³⁹Montes, circular, México, January 9, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 429.

⁴⁰Robles Pezuela to Marcy, Washington, July 31, 1856, Manning, ed., Diplomatic Correspondence, IX, 840; Acosta to Juárez, México, May 2, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 454.

Another source of Mexican resentment was that, while shirking her own treaty responsibilities, the United States was threatening Mexico with force to comply with hers, especially in respect to the protection of Americans and their property. Mata, reporting President Buchanan's State of the Union address of 1859, expressed shock that he had threatened Mexico with armed invasion for the benefit of American residents there and had done so with no consideration of Mexico's political difficulties.⁴¹ As Minister of Foreign Relations, Ocampo saw the concessions being granted to the United States in treaties as implementing her expansionist policies. Accordingly, he was unwilling to yield anymore of them.⁴²

For Mexican leaders to work with the United States without reservations remained difficult but, as many recognized, essential. It was clear enough to Manuel Bossero, Ocampo, and Santos Degollado, as well as to the United States, that for the liberals to survive, even in the face of the American policy of "manifest destiny," they needed American good will, assistance, and cooperation.⁴³ Throughout the period, however, the feeling was one of helplessness and total reliance upon the United States.⁴⁴ Matías Romero

⁴¹Mata to Minister of Foreign Relations, Washington, December 27, 1859, Correspondencia de la legación mexicana en Washington, I, 6.

⁴²Ocampo to McLane, Veracruz, July 9, 1859, Manning, ed., Diplomatic Correspondence, IX, 1103.

⁴³Bossero, editorial, El Estandarte Nacional, February 3, 1857; Ocampo to Degollado, Veracruz, December 15, 1859, García, ed., Don Santos Degollado [Vol. XI of Documentos inéditos o muy raros para la historia de México], 99; Ocampo to Juárez, Hacienda de Pomaco, January 19, 1861, Pola, ed., Obras completas de Melchor Ocampo, II, 145.

⁴⁴Lerdo de Tejada, report of an interview with Forsyth, México,

had publicly sounded the alarm that the nation was surrounded by danger from the United States and that Mexico was in no way prepared to fight "a colossus."⁴⁵ Benito Juárez himself expressed this feeling a few months later as he waited for the approval of treaties which he hoped would erase at least some of the danger.⁴⁶

At the constitutional convention the American policy and especially her desire for more Mexican territory was sharply criticized. Montes insisted that the Mexican constitutional principle had always been, and should continue to be, the recognition of the right of all nations to govern their own territories as they best saw fit. He accused the United States of not recognizing that principle and of dishonoring Mexico by taking her lands without her democratic consent, that is, by an affirmative popular vote. Zarco complained that the United States had exerted force against the Mexican people without cause and insisted that any attempt of the United States to obtain more land, under either the guise of a protectorate or by an actual cession, was immoral and unjust. Guillermo Prieto declared that the northern republic should be condemned for taking more land than she could easily absorb. He further claimed that the violator of a favorable treaty should never demand more from the abused party. Yet,

December 16, 1856, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 342; Acosta to Juárez, México, May 2, 1859, Ibid., 454; Ruiz, Biografía de Melchor Ocampo, 338.

⁴⁵Romero to Juárez, México, November 1, 1856, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 217.

⁴⁶Juárez to Romero, Oaxaca, April 4, 1857, Ibid., 244.

he felt that that was exactly what the United States was doing by abusing and "robbing" Mexico.⁴⁷

Of all the issues at stake, the most sensitive to the Mexican liberals was the cession of national territory. In 1855, at the outset of the Era of La Reforma, President Juan Álvarez had asserted that any cession of land to the United States would be degrading to Mexico and that, consequently, he would not sign any treaty with such a provision.⁴⁸ In the following year Minister of Justice Montes asserted that the issue involved the survival of the liberal administration itself, that the further alienation of national territory would result in the regime's loss of control over any part of Mexico.⁴⁹ Accordingly, the United States was informed that any such cession was totally out of the question.⁵⁰ In 1857 President Comonfort reaffirmed this position, reportedly to honor the promise to that effect enunciated in the Plan of Ayutla.⁵¹

As Minister of Foreign Relations, Sebastián Lerdo de Tejada held to the same position. He informed the United States that

⁴⁷Montes, Zarco, and Prieto, speeches to the constitutional convention, México, January 9 and October 27, 1856, Zarco, Historia del congreso extraordinario, I, 124, 493-94, and 488, respectively.

