# MEXICAN-AMERICAN DIPLOMATIC RELATIONS, 1825-1845: A STUDY IN DETERIORATING DIPLOMACY

By

CURTIS RAY REYNOLDS

Bachelor of Science

Oklahoma State University

Stillwater, Oklahoma

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Thesis Approved:

Thesis Adviser

(X)

Dean of the Graduate College

### PREFACE

The following pages contain a re-evaluation of Mexican-American diplomatic relations from 1825 to 1845, immediately prior to the outbreak of the Mexican War-a subject contemporary historians have long agreed needs updating. From the first accounts to the most recent scholarship, writers have been generally content to declare that the annexation of Texas and the claims of American citizens against the Mexican government were the two events that directly caused the war. burden of this study is to trace the steady deterioration of those relations relative to the issues between the two countries from its beginning, not as a single event but as a process--which required twenty years of deterioration before resorting to hostilities for settlement of This thesis attempts to analyze, and at times to question, differences. the formulation of the foreign policies of both countries and the efforts of their respective secretaries of state and their resident foreign ministers to carry them out.

The writer avails himself of the opportunity to express his sincerest appreciation to those outstanding members of the faculty of the Oklahoma State University History Department who gave so generously of their time in the preparation of this thesis. The writer owes a special debt of gratitude to Doctor Odie B. Faulk, the major thesis adviser, whose constant encouragement, infinite patience, and skillful curriculum planning assured the completion of this thesis. Further, the writer wishes to acknowledge his appreciation to Doctor H. James Henderson,

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# TABLE OF CONTENTS

Chapter		Page
I.	INTRODUCTION	1
II.	THE FORMATIVE YEARS, 1825-1829	6
III.	FROM BUTLER TO ELLIS—A CHANGE IN FOREIGN POLICY, 1829—1839	<u>3</u> 6
IV.	THE PERIOD OF ARBITRATION, 1839-1843	61
$V_{ullet}$	THE FINAL BREAK, 1844—1846	71
VI.	CONCLUSIONS	90
A SELI	ECTED BIBLIOGRAPHY	96

### CHAPTER I

### INTRODUCTION

Americans on both continents of the Americas were expressing growing concern over the political unrest in Europe created by the Holy Alliance in the early 1820's. These liberal revolts in Europe would have far-reaching effects on American diplomacy throughout the Latin American countries and especially in Mexico from the very beginning. Leaders in the United States were diametrically opposed to European political thinking concerning the divine right of kings to rule, but were in complete accord with the numerous liberal revolts associated with Federal-Republican principles being staged by the new breed of nationalists emerging in the decade of the 1820's.

In Spain, civil war had erupted between the liberals and the conservatives, and the Bourbon Monarch, King Ferdinand VII, was deposed in 1819. France, trying to recover the prestige it lost by the termination of the Napoleonic wars, was determined to restore the ousted Spanish king, who was a cousin of the French monarch, Louis XVIII. In 1823, when French bayonets restored King Ferdinand VII, the event signaled the renaissance of American political thinking. Historians generally agree that the French invasion of Spain was the incident which moved the American Secretary of State, John Quincy Adams, to encourage President James Monroe to deliver his famous speech to Congress in December of that year, which soon became known as "The Monroe

Doctrine."1

The Monroe manifesto was additionally aimed at checking the French desire to place Bourbon Spanish princes on newly created Spanish-American thrones—under French control. The United States had sufficient cause for alarm owing to the political developments in Mexico when the Mexican revolutionary, Agustín de Iturbide, had himself declared "Emperor Agustin I" in 1822. Although the situation was very uncertain, the United States proceeded with caution and decided to recognize the newly formed Spanish-American republics in April, 1822. The first formal recognition occurred when the United States received the Colombian charge d'affaires in June of that year. By December, 1822, Manuel Zozaya presented his credentials and was welcomed in Washington. Another three years would pass before the United States would be formally represented in Mexico City, however. The delay was caused by the need to formulate a policy toward the external threat of monarchies in the new world and the internal political skirmishes of the period. Mexico looked upon the delay with suspicion, for it had come to think of the United States as a rival for territory and as an enemy of whom it should be wary.

In 1822, Zozaya warned his government that the United States "will be our sworn enemies, and foreseeing this we ought to treat them as such

Samuel Flagg Bemis, ed., The Latin American Policy of the United States, an Historical Interpretation (New York, 1943), pp. 48-63.

<sup>&</sup>lt;sup>2</sup>Ibid., p. 52. Also see Irby C. Nichols, Jr., "The Spanish Colonial Question and the Congress of Verona," The Southwestern Social Science Quarterly, XL (June, 1959), p. 32. Also see Dexter Perkins, "Europe, Spanish America and Monroe Doctrine," American Historical Review, XXVII (October, 1921), pp. 207-18.

from the present day."<sup>3</sup> The Mexican government had good reason for open suspicion—there were filibuster threats, blatant oratory against the terms of the Adams—Onis treaty of 1819 which established the Sabine River as the western boundary of Louisiana, and defamatory remarks against the American government by the Spanish minister at Washington. In reply to these accusations, the Mexican President, General Guadalupe Victoria, in 1823 said that the citizens of the United States were "ambitious people always ready to encroach" upon their neighbor's territory and had not a "spark of good faith."<sup>4</sup>

The official attitude of the Mexican government was thus already prejudiced against the American government; and to complicate matters, the same attitude was similarly established against Joel Poinsett, the newly appointed American minister to Mexico, even before he arrived. Poinsett in 1822 was charged with having openly expressed the desire to amputate a large portion of northern Mexico for the United States. And finally, Pablo Obregon, who succeeded Zozaya, reported to his government that Poinsett was not, in his opinion, "a person of great talents."

To be certain, Poinsett and the United States government and its citizens were under prejudicial handicaps which progressively and positively made the situation worse. Poinsett's personality was perfectly suited to the nature of his instructions written by Secretary of State

<sup>&</sup>lt;sup>3</sup>Quoted by James Fred Rippy, <u>Joel Poinsett</u>, <u>Versatile American</u> (Durham, North Carolina, 1935), p. 106.

<sup>4</sup>Ibid.

<sup>&</sup>lt;sup>5</sup>Rippy, <u>Joel Poinsett</u>, p. 106.

Quoted by William R. Manning, Early Diplomatic Relations Between the United States and Mexico (Baltimore, 1916), p. 48.

Henry Clay. These were ill-timed and immature, and were resented by Mexico since it was under the strong influence of the British government. On his arrival in Mexico on May 5, 1825, Poinsett appeared at once as a flaming evangel of republicanism of the American mold, a champion of popular sovereignty, an enthusiastic democrat, a confirmed freetrader, and an ardent apostle of the Monroe Doctrine—a combination Mexico neither wanted nor accepted. Poinsett's mission was to negotiate for the acquisition of Texas and evangelically to democratize the politically backward Mexicans. The mission failed, as those after would fail, and basically for the same reasons.

The United States has often been blessed with splendid diplomats who were forced to labor under foreign policies immaturely conceived and prosecuted. Poinsett's instructions were far from tactful, and all too often so was he. The United States and its ambassador failed to account for the historical background of the southern neighbor when formulating foreign policy relative to that country. The United States failed to recognize that during three hundred years of Spanish colonial administration, the Spaniards seldom allowed even the most privileged classes (the Peninsulares or, in Mexican derision, Gachupines) to hold governing positions of any authority. The politically immature and inexperienced Mexicans had no knowledge or experience with republican-democratic institutions-their construction, their nomenclature, their mechanics, or their purposes. The United States had had almost two hundred years of experience with such government, while the Mexican had nearly three centuries of a rigidly stratified class society operating under the

<sup>7</sup>American State Papers, Documents, Foreign Relations, Legislative and Executive of the United States, VI (Washington, D.C., 1834), p. 578.

feudal system patterned after that of Spain, the mother country. How the American government or its ministers hoped to convert the wayward Mexican in so short a time is incomprehensible, and accounts in the main for their shortcomings. The Mexicans, even if they had instituted a democratic form of government, would not have known what to do with it—and it surely would have been rejected by them when they could not make it work. Between 1821 and 1855 the form of government in Mexico was changed eight times, and the country was ruled by thirty—five different administrations.

<sup>8</sup>Cited by Clayton Charles Kohl, Claims as a Cause of the Mexican War (New York, 1914), p. vii.

### CHAPTER II

## THE FORMATIVE YEARS, 1825-1829

Numerous difficulties causing many delays attended the opening of diplomatic relations between the United States and Mexico. States was in a quandary trying to decide what its stated policy toward monarchies in Latin America was to be. Additionally, it was in the midst of internal political squabbles immediately following the election in 1824 of John Quincy Adams to the Presidency, which was bitterly contested by the partisan forces of Andrew Jackson. On January 10, 1823, President James Monroe instructed Secretary of State John Quincy Adams to offer Senator Brown of Mississippi the position of Envoy Extraordinary and Minister Plenipotentiary to Mexico. Senator Brown declined the appointment and two days later the resourceful Adams suggested to Monroe that the Mexican mission be offered to Andrew Jackson, probably in hopes that the aspiring secretary might rid himself of a formidable rival in the presidential election the next year. 1 Seventeen days later, on January 27, Jackson's commission was drawn by President Monroe, but was not addressed to him by Adams until February 19. Jackson, having already been nominated by the Tennessee legislature as a presidential

<sup>&</sup>lt;sup>1</sup>Manning, <u>Diplomatic Relations</u>, p. 35.

candidate, refused.<sup>2</sup> Shortly after Jackson's decision not to go to Mexico, the Iturbide monarchial interlude in that country was overthrown. The aftermath was chaos and anarchy.

The reconstruction of the Mexican government further postponed the staffing of the American legation in the City of Mexico for another year. By this time the presidential election of 1824 became a factor in Adams' thinking. Monroe favored George M. Dallas for the post, while Adams chose Ninian Edwards, the territorial governor of Illinois, both of whom were avowed disciples of John C. Calhoun, the powerful Southern leader from South Carolina. Of the two, Adams recorded his concern for the overall situation, "as to its bearing on the presidential election, I must be indifferent between Mr. Edwards and Mr. Dallas, both of whom are avowed partisans of Mr. Calhoun." Adams' arguments prevailed, and at last Edwards was appointed and confirmed by the Senate on March 4, 1824.

Before he could set out to Mexico, however, Edwards was politically sabotaged by one of Adams' presidential opponents, William H. Crawford of Georgia. Finding his case hopeless, Edwards resigned, and the United States' interests would wait a little longer. If the situation was exasperating in the United States, it was viewed as political intrigue by Mexico, which said that the post was being held open in order that Adams

<sup>&</sup>lt;sup>2</sup>United States Department of State, <u>Despatches From U. S. Ministers</u> to <u>Mexico</u>, <u>1823-1906</u>, Jackson to Adams, March 15, 1823. Hereinafter cited as <u>Despatches</u>.

<sup>&</sup>lt;sup>3</sup>Charles Francis Adams, ed., Memoirs of John Quincy Adams, VI (Philadelphia, 1877), p. 243.

<sup>&</sup>lt;sup>4</sup>Ibid., p. 245.

through the issue might buy valuable support for the presidency.<sup>5</sup>

The threatened return of Iturbide to power again delayed the Mexican appointment. As the delays lengthened, so did the number of candidates seeking to be the American representative. This time the influence of Henry Clay manifested itself. Clay was urging the appointment of William Henry Harrison, who coveted the job. Adams, following Monroe's example, was favoring Joel Poinsett, who also was sponsored by the Calhounites for Secretary of State. Clay, however, was easily managed when, in spite of Adams' personal dislike for him, he was chosen the next Secretary of State. On March 8, 1825, two days after Poinsett accepted the Mexican ministership, the Senate confirmed Adams' selection.

Mexico's beginnings as a free republic in 1821 were inauspicious. Mexicans were totally unprepared to govern themselves, having had no experience in self-rule, complicated by the overwhelming poverty and illiteracy of the peasant masses, not to mention the preponderant power of the army and the church, which controlled the economic and political life of Mexico's seven million people. The inert masses could hardly discern the change between the Spaniards, who formerly ruled, and the new Creole leadership that replaced them. The confusion was furthered with the emergence of the conservative and liberal factions.

The conservatives were typically holding rigidly to their faith in the traditional institutions and practices of the past, splitting only

<sup>&</sup>lt;sup>5</sup>Cited by Manning, <u>Diplomatic</u> Relations, pp. 41-42.

Manning, Diplomatic Relations, pp. 43-44.

occasionally on the subject of the desirability of kings.

The Mexican liberals, however, were "often doctrinaire Jacobins" frequently rent on a score of issues. The conservative Creoles—with notable exceptions—espoused political centralism (strong national government) in league with the landed aristocracy, the clergy, and, later, advocates of the foreigner and his investments, thus revealing their Castilian temper and training. The liberal Mestizos preferred the local autonomy of the separate states, while associating the pretentions of the new Creole leaders with the corruptions of the viceroys.

To Mestizo thinking, liberalism was a welcome departure from repressive rule of kings. In this atmosphere of confused ideas and divided loyalties, cohesive nationalism could not flourish. These opposing doctrines did, however, serve a purpose. After Iturbide's fall, they ushered in the advent of the caudillo usually a Creole—a practice which to a degree continues to dominate to this day. Politics in Mexico in the 1820's, if unstable, were at least predictable as one caudillo after another ruled by coup d'etat for the next one hundred years. Characteristically, the Mexican reverses in government would begin with the issuance of a grandiose pronunciamiento (or plan) calling for elaborate political, but seldom social, reforms followed by the next dictator's vainglorious attempts to carry them through. Chief among the

Hubert Herring, A History of Latin America From the Beginnings to the Present (3d ed., New York, 1968), p. 290.

<sup>&</sup>lt;sup>8</sup>Ibid., p. 292.

<sup>&</sup>lt;sup>9</sup>Caudillo. Spanish word meaning "chief," or "leader," and by extension "dictator;" connotating a strong, masculine boss having a personal following forming his support.

divisive <u>caudillos</u> was the perennial and ubiquitious Antonio López de Santa Anna, who dominated Mexican politics for twenty-seven years (from 1829 to 1855). 10

The <u>caudillos</u> of Mexico, of whom Santa Anna was the archetype, inflicted upon Mexican political life the curse of <u>personalismo</u>—a doctrine which discards constitutions, political opposition parties, and ideals, while the demagogue harnesses reasonable men that he might maintain himself in power. Between 1829 and 1848 Mexico was involved in four very costly wars. The conflicts, combined with the rapacious appetites of the outgoing dictators, kept the public treasury continually depleted. The not-infrequent revolutionary convulsions, which regularly alternated the liberal-federalist and conservative-centralist in Mexico City's national palace, often forced the succeeding administration into the waiting arms of foreign bankers to conclude disadvantageous bargains to pay its debts. This pattern of chaos and lawlessness seemed fixed upon the land of Montezuma. Into this situation came the United States' first minister to Mexico, Joel Poinsett.

Joel Roberts Poinsett was born in Charleston, South Carolina, on March 2, 1779, of Huguenot parents whose ancesters had migrated to America in search of religious freedom. From his father young Joel inherited an amalgam of valuable assets. His charming manners complimented his social refinement; his intelligence was in keeping with his considerable accomplishments—in America he was educated in Connecticut, while studying in London he easily mastered the classics and became

<sup>10&</sup>lt;sub>Herring, p. 292.</sub>

<sup>&</sup>lt;sup>11</sup>Ibid., p. 296.

proficient in French, Spanish, German, and Italian. Finally he studied medicine at Edinburgh. The fortune Joel inherited was considerably more solvent than his delicate constitution, although while young he was enthusiastic for an army career. When his father objected to his chosen profession in the army, Joel, although his heart was never in it, turned to the study of law. Wanderlust seized him, and a year later his formal education ended. 12