⁴⁸Álvarez to Ignacio Cumplido, n. p., September 25, 1855, Riva Palacio, ed., México á través de los siglos, V, 73.

⁴⁹Montes, circular, México, January 9, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 428.

⁵⁰Robles Pezuela to Marcy, Washington, July 31, 1856, Manning, ed., Diplomatic Correspondence, IX, 841-42.

⁵¹Forsyth to Cass, México, April 4, 1857, Ibid., 905.

Mexico would sign no treaty as long as the United States insisted on any territorial cession.⁵² From Washington, José María Mata explained to President Juárez that the conservative regime's opposition to such suggestions had served to cool its relations with the United States, but that if the liberals should hold to the same position, the United States would still have to recognize their government because of her other self-interests.⁵³ When Ocampo became Minister of Foreign Relations, he refused to recognize John Black as American consul, not only because of Black's previous connections with the conservative regime at Mexico City but also because he had reportedly urged it to cede a portion of the national domain.⁵⁴

The alienation of national territory was also a domestic issue. Shortly after the Revolution of Ayutla brought the liberals to power, the conservatives had accused them of offering the United States a lien on Baja California, Sonora, and/or Chihuahua as security for a loan. The liberal press labeled this charge mere partisan propaganda.⁵⁵ However, although the liberals had consistently opposed any such concessions, their misfor-

⁵²Lerdo de Tejada to Forsyth, México, September 12, 1857, Ibid., 927.

⁵³Mata to Juárez, Washington, July 2, 1858, Archivo Benito Juárez, Colección de Manuscritos Biblioteca Nacional de México, Ms. J., I - 32.

⁵⁴Ocampo, decree, Veracruz, April 23, 1859, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, IV, 25-26.

⁵⁵Bossero, "Un Negocio de Millones," editorial, El Estandarte Nacional, February 3, 1857.

tunes during the early stages of the civil war eventually induced them to soften their stand. In fact, by the beginning of 1859 the pressures of the conflict had caused both the liberals and the conservatives to consider the matter in their negotiations with the United States. In May of that year the liberals were willing to mortgage Baja California for an American loan.⁵⁶ Moreover, immediately after they had nationalized the ecclesiastical real estate of Mexico, they sent Miguel Lerdo de Tejada to the United States to offer these properties as collateral.⁵⁷ According to the American minister at Veracruz, however, the terms of the offer were actually prohibitive.⁵⁸

A less tangible but nonetheless important issue was the degree to which Mexico was becoming dependent on the United States. Several of the Mexican liberals entertained a real fear of this development and a conviction that the American government was exploiting at every turn the needs of their regime for diplomatic recognition and material assistance. To this precarious situation, however, the liberal press was more tolerant than the government itself.

Early in 1857 Bossero called upon his readers to try to

⁵⁶Mata to Ocampo, Washington, May 19, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 600.

⁵⁷McLane to Cass, Veracruz, July 12, 1859, Manning, ed., Diplomatic Correspondence, IX, 1108-09. For different interpretations, see Sierra, Juárez: su obra y su tiempo, 146-47; Fuentes Mares, Juárez y los Estados Unidos, 134; and Cue Cánovas, Juárez, los EE. UU. y Europa, 162.

⁵⁸McLane to Cass, Veracruz, June 25, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 648.

understand the American position and policy so as to improve relations between the two nations and thereby obtain at least some accommodation. He argued that even those treaties which favored the United States more than Mexico had a saving grace, that of strengthening the ties of friendship and advancing mutual interest.⁵⁹ An unsigned editorial in El Siglo XIX followed with a similar plea, for Mexico to seek more friendly relations by removing the present sources of international discord and discussing openly all potential irritants.⁶⁰ Meanwhile, however, the most influential liberal statesmen were sounding an alarm.

Benito Juárez felt in 1858 that Mexico had become hopelessly dependent upon the United States, that American funds were desperately needed to keep the nation afloat.⁶¹ In the following year, when the War of La Reforma began, the dispossessed liberal regime sent José María Mata to Washington with instructions to secure American recognition, borrow funds, negotiate a treaty of friendship and alliance, and make all possible other arrangements for American aid to assure an early liberal victory.⁶² To Melchor Ocampo, now Minister of Foreign Relations, the American response was sorely disappointing. In fact, Ocampo was led to believe that it was both selfish and immoral, that the United States would

⁵⁹Bossero, editorial, El Estandarte Nacional, February 3 and March 1, 1857.

⁶⁰Editorial, El Siglo XIX, May 4, 1857.

⁶¹Juárez to Romero, Oaxaca, April 4, 1857, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 244.

⁶²Ocampo to Minister of Foreign Relations, Guadalajara, n. d., Ibid., 355.

provide Mexico with badly needed assistance only after receiving every advantage which she herself desired.⁶³ Mata, confronted with an offer of a grossly unfavorable loan from private American bankers, justified his acceptance of it for lack of an alternative and urged its acceptance not only as a financial necessity but also as the basis for continued American recognition.⁶⁴ President Juárez and his cabinet urged patience with the United States but also stressed the necessity of protecting both the territory and the honor of Mexico.⁶⁵ Other liberals were far more resentful. Ignacio Pesqueira and Manuel Monterde had decided that American authorities did not ask Mexico for concessions, they "demanded."⁶⁶ Mata was convinced from his experience in Washington that for each instance of cooperation and assistance, the United States expected "a corresponding reimbursement." He even feared that the conservative regime at Mexico City might yet purchase American aid and recognition, thus reversing the recent attainment by the liberals of that advantage.⁶⁷

⁶³Ocampo to Minister of Mexico at Washington, Guadalajara, February 10, and to Mata, Veracruz, June 6, 1858, Ibid., 249, 383.

⁶⁴Mata to Ocampo, Washington, May 6, 1859, Ibid., 594-95.

⁶⁵Juárez, Ocampo, Ruiz, and Lerdo de Tejada, manifesto to the nation, Veracruz, July 7, 1859, Pola, ed., Discursos y manifestos de Juárez, 227; Torre Villar, ed., Triunfo de la república liberal, 103.

⁶⁶Pesqueira and Monterde to the Mexican Minister at Washington, Guaymas, November 21, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 553.

⁶⁷Mata to Minister of Foreign Relations, Washington, February 14, 1860, Correspondencia de la legación mexicana en Washington, I, 36.

In respect to Mexican claims against the United States, the liberals were alleging as early as 1855 that the American government was overlooking and setting aside these obligations while insisting on Mexico's payment in full of those lodged by her own citizens. Juan Nepomuceno Almonte, a hold-over at Washington from the recently deposed Santa Anna regime, reminded the United States of this unfair policy and also of the three million dollars still owed to Mexico under the terms of the Gadsden Treaty.⁶⁸ During the next two years the liberals also demanded payment for the damages arising from American Indian depredations between 1848 and 1853, and when the United States claimed exemption from those obligations by interpreting a clause in the Gadsden Treaty as being retroactive, the liberals submitted the dispute to international arbitration.⁶⁹ José María Lafragua considered the entire matter of claims as a major cause of friction with the United States and, as such, in dire need of solution.⁷⁰ Bossero warned that relations between the two nations would never be harmonized as long as the claims questions remained unsolved.⁷¹ More resentfully, Guillermo Prieto denied the right of the United States to demand more of Mexico than she did of herself, that she should not

⁶⁸Almonte to Marcy, Washington, November 3, 1855, Manning, ed., Diplomatic Correspondence, IX, 790-91.