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In 1801 Poinsett's several involvements in international settings began his diplomatic background. That year twenty-two year-old Poinsett set sail on an extended excursion of Europe. During the winter of 1801-1802, while in Paris, he witnessed the early rise of Napoleon, carefully noting the struggle between the old and the new. After a visit to Italy, he crossed the border into Switzerland where he met Madam de Stael and her father, M. Necker, whose first-hand account of the French Revolution he carefully recorded. After a trip to Vienna, he returned home for a short time and then again trekked to Europe in 1806, arriving in Sweden. From there he went to Russia. Poinsett spent the winter of 1806-1807 at the St. Petersburg court, where he formally was presented to the Emperor Alexander I and was well received two years before the United States had a minister there. Alexander at once liked the young man and requested him to make a tour of Russia and bring him back a report, which he did. In company with an English friend, Lord Royston, he journeyed through southeast Russia in the Caucasus provinces of Georgia and Armenia. From Prussia Poinsett returned again to Paris, where he arrived just in time to be present at the celebrated interview

<sup>12</sup>Rippy, Joel Poinsett, pp. 6-8.

between Napoleon and Count Metternich of Austria at the Tuileries. 13

Off the coast of Norfolk the Chesapeake-Leopard affair had taken place, and Poinsett, always proud of his American citizenship, hurried home in case of war between Great Britain and the United States. In 1809 President James Madison commissioned him to go to South America to monitor the pulse of the independence movements taking place there. During his stay in South America (1809-1816) the War of 1812 began. In Brazil (and previously in Portugal) Poinsett as consul general saw the dominant influence of Great Britain. In Buenos Aires, Poinsett's efforts to introduce his influence were most effectively checkmated by the preponderant English control. Chile presented a similar pattern, but the American commissioner managed to join the insurgent forces in 1812 as commander of a corps of troops and persuaded Chileans to make war against Peru. Poinsett sent many enlightening reports to the United States about events in South America—telling "much of the naked truth," as John Quincy Adams reported in his diary. 14 Poinsett returned home in 1816 but not without difficulty; the British commander refused to let him return by sea, and he was forced to make the arduous journey across the Andes. 15

Poinsett declined a similar commission to return to South America offered by President James Monroe in 1816 in favor of seeking election

<sup>13</sup> James Morton Callahan, American Foreign Policy in Mexican Relations (New York, 1932), p. 32.

<sup>14</sup>Charles F. Adams, IV, p. 388.

<sup>15</sup> The information in this paragraph was pieced together from several sources: Callahan, p. 32. George Lockhart Rives, The United States and Mexico, 1821-1848, I (New York, 1913), p. 162. Rippy, Joel Poinsett, pp. 105-07. Michael Rheta Martin and Gabriel H. Lovett, Encyclopedia of Latin-American History (New York, 1968), p. 269.

to the state legislature of South Carolina. He was elected and served until 1821 when he was elected as a member of the United States Congress, serving there from 1821 to 1825. In the latter part of 1822 Congressman Poinsett was sent on a secret mission to Mexico, probably gathering intelligence. He was well received because he could associate in official circles, being blessed with polished social manners and having an excellent command of the Spanish language. His reports to the State Department were prophetic ones, for much of what he predicted later came true, especially concerning the fall of Iturbide. The government relied heavily on these reports and made extensive use of them in shaping its foreign policy toward Mexico for Poinsett's mission in 1825. 16

When the selection of a minister to Mexico was finally made, Joel Poinsett seemed a happy and admirable choice. His extensive experience in South America was vital; his knowledge of the Latin temperament and his easy command of the Spanish language were important assets; he had proven his ability to pass among Mexico's aristocratic leaders in 1822, and there was no reason for the American policy makers to doubt his ability to carry through the objectives of American foreign policy.

Time, events, and British influence, however, were already working against him, and from the time of his arrival Poinsett was in trouble.

The repeated delays in the appointment of a minister and the establishment of a legation in Mexico City were observed with suspicion by the

<sup>16</sup> Manning, Diplomatic Relations, p. 45. Poinsett's reports are held in the archives of the Department of State in manuscript form. To the average American, Poinsett is best remembered for his discovery of the beautiful Christmas flower, the Poinsettia Pulcherrima, which he noted while on his mission to Mexico in 1822.

Mexican government. In addition the delay had allowed the British to establish their legation two months ahead of the United States. The official attitude of Mexicans was already set against Poinsett because of the blatant oratories concerning the American dream to acquire Texas and their apparent hurry to do so. Of all the factors tending to frustrate his mission, the British influence managed by their young and astute charge d'affaires, Henry George Ward, was the most formidable.

The British had established themselves as champions of the new and struggling Ibero-American republics in their fight for independence when Foreign Secretary George Canning had stepped in to prevent the Holy Alliance, and especially France, from materially aiding Spain to reconquer her lost colonies in 1823. This act was welcomed, as were the new British ministers. When Canning heard of Monroe's intention to act unilaterally via the Monroe Doctrine and not in concert with his majesty's government, Canning, not averse to stretching the truth, boastfully declared that he had called "the New World into existence to redress the balance of the old." He feared

that the United States would become the head and sole director of a "Trans-Atlantic League" of "youthful and stirring nations" which would become the rival of the "wornout" monarchial governments of Europe.

<sup>&</sup>lt;sup>17</sup>Great Britain, British Foreign Office, British and Foreign State Papers, XI (London, 1812-1968), pp. 49-51—or any careful study of the evolution of the issues and events before and after the Congress of Verona in September, 1822, which the European Concert Powers, England excepted, gave a silent acquiescence to the French invasion of Spain in 1823.

<sup>18</sup> David C. Douglas, gen. ed., A. Aspinall and E. Anthony Smith, eds., English Historical Documents, 1783-1832, XI (New York, 1959), p. 971.

<sup>19</sup> James Fred Rippy, The United States and Mexico (New York, 1926), p. 3.

Canning considered Mexico the key to British success in Latin America, and in that country he initiated a campaign to prejudice the infant republic against the United States—and succeeded.

Another minister not previously injured by British intrigue might have succeeded in Mexico where Poinsett failed. His previous experiences in South America had done anything but make him an Anglophile. He was humiliated in Argentina and Chile and cared very little for the British domination he had witnessed in Portugal and Brazil. His ardent adherence to republican democracy and his eagerness to implement it would, in the end, be very injurious to him and to the United States. His conduct in Chile in 1816 would repeat itself in Mexico in 1825.

J. Fred Rippy, in discussing Poinsett's activities in Chile reported that he "revealed an imprudent aggressiveness and a disposition to violate the rules of diplomatic decorum." Poinsett started his diplomatic dealing with the British and ended it the same way.

Poinsett's long and detailed instructions concerning his mission in Mexico were written by Secretary of State Henry Clay. In addition to his instructions, he was furnished with a copy of former Secretary Adams' instructions of May 27, 1823, to the American minister to Colombia, Richard C. Anderson. Clay outlined the Mexican mission as

- (1) To assure the Mexican government of America's good will and friendly attitude;
- (2) to remind them that the United States had watched with sympathy and anticipation the Mexican drive for independence, and to stress that ours was the first government to recognize Mexican independence;

<sup>20</sup> Rippy, <u>Joel</u> <u>Poinsett</u>, pp. 105-06.

- (3) to point out that the Monroe Doctrine was to ensure Latin freedom against any further European interference;
- (4) to state that, although the American government expected no special favors for being first to recognize Mexican independence, it did have a right to expect the concessions granted to other powers relative to most-favored-nation clauses in commerce and navigation;
- (5) to indicate that the United States would faithfully subscribe to the "principles of Intercontinental law in relations of Europe and America" as defined by the Monroe Doctrine, and to "urge upon the Mexican government the utility and expediency of asserting the same principles on all proper occasions."

### He also was

- (6) to secure (cautiously) an agreement as to the certain limits of the Adams-Onis treaty of 1819 or negotiate a new boundary beyond the Sabine and south of the Red and Arkansas Rivers. In return the United States would assume its share of responsibility for restraining hostile Comanche Indians. The fixation of such a new line would relieve Mexico of territory far remote from its capital, and, in addition, the United States would assume full jurisdiction over the troublesome Comanche Indians and prevent any future difficulties or collisions which might arise owing to the extension of settlements. This amounted to an outright cession of Texas, which the United States really wanted. Poinsett, however, was empowered to accept the line of 1819 if Mexico refused to negotiate the desired modifications. Poinsett was
- (7) to ascertain and report any designs Mexico might have regarding Cuba relative to the recent defeat of Spain by Simon Bolivar in Peru, and, if in his judgment the situation warranted it, he could

frankly reveal that American policy was not to interfere with established conditions there. He was to express the required degree of alarm if any European or Latin American power tried to alter it. Further he could state that the position of the island "proclaims that it should be attached to the United States" rather than to any other American state.