⁶⁹Marcy to Forsyth, Washington, August 29, 1856, and Forsyth to Cass, México, April 4, 1857, Ibid., 214-15, 907.

⁷⁰Lafragua, circular, México, January 12, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, I, 441-42.

⁷¹Bossero, editorial, El Estandarte Nacional, March 1, 1857.

expect Mexico to live up to her treaty obligations while refusing to honor her own.⁷²

Liberal attitudes on the Isthmus of Tehuantepec transit concession were mixed. However, only José Antonio Gamboa, in 1856, and Matías Acosta, in 1859, expressed real skepticism over a partnership arrangement with the United States in the construction, use, and protection of the interoceanic railroad. They suspected that the United States meant to take over the isthmian route completely.⁷³ Meanwhile, most of the liberal leadership saw the project as a positive one for Mexico as long as her rights were safeguarded. According to Manuel Siliceo, the project would provide wealth for Mexico with equal rights for both Mexican and American citizens.⁷⁴ Bossero and Mata warned of the possibility that Americans would take undue military and commercial advantage of the Mexicans, but in neither case did they oppose the venture.⁷⁵ President Comonfort explained to the Mexican congress, as Siliceo had just pointed out, that even though the ports to be built at either end of the road were to remain under the complete control

⁷²Prieto, speech to the constitutional convention, México, October 27, 1856, Zarco, Historia del congreso extraordinario, I, 488.

⁷³Gamboa, speech to the constitutional convention, México, December 19, 1856, Ibid., II, 708; Acosta to Juárez, México, May 2, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 455.

⁷⁴Siliceo, decree, México, September 7, 1856, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 803.

⁷⁵Bossero, editorial, El Estandarte Nacional, April 28, 1857; Mata to Ocampo, Washington, May 19, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, III, 597.

of Mexico, they would serve to the benefit of both nations and therefore aid Mexico economically.⁷⁶

After the civil war began, Mata advised President Juárez from Washington, that since the Tehuantepec concession would redound to Mexico's benefit, the American companies should be granted the widest possible rights.⁷⁷ Miguel Lerdo de Tejada also favored enlarging the grant if necessary in order to assure the construction of the railroad.⁷⁸ Even Acosta, who opposed the proposal in its present form, admitted its economic advantages and endorsed it in principle, as long as it in no way infringed on the honor of Mexico.⁷⁹ Mata reiterated his earlier endorsement, arguing that, even though the goods in transit between the two seas would not be taxed as imports, they would pay Mexico transportation fees.⁸⁰

Surprisingly, the McLane-Ocampo Treaty, although the culmination of Mexican-American relations in the period, caused less lib-

⁷⁶Comonfort, message to congress, México, October 8, 1857, Buenrostro, ed., Historia del primer congreso constitucional de la República Mexicana, I, 80; Siliceo, decree, México, September 7, 1857, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, III, 802.

⁷⁷Mata to Juárez, Washington, July 2, 1858, Archivo Benito Juárez, Colección de Manuscritos de la Biblioteca Nacional de México. Ms. J., I - 32.

⁷⁸Lerdo de Tejada, decree, Veracruz, March 28, 1859, Archivo Mexicano, Colección de leyes, decretos, circulares y otros documentos, IV, 17-18.

⁷⁹Acosta to Juárez, México, May 2, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 455.

⁸⁰Mata to Ocampo, Washington, May 19, 1859, Ibid., III, 597.

eral reaction than the issues it attempted to resolve. According to Acosta, the Juárez administration was fully aware of the potential dangers to Mexico's sovereignty which the treaty contained but, in view of its advantages and the domestic crisis, favored it anyway.⁸¹ Ocampo maintained that the liberal regime's intention in doing so was not to bind Mexico as intimately as possible to the United States but merely to achieve a mutually advantageous solution of the outstanding problems.⁸² Outside of official circles, the only major reservation expressed was in Zarco's newspaper, and this related to procedural rather than substantive matters. The objection was only that an international agreement of major importance should not have been ratified by the President and his cabinet but that it should have awaited the election and convening of the new congress.⁸³