He was

- (8) to open negotiations for a road from the international border of Western Missouri to the Mexican city of Sante Fe; the Mexican government was, of course, to pay the total expense of the project since the entire road would be in Mexican territory.
- (9) Finally, he was to express appreciation that Mexico saw fit to incorporate into its constitution of 1824 so many principles already found in the American Constitution and "to show on all occasions an unobtrusive readiness to explain the practical operation and the very advantages which appertain to our system." 21

The American Minister arrived on May 5, 1825, instructions in hand and ready to assume his post. In his first official despatch from Mexico, Poinsett wrote to his chief in Washington to report his safe arrival and to describe the progress of events that had taken place to that date. When Poinsett entered the Mexican capital three weeks later on May 25, 1825, he requested an audience with Lucas Alaman, the Mexican Minister of Foreign Relations, to present himself and his credentials. The reception was scheduled for June 1.

The procedure for Poinsett's reception was of his own making. In a

<sup>&</sup>lt;sup>21</sup>Clay to Poinsett, March 26, 1825, American State Papers, Foreign Relations, VI, pp. 578-81.

Despatches, Poinsett to Clay, May 5, 1825.

conversation with the Mexican Secretary of State, James Smith Wilcocks, the United States Consul at Mexico asked in what manner the new envoy would be received. The Mexican replied that as yet no set procedural format had been adopted by his government for such occasions. Wilcocks wrote to Poinsett explaining the circumstances. 23 Poinsett replied that

The United States will be much flattered and I highly gratified, that this government [of Mexico] should adopt the republican simplicity of our form of receiving foreign ministers [and] that if it be the intention of this government to regard my reception as a precedent, I shall not be satisfied, but highly gratified to be received with the utmost republican simplicity.

On the day preceding Poinsett's presentation the British charge d'affaires, Henry G. Ward, was formally received by the Mexican President, Guadalupe Victoria. Ward's affair was attended only by the foreign ministers, secretaries of the government and deputations from the ecclesiastical, civil, and military authorities. Ward, not to pass up an opportunity, alluded to the English as "that great people who sustain the liberties of the world" and professed the hope of eternal friendship with Mexico. Poinsett was received the next day, not to his liking but as he had requested. In his despatch of June 4, 1825, to Clay, he recalled that the forms and ceremonies were precisely the same, but in addition to those who had attended Ward's public audience "the room was crowded to suffocation with Senators, Members of Congress, and respectable inhabitants of the city"—in the truest republican simplicity.

Poinsett on the occasion availed himself of the opportunity to

<sup>23</sup> Ibid., Wilcocks to Poinsett, May 12, 1825.

<sup>&</sup>lt;sup>24</sup>Ibid., Poinsett to Wilcocks, May 15, 1825.

<sup>&</sup>lt;sup>25</sup>A copy of George Ward's remarks were included in a Poinsett to Clay despatch dated June 4, 1825.

carry out the behest of Clay's instructions and attempted "to set the conduct of the United States toward these countries [meaning Mexico and Colombia] in its true light." Finally in this communication Poinsett, in cipher, made his first assessment of the situation in which he found himself:

It is manifest that the British have made good use of their time and opportunities. The President and three of the Secretaries of State treasury and ecclesiastical affairs are in their interest. We have a very respectable party in both houses of Congress and a vast majority of the people are in favor of the strictest union with the United States—they regard the British with distrust.

Here, at this early moment, Poinsett undertook to fulfill his mission. His remarks in his address to Victoria were an attempt to exert American influence on the Mexican government to counteract what he obviously thought was undue English influence, not only upon the Mexicans but designed against the United States as well. The British had been strongly active in Mexico for at least three years, as they were in South America, and the gulf of enmity between him and the British widened.

William R. Manning, in his Early Diplomatic Relations Between the United States and Mexico, apologized for Poinsett's disdain for the English and for his efforts to counteract their influential position in Mexican politics. Manning wrote,

It is clear that he [Poinsett] did this not for his own pleasure or profit, nor even for the benefit of the United States, but for the good of Mexico especially, and incidentally for the advantage of all the free governments of America as opposed to the despotic system of the European Powers. 27

<sup>26</sup> Despatches, Poinsett to Clay, June 4, 1825.

<sup>&</sup>lt;sup>27</sup>Manning, <u>Diplomatic Relations</u>, p. 54.

Poinsett's method of equaling the prior British gains was his concept of the "American Party" which included in its ranks those who were in sympathy with the republican institutions of the United States. Almost immediately Poinsett joined in league with these men, at their behest, and formed the York Rite Masons—which would eventually be his total undoing. Mexican political factions were divided into two camps—the Conservative—centralist and their allies, the militant and die—hard monarchists supported by Ward; and Poinsett's Liberal—federalists of the autonomous states rights persuasion. The loyalties of these new factions crystallized into the two branches of freemasonry—the former into the Scottish Rite Masons (the Escoceses) and the latter into the York Rite Masons (the Yorkinos).

The establishment of Masonic lodges in Mexico began in 1806 under the direction of the four operating lodges existing in the Spanish Peninsula at that time. It has been reported that the precursor of Mexican independence, Father Miguel Hidalgo, became a member of the Order in 1807. A year later the lodge was denounced to the authorities and its brethren were prosecuted and imprisoned before the tribunals of the Inquisition. Subsequently, Spanish troops which landed in Mexico after 1811 had among their ranks a number of Masons, and the organization began anew. Later, Mexican delegates to the Spanish Cortes became brothers and on their return to Mexico they founded the Order of the Scottish Rite. 28

William S. Parrott, who evidently founded the York Rite lodge in Mexico and later in Texas, wrote the following letter to Stephen F.

<sup>&</sup>lt;sup>28</sup>Rives, p. 163.

Austin in 1827 admitting that

Every American flocked to our standard, and we were soon able to outweigh the Anti-republican or Scotch part and they soon began to charge Mr. Poinsett with the crime of introducing a system or machine by which he intended to carry on all his intrigues. <sup>29</sup>

Poinsett, on his arrival, discovered that there were already five York Rite bodies in existence but none had charters. Poinsett, honoring the Yorkistas, requested and obtained for them charters from the Grand Lodge of New York, and in 1825 installed a Grand Lodge of the Rite in Mexico toasted by a "large part of the brotherhood [who] supped joyfully" at his house. 30

Poinsett's Masonic confederates included such stalwart liberals as President Guadalupe Victoria himself, two revolutionary generals, Vicente Guerrero and Santa Anna; Sebastian Camacho and Lorenzo de Zavala, both Senators; Miguel Ramos Arispe, the Secretary of Grace and Justice and major architect of the Mexican Constitution of 1824; and José Esteva, Secretary of the Treasury. The formidable opposition was headed by the Vice-President, Nicolás Bravo, who was the Most Worshipful Grand Master of the Scottish Rite Lodge supported by Ward who became a member soon after his arrival in Mexico.

The chartering of the lodge only four months after his arrival marks Poinsett's first "imprudent and unauthorized excursion into local politics which seriously interfered with the success of his mission." 31 Hardly had the new Yorkinos been constituted than they began planning

<sup>&</sup>lt;sup>29</sup>Callahan, p. 37.

<sup>30</sup> Despatches, Poinsett to Rufus King, October 14, 1825.

<sup>31</sup> Callahan, p. 36.

revolution. In reporting his activities to Washington, Poinsett explained himself and his connection relating that

They were excluded by the President from that participation in the government to which they thought themselves entitled, and as they felt conscious of superior strength, were resolved to overthrow their adversaries. Still in a state of Revolution and ignorant of the force of public opinion, and of the means of producing a great moral change in an elective Government, they determined to effect the contemplated Revolution by the strong arm...On this occasion, this legation felt it their duty to interfere, and to advise a milder course.<sup>32</sup>

It worked for a time, but there was too much tempest in the Mexican political pot of tea for truce to last over two years. At these developments Poinsett realized his deep involvement and its implications and thereafter discontinued attending their lodge meetings. But it was too late, and from this point on Poinsett and the United States had to weather a hurricane of criticism and abuse. Poinsett seemed to sense that the organization of Yorkinos would produce political hatred rather than strictly brotherly love but he abetted them anyway. Later he said that he regretted that the organization had been political but that the movement was gaining new strength all the time. 33 Although Poinsett had dropped out of the meetings as the public charges against his involvement were made known, the state elections of 1826 proved his utility.

In the state legislatures of Puebla and Vera Cruz the Yorkinos had defeated their archrival Escoceses, but the latter refused to give up their seats and trouble ensued. Changes were also effected in the Mexican Cabinet because of the elections and the defeated Conservatives reacted. As the Yorkinos gained power it was Ward's turn to be worried

<sup>32</sup> Despatches, Poinsett to Van Buren, March 10, 1829.

<sup>33</sup> Ibid., Poinsett to Clay, August 26, 1826.

as he witnessed the decline of British influence along with it. For a job well done Poinsett was assailed by Ward, while in June, 1827, the defeated conservatives of the Vera Cruz legislature publicly arraigned him in a manifesto twenty-six pages long declaring him to be "a sagacious and hypocritical foreign minister as zealous for the prosperity of his own country as [he was] inimical to ours."<sup>34</sup>

Aside from this "unauthorized excursion" into Mexican politics,
Poinsett endeavored to exercise his legitimate functions—to carry out
Clay's instructions relative to the Cuban problem. By 1825 Spain had in
reality, if not formally, lost control of all of her American colonies,
save Cuba and Puerto Rico, and when Poinsett arrived in Mexico it was a
question of international concern. Americans on both continents and the
monarchial courts in Europe were wondering what might become of the two
West India islands and how any change might affect their interest in
that part of the world. The arguments were centered around events which
occurred after the French invasion of Spain in 1823.

It was conceivable that in return for the French support of Spanish absolutism the latter might cede the islands to France as a reward. Or, the islands might be used as a lure to England if they in turn would free Spain from the troublesome French. Mexico and Colombia were the strongest countries to emerge immediately after they overthrew the Spanish and either country could have controlled the islands if they had designs on them—either jointly or separately. There was also the possibility that Cuba could revolt and rule itself, but if it did and

<sup>34</sup> Despatches, the manifesto dated June 19, 1827, was included in a Poinsett to Clay despatch, July 8, 1827, along with his defense of himself.

failed there might have been a wild scramble to see which outsider could step in.

In 1825 the London Courier described Cuba as the "Turkey of Trans-Atlantic politics, tottering to her fall, and kept from falling by those who contend for the right of catching her in her descent.<sup>35</sup>

Into this dilemma stepped Joel Poinsett, and Clay wanted him to sound out the official Mexican attitude on the issue. The American interest in the question may have dictated the action Poinsett was to pursue in Mexico because the stated American policy was described by Clay in Poinsett's instructions:

The United States have no desire to aggrandize themselves by the acquisition of Cuba. And yet if that island is to be made a dependency of any one of the American states, it is impossible not to allow that the law of its position proclaims that it should be attached to the United States. 36

It is possible, although no American record exists, that Poinsett himself took a personal interest in acquiring Cuba for the United States. Pablo Obregon, Mexican Minister to the United States, reported to his government in 1825 that Poinsett had submitted a proposal to Congress suggesting that the United States take the initiative to promote the freedom of Cuba. Cuba had become a haven for pirates operating in and around the Spanish Main and the proposal was, no doubt, mainly designed to rid the hemisphere of these pirates, but Mexico was alarmed and interpreted Poinsett's suggestion to be the first step in a plan to

<sup>35</sup>Quoted by Manning, Diplomatic Relations, p. 90.

<sup>36</sup> Ibid., p. 105. Manning quotes this passage of Clay's instructions to Poinsett which is still in unpublished manuscript form in the Department of State archives. Some extracts of the instructions are reprinted in the American State Papers, Foreign Relations, V, p. 908, and VI, p. 578; and in United States Congress, House of Representatives, House Executive Documents, 42, 25th Congress, 1st Session, p. 5; but not the above quotation. Hereinafter cited as H. Ex. Docs.

seize the island for themselves. 37

At any rate it was Poinsett's duty to maintain a close watch on the developments in Mexico relative to the Cuban situation, especially if launching an invasion was in the offing. The amount of correspondence from Poinsett to his superiors in Washington almost reaches the voluminous stage on the issue and his influence on Mexico's action in the matter is difficult to determine. 38 During Poinsett's tenure there were four or five occasions when the Mexican president seriously contemplated an armed expedition to the island.

Each time, Poinsett exerted what influence he could to checkmate the operation. His centers of influence were in two areas; the Mexican president, Victoria, was a Yorkino and so were many of the Members of Congress to whom such a decision was directed for their required approval. Poinsett was vigilant and active on the matter but there were other factors to consider as well. Mexican politics were characteristically suffering from internal dissention, and aside from the pressure of the American minister the English intervened to discourage the project. Spanish military strength in Cuba was of an undetermined variable and quality because after they were forced out of Ibero-America they withdrew to the island as their last military stronghold in the hemisphere. If this knowledge served to check Mexico from attempting to conquer

<sup>37</sup> Manning, Diplomatic Relations, p. 104, interpreted Obregon's remarks from material housed in the Mexican archives.

<sup>38</sup> Despatches. See selected letters on the Cuban problem: Alaman to Poinsett, August 16, 1825; Poinsett to Alaman, August 17, 1825; Poinsett to Clay, August 17 and 21, 1825, September 22, 1825, October 29, 1825, December 2, 1825, January 28, 1826, February 1, 1826, and March 18, 1826. Obregon to Clay, January 4, 1826, American State Papers, Foreign Relations, V, p. 857.

Cuba, the exact opposite was also true because Spanish armaments on the island were also looked upon as possible springboards which they could use to reconquer their former colonies.

The Cuban enigma would outlast Poinsett in Mexico. Poinsett seemed always well informed of any new developments on Cuba but for the most part seemed ineffectual when trying to counteract them. In one of his last despatches Poinsett advised his government on new Mexican designs to conquer Cuba. Mexico, he said,

has resolved to send a secret mission to Haiti, in order to concert measures with Boyer [Jean Pierre, President of Haiti] to excite the slaves in the island of Cuba to revolt [and] I cannot but think the interests of the United States require that they should be promptly and effectually counteracted.

Poinsett could advise action but could not take any. By this time he had lost his influence with the Mexican government both in the Presidency and in the Congress. He advised the French and the British legations of Mexico's subversive plans, but the British would not listen.

Poinsett was more than once embarrassed by his chief's narrow interpretation of the Monroe Doctrine and its pristine dicta. On three occasions Clay imprudently intervened and Poinsett knew nothing of it until the Mexican Secretary of State told him of it. Clay suggested that if Mexico or Colombia should have designs on Cuba the United States could by right of force prevent it. When France appeared to be supporting Spain in its desire to hold Cuba, Clay invoked the classical resort to the Doctrine by now so well known to all. The third time

<sup>39</sup> Despatches, Poinsett to Van Buren, October 14, 1829.

<sup>40</sup> Manning, Diplomatic Relations, p. 107.

Al Rippy, Joel Poinsett, pp. 112-13.

Clay suggested that the Russian Emperor act as a mediator between the factions concerned without consulting all of the other countries involved. Poinsett was again embarrassed and surprised, and he said so as he was advised of the development by Camacho, the Mexican Secretary of State. The whole affair and its handling by the United States seems clumsy, presumptuous and immature, just as Poinsett's efforts to secure the opening of the Santa Fe Trail often appear.

Poinsett wasted no time in attempting to open negotiations for the Santa Fe Trail. In the same month of his arrival Poinsett approached the Mexican government on their attitude toward the road. The reply he received was unfavorable and in a report to Clay on June 22, 1825, he said that Mexico viewed with "jealous apprehension" Americans passing through their territory. <sup>43</sup> The Mexican government's attitude should not have been difficult to understand, but to Poinsett and Clay it was. Mexico wanted a joint survey of the territory for two very good reasons. First, it did not trust the United States, charging them to be greedy and having occupational and acquisitional designs on its province. In addition, Mexico actually knew very little of their northern territories or its boundaries as defined by the treaty of 1819 since only recently they had inherited both from Spain; and at this early date, owing to a nearly depleted treasury, only just had begun to explore the regions itself.