From the foregoing it is apparent that, throughout the Era of La Reforma, the Mexican liberals reacted to American diplomacy with mixed emotions. In the main they resented the exploitation of their own position of weakness. Yet, in their dire need for United States recognition and aid, they also yielded on most of the points at issue, though without infringement on either national honor or territorial sovereignty. They complained bitterly of the failure of their more powerful neighbor to comply with her

⁸¹Acosta to Juárez, México, May 2, 1859, Tamayo, ed., Juárez: documentos, discursos y correspondencia, II, 454.

⁸²Ocampo to McLane, Veracruz, July 9, 1859, Manning, ed., Diplomatic Correspondence, IX, 1103.

⁸³Editorial, El Siglo XIX, May 31, 1861.

obligations under the Guadalupe Hidalgo and Gadsden treaties while insisting on Mexico's fulfillment of hers. They likewise resented the open threats of armed intervention, the insistence on generous economic concessions and usurious terms for financial aid, and, especially, the demands for the cession of additional territory. However, recognizing their own dependence on American good will and assistance, they also sought an accommodation.

When a large number of the outstanding problems were tentatively resolved in 1859 by the McLane-Ocampo Treaty, this arrangement drew comparatively little comment from the liberals. Although bitterly denounced by the conservatives as an infamous surrender of national sovereignty and viewed in retrospect by some historians as a desperate concession of the same, required by the circumstances, the Juárez administration believed it had taken a calculated risk and achieved a significant victory. It considered the concessions it had been forced to make as minor ones in comparison with what it had gained. American naval support had turned almost certain defeat in the civil war into ultimate victory. More important, military victory had enabled the liberals to enforce the Constitution of 1857 and the reform legislation of the period throughout the republic, and this effected the most progressive change in the conditions of the Mexican people that they were to experience until the Revolution of 1910.

The liberal administration also realized that almost all of the concessions in the treaty had already been granted, at least in principle, by earlier agreements, and that Mexico was therefore

not yielding as much as it seemed.⁸⁴ Finally, since the McLane-Ocampo Treaty was rejected by the United States, after American aid had already saved the liberals, Mexico in fact conceded nothing.

The scant reaction of the liberals to this momentous agreement seems to have been due to several factors. Within the administration there was undoubtedly general sentiment that the treaty was the best arrangement possible under the circumstances. Any feeling to the contrary may have been concealed out of respect or loyalty to President Juárez. Outside of the government liberal attention was probably concentrated at the time on the drastic reform decrees of 1859 and the events of the civil war itself, for the text of the treaty seems not to have been made public until well after the American Senate had refused to ratify it. Then, of course, the issue was purely academic.

As for the American policy of the period in general, the Mexican liberal attitude was ostensibly an expression of moral principles but actually, although justice may have been most often on its side, one of pragmatic consideration, for partisan survival and national protection.

⁸⁴For the concessions that had already been made in other agreements, see Cue Cánovas, Juárez los EE. UU. y Europa, 90, and Sierra, Juárez: su obra y su tiempo, 176.

CONCLUSIONS

The years 1855 to 1861, encompassing the origins, course, and conclusion of the War of La Reforma, coincided with the years which immediately preceeded the American Civil War. In both Mexico and the United States the momentous conflicts were precipitated by an intense and uncompromising urge for reform in the face of equally unyielding resistance. In the former it was a contest of political parties; in the latter, of geographical sections. When solutions to the sectional problems of the northern republic called for political, economic, or territorial expansion at the expense of its southern neighbor, the liberal regime in the latter was torn between resisting the Americans and allying with them. Thus, although they pursued an essentially doctrinaire policy in their struggle with the conservatives, the Mexican liberals reacted with mixed emotions to their American problems, sometimes forsaking their partisan principles for apparently practical considerations.