Mexico, meanwhile, received a report from Governor Urquidi of Chihuahua describing the terrain and all of its positive aspects and giving

<sup>42</sup> Despatches, Poinsett to Camacho, January 14, 1826.

<sup>43</sup> Ibid.. Poinsett to Clay, June 22, 1825.

added reasons why they should beware seeing that the Anglo-Americans were continually settling in the area. 44 To Clay, Poinsett transmitted a note from Alaman which stated the Mexican position as wanting to conclude first a treaty of commerce and limits before opening talks on the road. To this Clay replied that the road was already open anyway and as it was intended for purely commercial purposes any Mexican ideas of evil American designs for territorial acquisition were strictly interpolated ones. He added that the road would be advantageous to both countries and if either one had anything to lose it would be the United States because of its "enterprising" citizens wanting to migrate to Mexico. 45

In July Poinsett wrote to Clay describing the Mexican attitude as still apprehensive and their position as a calculated stall, but counseled patience with them nevertheless.

It appears to me that it will be important to gain time if we wish to extend our territory beyond the boundaries agreed upon by the treaty of 1819—most of the good land from the Colorado to the Sabine has been granted to the State of Texas, and it is rapidly peopling with grantees or squatters from the United States. A population they will find difficult to govern, and perhaps after a short period they may not be so averse to part with that portion of their territory as they are at present. 46

Poinsett, making no headway, decided for the moment to abandon the project since he considered it useless. Poinsett did address the subject to the Mexican government subsequently and intermittently but not seriously until the middle of 1826. It was not until 1831 that his successor,

<sup>44</sup>Cited by Manning, Diplomatic Relations, p. 174.

<sup>45</sup> Ibid., p. 176.

<sup>46</sup> Despatches, Poinsett to Clay, July 27, 1825.

Anthony Butler, managed to conclude a treaty in which the subject was dealt with.

In attempting to follow Clay's instructions over the delineation of the Texas Boundary, Poinsett met with more success than he had in the Cuban or Santa Fe Trail problems. The two issues of the Sante Fe road and the Texas boundary lines seem to overlap as Poinsett decided to press the latter right on the heels of the former. The correspondence cited above actually refers to both the opening of the road and the opening of discussions on establishing the international boundary lines between the United States and Mexico, most especially defining the limits of the territory of Texas. Clay heeded Poinsett's advice and decided to be patient over negotiations with Mexico and wait for Americans to people Texas.

Clay was willing to wait, no doubt, because he discovered that while the United States wanted the boundary moved further west, Alaman replied by offering to move it further east—all the way to the Missis—sippi according to an old treaty of 1795. 47 Clay's patience lasted two years, during which time the negotiations never advanced beyond the pre-liminary discussion stage. The major topic of the meetings between 1825 and 1827 centered around the question as to whether the two countries should enter into a new treaty or jointly adopt the limits set by the treaty of 1819 as the boundary. While Poinsett was negotiating and Clay was waiting, Texas was indeed "rapidly peopling with...squatters from the United States." In 1827 Clay, thinking of the American settlers in Texas as being to his advantage, revised his instructions to Poinsett—

<sup>47</sup> Manning, Diplomatic Relations, p. 295.

instead of trying to mutually negotiate the border lines Poinsett was bade to sound out the Mexican government's attitude toward "rectifying" the territorial limits in return for a direct money compensation, not to exceed one million dollars. The million dollars Poinsett was allowed to pay would buy a line from Del Norte (Rio Grande) to the forty-second parallel and from there westward to the Pacific. If Mexico objected to this purchase Poinsett was authorized to offer half of that sum for a line commencing at the Colorado and thence north and west the same as above. 48

This effort to buy Texas seemed to be of special interest to President John Quincy Adams because it was he who negotiated the treaty of 1819 with Onis of Spain; to his thinking he and Clay were simply trying to recover the loss of territory that once belonged to them. The territory of Texas was added to the conterminous United States in 1803 as part of the Louisiana Purchase. But in 1819, Adams, then Secretary of State, in order to acquire Florida and establish a more favorable boundary in the Oregon territory, ceded Texas to Spain, 49 who, in turn, surrendered it to Mexico. Clay, when he modified Poinsett's instructions on the matter, was ready to offer Mexico some warships in addition to the cash sum of one million dollars but Adams overruled him, saying he should omit the offer of warships and offer only money. 50

When Poinsett received Clay's new instructions on the Texas

<sup>48</sup> Clay to Poinsett, March 15, 1827, British Foreign and State Papers, XXVI, p. 837.

<sup>49</sup> American State Papers, Foreign Relations, IV, pp. 422-60. Calla-han, pp. 16-17.

<sup>50</sup> Charles F. Adams, VII, pp. 239-40.

question, he replied that

I fear the sum offered for the territory is too small. The expenses of the Government are so great that they don't regard so insignificant a sum as a million as of much use to them. 51

Poinsett, however, did his uttermost to ascertain whether the Mexican government would listen to such a proposition. After several cautious overtures to Mexico on the subject, Poinsett said he felt such a proposition useless and had decided to abandon it altogether. He concluded by saying

Believing, therefore, that any attempt to alter the former treaty of limits would prove ineffective and only excite unfriendly feelings, I shall accept the proposal of the Mexican plenipotentiaries and renew the treaty of Washington of 1819. 52

The result was the "Treaty of Limits with the United Mexican States," January 12, 1828. 53

These negotiations failed for the reasons Poinsett said they did, but Mexico had additional motives for refusing to talk of the issue. Poinsett's known penchant for interfering in Mexico's domestic politics was by this time infamous and his unpopularity was reaching a point of hostility.

While dealing with subjects of Texas and Cuba, Poinsett was also negotiating for a treaty of commerce and navigation. In this endeavor Poinsett was successful, while in all the others he failed. He did get

<sup>51</sup> Despatches, Poinsett to Clay, May 10, 1827.

<sup>&</sup>lt;sup>52</sup>Ibid., January 8, 1828.

<sup>&</sup>lt;sup>53</sup>American State Papers, Foreign Relations, VI, pp. 946-50. "Treaty of Limits with the United Mexican States," January 12, 1828—although this treaty was signed in 1828, it was not ratified and put into effect until April 5, 1832.

a treaty signed but the Mexican Congress refused to ratify it. The negotiations took about a year to complete, but not without some very formidable opposition from his old nemeses-Ward and the British. Poinsett rightly insisted that the Americans be given the same privileges as the English with reference to a "most-favored-nation" clause, which he had to substitute for the subject of "perfect reciprocity" (duties on tonnage) because Mexico had not granted it to the English. The Mexicans signed the treaty but their Congress would not accept it. It is well to note that there were really two treaties signed -- one in 1826; the other in 1828. The first failed for one of the same reasons the second would succeed. When the first treaty was signed in July, 1826, Poinsett had little influence in the Mexican legislature. Although the conservative revolt of 1827 failed, it did result in displacing English influence in the Cabinet and substituting Federalist for Centralist in the Mexican legislature, which gave Poinsett considerably more support. There were two objectionable defects which the Mexican Congress would not allow, however, and this helped to defeat it also.

First, the article containing a provision to return all fugitive slaves in Mexican territory to the United States was blasted, and there was no clause demanding the acceptance of the boundary lines of the treaty agreement of 1819. The second treaty was signed in February, 1828. This time Poinsett had federalist support in Congress and in the Cabinet, and the conservatives, influenced by Ward, were less disposed to offer opposition (before Ward was replaced by Richard Packenham), partly for the above reason; but in addition he had, in the interim, signed a similar pact for the English government himself. Poinsett had a treaty but it was not ratified and he was faced with the unhappy

consequence of defending the maritime rights of the United States as best he could without a treaty.