To each American act of aggression or threatening policy statement the liberal leaders responded with moral indignation and legalistic objection, sometimes with obvious justification. Although they were struggling to establish and maintain a constitutional government based on lofty ideals, they were also fighting for their political lives. Similarly, although they argued passionately for international justice, they were neces-

sarily more concerned with the national security and economic development of the Mexican nation itself. Perhaps the zeal with which they voiced their sentiments was to compensate for their own insecurity in not really representing the aims and aspirations of the majority of the Mexican people. Even though they were able to raise an ultimately successful army and to gain an increasing popular support, they were unable to educate the impoverished masses in the precepts of their ideology. In fact, the latter remained wedded to traditional values and the institutions of the past. For immediate support, therefore, the liberal leadership looked more to the United States than to the apathetic lower classes of Mexico. In courting American aid, moreover, they sometimes stifled their own objections, granted compromising concessions, and accepted unfavorable treaties.

Although sharply critical of some American policies and institutions, the liberals saw in the United States a kindred spirit and potential ally in their drive to establish a federal republic and to promote the liberty, equality, and improvement of the individual. The constitution they promulgated and amended as well as the legislation they enacted sought to provide Mexico with the civilian government, religious freedom, universal education, equal justice, and individual economic opportunity which already existed north of the border. They stood united in opposition to military dictatorship, economic monopoly, class privilege, and church-controlled education, but they were divided on the degree to which they should emulate the United States. Some

more than others feared that too much identification with the institutions and policies of the American republic might result in slavish imitation and a consequent loss of national pride or even territory. Thus, they tempered their idealistic admiration of the United States with cautious, nationalistic reservations.

One American institution which the Mexican liberals rejected completely was slavery. They were in unanimous agreement not only on forbidding its existence within the nation but also in refusing to aid or abet its survival and, especially, its expansion abroad. They welcomed the admission of runaway American slaves, refused to extradite them, and deplored those American laws and policies which tolerated or protected human bondage. They railed against slavery on the platform and in the press, prohibited it in their constitution and statutes, and denied its protection in every international agreement they signed. To them it was incongruous that a liberal republic, as they considered the United States to be, would tolerate and even legalize such an inhuman institution. While basically moralistic and doctrinaire in their attitude toward this American practice and the policies which promoted it, the Mexican liberals were also pragmatic. They considered the Blacks who sought sanctuary in Mexico as potentially productive citizens and thus an asset to the nation. They also recognized that American slavery had to expand for its political protection and that the only new territory available for the creation of additional slave states was that of northern Mexico.

The hostile attitude of the liberals toward American Indian depredations in Mexico stemmed from nationalistic and practical, rather than idealistic or doctrinaire, considerations, even though much moralistic indignation was expressed over the refusal of the United States to live up to her international obligations. Marauding tribes crossed the border repeatedly, murdering and maiming Mexican citizens, destroying or carrying off their property, interrupting traffic and communications, and in general terrorizing the northern population and bringing the economy to the verge of collapse. Some of the liberal authorities viewed the failure of the United States to restrain her unruly Indians as a sinister attempt to debilitate Mexico's control over her northern territories and render them ripe for American annexation. Their suspicions intensified when they heard that citizens and even military personnel north of the border were purchasing the plunder from these incursions. Resentment in official circles ran particularly high during the three-year civil war, for each reinforcement of the borderland defenses required a corresponding sacrifice in the military effort against the conservatives, and in the latter struggle the survival of the entire reform program was at stake. Yet, with the abrogation in the Gadsden Treaty of United States responsibility for controlling her nomadic tribesmen, the liberals could protest only informally, charging the northern republic with ill-will and negligence rather than with any specific violation of a treaty.

In respect to the abuse of the rights of the Mexican Americans, as specified in the Treaty of Guadalupe Hidalgo, the lib-

erals had a more tangible basis for their protests. The United States, however, held that, notwithstanding her obligations under an international agreement, the treatment of her recently-acquired citizens was a purely domestic matter. Agreeing to this principle, though not to its abuse in practice, the liberals could express their indignation and demands for justice only through unofficial channels. For the same reason, their concern was largely emotional and doctrinaire, not nationalistic or pragmatic, for the deprived people whom they championed were no longer Mexican citizens. And yet, cultural ties and kinship compelled them to identify with their former compatriots, and so they viewed the mistreatment of the Mexican Americans north of the border as an actual affront against the Mexican nation.