Before Poinsett's arrival in Mexico the official attitude of the Mexican government had been prejudiced against him and during his residence of more than five years there he was almost continually under bombardment. The breaking point came after the Mexican elections of 1828. President Victoria, his Masonic ally, was succeeded in that office by another York Rite brother, General Guerrero. Idealistically. happenings appeared to continue in Poinsett's favor. But the presidential succession was anything but a peaceful transformation and Poinsett was accused of being behind a plot to seat Guerrero, who had lost the battle of the ballots to the "Impartials" led by a member of both Masonic Rites, Gómez Pedraza. Guerrero took to arms to keep Pedraza from assuming the Presidency, aided by the ever-dramatic Santa Anna, who charged upon the scene and completed the job in April, 1829. Before and after this event Poinsett was assailed everywhere by the vehement Mexican press and by the new British charge d'affaires, Richard Packenham, both charging him with complicity in the seating of President Guerrero. In July, 1829, the Legislature of the State of Mexico (and soon followed by others) addressed a long diatribe to President Guerrero denouncing Poinsett, threatening his life, and demanding his recall. 54 In the face of this opposition the Mexican federalist, fearing to lose public confidence if they befriended him any longer, turned upon him and complied with popular cries to request his recall.

Poinsett's already dubious diplomatic reputation might have been

<sup>&</sup>lt;sup>54</sup>Despatches, included in Poinsett to Van Buren, August 7, 1829.

somewhat salvaged, or at least spared further insult, if he had been allowed to resign as he had requested. <sup>55</sup> Poinsett, however, was not saved from the final odium of failure because Guerrero petitioned for his recall to the new American President, Andrew Jackson, and it was granted on October 16, 1829, (although Poinsett did not receive it until December 9).

Poinsett was, in a way, a political scapegoat—not only in Mexico, but in the country he represented as well. Poinsett's festering problems came to a head in 1828. National elections were taking place in both countries that year. If the United States had recalled him in the midst of his troubles in Mexico, it would have provided Adams' political opposition with some very damaging campaign ammunition since Poinsett was a personal friend of Andrew Jackson and had supported him in his presidential candidacy in 1824 while he was in the American Congress. Adams and Clay may have thought it more prudent to sacrifice Poinsett and leave him in Mexico for Jackson to have to recall. His problems in Mexico have already been described above; Poinsett was a victim or a villian, depending on one's interpretation of the mass of material available on the subject.

In the end historians have concluded that Poinsett's disaster in Mexico set a precedent for diplomatic relations between the countries that could not be overcome and eventually resulted in war. Unfortunately, the deterioration of diplomatic relations between the neighboring republics actually began before his arrival. Poinsettismo is one

<sup>55</sup> Ibid., Poinsett to Van Buren, November 4, 1829.

<sup>56</sup> Rippy, Joel Poinsett, p. 124.

Yankee meddling and connotes imperialism. Poinsett might have overcome his adversity if he had not been so uncompromising on evangelizing the Mexicans with the republican principles of government, if his instructions had been more prudent, less demanding, and, as it seemed to Mexico, less predatory. This alone would have defeated a more gifted and less dogmatic minister—as indeed similar modifications of the same after his time would defeat all of his successors, including Anthony Butler, whom Jackson appointed to replace him.

## CHAPTER III

## FROM BUTIER TO ELLIS-A CHANGE IN FOREIGN POLICY, 1829-1839

Much more is known of Anthony Butler than has been published. Unlike Poinsett before him and John Slidell after him Butler has no biographer—but Rives has briefly sketched his beginnings. Butler was born in South Carolina and early had moved to Russellville, Kentucky. There he and his neighbor, John J. Crittenden, became fast friends, and Butler soon thereafter married Crittenden's sister. Butler was apparently an adventurer and opportunist; during the War of 1812 he was made a lieutenant—colonel, later to be raised to colonel, and was serving at Detroit when the Americans besieged it in 1814. The following winter Butler removed to New Orleans where he met Andrew Jackson and laid a solid foundation for a long, intimate, and confidential friendship.

After the war Butler remained in the public service by moving to Monticello, Mississippi, and became a member of the legislature in 1826. Shortly he apparently acquired an interest in Texas land, probably near Nacogdoches. In 1829, when Jackson became President, Butler was on the scene to see his old friend—probably for two reasons: the enterprising Butler would make himself available for office, and, in addition, to petition the government to do something for Texas. Andrew Jackson would, in later years, repent of Butler's friendship, calling him a "scamp" and a "liar." That Butler deserved it, there seems little doubt, for he was quarrelsome, impudent, and irascible—the kind of man

who could and did squander his wife's property and then abandon her; he bravely swindled his closest friends, and was altogether the worst man Sam Houston said he ever knew.

John Quincy Adams thoroughly examined Butler's Mexican despatches then on file. He declared that Butler's looseness of moral principle and his political profligacy were disclosed in several of his letters, while his vanity and self-sufficiency in others. The statement seems fully accurate. Some of Butler's correspondence, including his despatches from Mexico, were insolent and even scurrilous in tone; all portray the author's unmitigated love for himself. He was rudimentary in manner, vain in character, ignorant, ill-tempered, and totally corrupt. Rives wrote,

A man more unfit to deal with the punctilious, well-mannered, and sensitive people who controlled the Mexican government, or to attempt the delicate task of restoring confidence in the objects and purposes of the American government, could scarcely have been found.

Butler's appointment as minister to Mexico and his objectives there had their beginnings when Butler arrived in Washington after Jackson's inauguration. During the summer of 1829 Butler, in personal conversation with the President and Secretary of State Van Buren, extolled all the benefits of acquiring Texas. Presumably at their request, Butler prepared a document about the geography and productions of Texas, along with the arguments that might persuade Mexico to sell its northern

Rives, I, pp. 235-36, gives a character sketch of Butler, partly derived from personal correspondence of Sam Houston.

<sup>&</sup>lt;sup>2</sup>Charles F. Adams, XI, p. 359.

 $<sup>^{3}</sup>$ Rives. I, p. 236.

province.4

Butler had a personal interest in Texas that he may not have revealed. In the documents he prepared for Jackson and Van Buren, he held that the Neches was of rights the river described in the treaty of 1819, not the Sabine, "a view probably inspired by his lands near Nacogdoches, Texas, between the two rivers." When Jackson, at length, did send Butler to Mexico via a Texas route, Butler was armed with secret instructions authorizing him to offer five million dollars for various parts of Texas. And, as Mexico had previously been hostile to any cessions, no means were to be left unexplored. Supposedly, Jackson even advised Butler to "aggravate gently Mexico's fears of American filibusters invading Texas, and to point out to Mexico its crying need of money."

At any rate Jackson inherited the dilemma of the Adams' previous policies in Mexico. Jackson followed his predecessor's example, but greatly intensified the effort. With Butler's report before him, the new President began to plan his foreign policy toward the republic to the south. In addition to Butler's memoranda, Jackson had the treaty of limits of 1828, which reconfirmed those of 1819, negotiated by Poinsett but as yet unratified. This was fortunate, for Jackson could personally pursue those policies which he had earlier and publicly criticized Adams and Clay for not doing—to reacquire the territory of Texas, once owned

<sup>&</sup>lt;sup>4</sup>Ibid., p. 237.

<sup>&</sup>lt;sup>5</sup>The entire paragraph was based on information found in the Bertha Swartz Gilbert, "Anthony Butler, The United States Minister to Mexico From October, 1829 to May, 1836" (unpub. M.A. thesis, Oklahoma State University, 1939), p. 29. All the particulars being the same, Eugene C. Barker, Mexico and Texas, 1821-1829 (Dallas, 1928), defends Jackson's actions and conduct relative to the venal form of corruption advocated by Butler as a method of procuring Texas, while others have laid it to his charge.

by the United States, and surrendered by Adams.

On August 25, 1829, Jackson directed Van Buren to modify Clay's instructions of 1827 to Poinsett, this time advising him to open negotiations for the purchase of the entire province of Texas and not just part of it. Jackson, however, quickly became willing to pay as much as five million dollars for the area, realizing that Poinsett's earlier advice that the one million dollars previously offered was too paltry. Poinsett, owing to the hostility against him, never had the opportunity to present either plan.