The response of the Mexican liberals to American filibustering expeditions was, on the other hand, almost wholly nationalistic. As the aims of the private adventurers were seldom to undermine the reform program or to establish an alien doctrine but, instead, to infringe upon the sovereignty of the Mexican government, to profit at its expense, or to gain control of its territory, the liberals protested on the basis of patriotism. Although the incursions and interventions themselves were most often unauthorized by the United States government, many of the liberals looked upon them as officially inspired or, at least, condoned, especially since the publicly pronounced American policy continued to endorse territorial expansion and military intervention. The liberals considered filibusterism so dangerous to Mexico's national security that for this offense they imposed

the death penalty, which was rare in their requirements for justice.

Whatever their fears and suspicions of American aggression, either publicly or privately instigated, the liberals saw the positive benefits which their rich and powerful neighbors could provide, especially in the form of assistance in bolstering Mexico's sagging economy. Economic development through private enterprise, a means to enhance the dignity and welfare of the individual, was an essential tenet of nineteenth-century Mexican liberalism, and the rapid economic development of the United States offered both a model for emulation and the financial and technological wherewithal which such an advancement in Mexico would require. Moreover, while one liberal aim was to create an ideal economy, where the individual rather than the corporate monopoly or the state would prosper, another, more practical and nationalistic, was to relieve the nation, eventually, of its heavy dependence upon foreign loans and manufactures. For the present, however, the liberals unabashedly encouraged, invited, and even lured American investment by offering lucrative commercial, agricultural, industrial, and mining concessions. First enunciated in the Plan de Ayutla, the liberal policy of promoting free enterprise and stimulating economic growth was enacted into law by executive decree, congressional statute, and even constitutional requirement. Although some of the reformers insisted upon safeguards against undue foreign exploitation, most of them were more concerned with the ends than the means. They looked upon American commerce, investment, and technology as vitally

important in overcoming the conservative reaction, in deterring Indian and filibuster invasions, and in developing a viable nation capable of its own defense.

In its diplomatic relations with the United States the liberal regime pursued a policy that was both pragmatic and nationalistic, protesting each infringement on the national honor and sovereignty but never losing sight of the more vital objective: obtaining and preserving American recognition and support. Negotiating from a position of weakness throughout the period, the liberal leadership was obliged to yield on most of the issues. It had to pay the damage claims of American citizens without collecting those of the Mexicans, to borrow money on the most unfavorable terms, and to get along without any clear-cut American guarantee that it would remain in secure possession of its national territory. On the other hand, however, when it entered into the controversial McLane-Ocampo Treaty during the War of La Reforma, it gained the American support it required for ultimate victory over the conservatives, doing so by agreeing to embarrassing conditions which the United States herself shortly repudiated. At this critical stage, even those liberals who normally railed against yielding to the United States on any point involving national sovereignty maintained a discrete silence, leaving only the conservatives to condemn the treaty and sectional opposition in the United States Senate to nullify it.

In all, the attitude of the liberals in Mexico in their relations with the United States during the years of La Reforma

was neither uniform nor static. On some issues the liberals were united, and on others they were divided. On some problems they expressed doctrinaire idealism; on others, pragmatic nationalism. They tended to be most unanimous in their opinion when a major tenet of liberal doctrine was at issue, and least so when the problem was purely practical. Thus, they stood as one in their refusal to discourage or expatriate fugitives from American slavery, but they were of different minds on weighing the benefits and dangers to Mexico of economic concessions to American citizens. The political crisis within Mexico was such that the liberal leaders had either to do what was practical or to give way to the conservatives. Yet, it was the intensity of their idealism, as expressed in their Constitution of 1857 and reform legislation, that required them to remain at all cost in control of the national government.

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