Butler relieved Poinsett in late December, 1829, but before he could present his credentials to the Mexican government, that country's major newspaper, <u>El Sol</u>, printed the rumor that Butler was authorized to offer to purchase Mexican Texas for five million dollars. <u>El Sol</u> became the organ of the new President, Anastasio Bustamante, who had that same month deposed the hapless Guerrero. On the subject of Texas the press was not timid:

A few days before the departure of Mr. Poinsett from this capital, the American Colonel Butler arrived here, commissioned, as it is said, by the Government of Washington, to negotiate with ours for the cession of the province of Texas for the sum of five millions of dollars. As we are not informed that, so far, the colonel has made any overtures on the subject, we presume that he does the new administration the justice to suppose it incapable of lending itself to a transaction as prejudicial and degrading to the republic as

The best discussion on this point is found in Jesse S. Reeves,

American Diplomacy under Tyler and Polk (Baltimore, 1907), pp. 64-65.

The actual correspondence is cited by Reeves as "Van Buren to Poinsett,

August 25, 1829; Senate Executive Documents 351, 25th Congress, 2nd Session, 315." The citation is erroneous; the 25th Congress was not until

1836-1837, and on the page noted there is no mention of Van Buren's instructions. The actual correspondence is in the unpublished manuscripts in the Archives, Volume I, Number 30. The instructions, although disseminated by Van Buren, were actually drafted by Jackson on August 13, 1829.

it would be disgraceful to the minister who would subscribe to it.

We likewise understand that Mr. Butler came from Philadelphia by land, and that the fatigue consequent on so long a journey is the ostensible cause of his not having presented himself to our Government and delivered his credentials, which he is known to have received since his arrival in this city, for the purpose of acting as charge d'affaires of the United States of the North.

This article aroused public sentiment against the proposal, and materially contributed to its ultimate defeat. Butler expressed his surprise that the Mexicans could know about the offer since he did not know of it himself but declared his intentions to "unravel the mystery" although he never did. It was, as the article had said, not delivered to him until after his arrival in Mexico on December 19, 1828. Poinsett himself had received it only ten days before. George Lockhart Rives in his The United States and Mexico 1821-1848 suggested that Butler in route to Mexico, via Texas, boasted of what he intended to accomplish. This would allude to the fact that Butler knew of Jackson's monetary proposal, although the record shows no evidence that he did. 9

Van Buren's instructions of October 16, 1829, to Butler, indicate that the new administration was in an angry mood toward Mexico. Poinsett had failed; the commercial intercourse was treated "with a degree of indifference and suspicion as extraordinary as it was to be regretted;" there had been an "unaccountable tardiness" in ratifying the treaty of 1828 and Van Buren could find not "a single act of the

<sup>7</sup>H. Ex. Docs., 351, 25th Cong., 2nd Sess., p. 310. The El Sol article appears here in translated form.

Bild., Butler to Van Buren, January 10, 1830, p. 310.

<sup>9</sup>Rives, I, p. 244. Compare Butler's own account in footnote 8 which somewhat agrees with information contained in footnote 5 above.

Mexican Government which would serve to relieve the unfriendly aspect of its whole conduct." When Poinsett arrived in Washington in March, 1830, he freely delivered to Jackson and Van Buren the opinion that the public affairs in Mexico were at best unstable and at worst unpredictable and frightening.

At this point, "the dearest wish of Jackson's presidential career and which was the chief aim of Butler's mission" had to be seriously remodeled. Accordingly on April 1, 1830, Van Buren altered Butler's instructions pointing out that although the President, after counseling with Poinsett, had not given up his hope of acquiring Texas, the present was, nevertheless, an inauspicious time to press the issue. Therefore, Butler was simply

to watch the state of the public mind, the opinions of the principal members of the government, and hear what is said on all sides, [and that] is all that is, for the present, expected from your agency in the matter.

Butler happily complied, but faithfully recurred to the subject of acquiring Texas time and again all the while he was in Mexico, often indicating that he was within a hand's breadth of success. One of his first despatches on the subject began the pattern alluded to above. The Mexicans, he said, now knew of the intrinsic value of Texas, but notwithstanding, Alaman seemed amenable that the United States could negotiate for territory as far west as the Rio Grande and although the

<sup>10</sup>H. Ex. Docs., 351, 25th Cong., 2nd Sess., pp. 40-42, Van Buren's instructions to Butler.

Eugene C. Barker, "Private Papers of Anthony Butler," The Nation, XCII (June, 1911), pp. 600-01.

<sup>12&</sup>lt;sub>H.</sub> Ex. Docs., 351, 25th Cong., 2nd Sess., pp. 59-62, Van Buren to Butler, April 1, 1830.

British were vying for themselves, Butler reminded,

I have the best grounds for believing that Texas may be had by treaty...[and] if instructions were given me to urge our claims to the territory as far west as the Rio Grande del Norte, or permission to use the pretension as an auxiliary, there is no doubt of its being made to operate very favorably on the expected negotiations for Texas. [The pompous Butler concluded by saying:] I may be deceived, but I flatter myself to be able to settle every question committed to my charge in six months, entirely to the satisfaction of the President. 13

What optimism!—and totally unwarranted. The braggart had been nearly two years in Mexico before he dared even mention the subject to the Mexicans.

In the meantime it is well here to record Butler's only two diplomatic achievements while he was residing in Mexico. It had become increasingly obvious by 1831 that the Mexican government was unwilling to talk on any issue until the United States undertook some action on the two unratified treaties negotiated by Poinsett. When the United States Senate finally agreed to omit the article demanding Mexico to return fugitive slaves, and some other minor peculiarities, the Mexican Congress returned ratification.

The fourteenth article of the Treaty of Amity, Commerce, and Navigation would prove in the end to be often quoted as important, but worthless, as discussed below. The article comprised a lengthy discussion about the procedure to be followed in case any civil court cases should occur between the citizens of either country, whether they were in Mexico or the United States. The article had a special reference to the outstanding claims against Mexico and this was the first means of

<sup>13</sup> Despatches, Butler to Van Buren, March 9, 1830.

bringing them before a tribunal. 14

Mexico's acceptance was not without some difficulty, however, as Butler had to threaten to suspend diplomatic relations if they did not reciprocate. At last the two new treaties—one of Limits (1828) and the other of Amity, Commerce, and Navigation (1831)—renegotiated by Butler—were jointly exchanged in Washington City on April 5, 1832.

For the next year Butler talked but did nothing. In May, 1831, Butler, as had become his pattern, continued to encourage the President and the State Department that progress was being made on the Texas question, but that the insincerity of Alaman continued to stand in the way. <sup>16</sup> Finally in July, 1832, the American charge could report that he had actually discussed the subject with Alaman. Topics for discussion at the conference were the unrest festering in Texas and the possible alternatives Mexico faced if Texas revolted and if they were successful. Butler was dealing with a collected and experienced diplomat and when Butler failed to frighten Alaman, the ebullient minister of foreign relations replied with a query as to what territorial designs the United States might have upon Texas in such an event. The candid Butler told him and the conference ended. <sup>17</sup> A curious anomaly accompanied this

<sup>14</sup>United States Congress, Senate, Treaties, Conventions, International Acts, Protocols And Agreements Between The United States of America And Other Powers, 1776-1909, I, William M. Malloy, compiler (Washington, D.C., 1910), pp. 1082-84 for "Limits" and pp. 1085-97 for "Amity, Commerce, and Navigation." For data on the mutual exchange of the treaties see H. Ex. Docs., 42, 25th Cong., 1st Sess., pp. 48-58 (not held by Oklahoma State University Library).

<sup>15</sup> Despatches, Butler to Alaman, December 14, 1831.

<sup>16</sup> Ibid., Butler to Jackson, May 25, 1831.

<sup>17</sup> Ibid., Butler to Livingston, July 16, 1832.

event. In his correspondence of July 16, 1833, explaining this event, Butler passively refers to the fact that Alaman had resigned as foreign minister six weeks previous to this date. Even had Alaman been susceptible to Butler's persuasions, the late foreign minister was not only out of office but of influence as well. The Bustamante government was tottering as the ever-present Santa Anna was soon to replace him with Manuel Gomez Pedraza. Who might have been officially serving as foreign minister ad interim from June to August, 1833, is not known because Butler addressed his correspondence to several different individuals. After three presidents in as many months Carlos Garcia was appointed by the last acting President, Gomez Farias.

With the political affairs of Mexico so manifestly uncertain.

Butler, knowing that the Mexican treasury was near depletion, sought to take advantage by proposing a plan to Jackson to loan Mexico money for a mortgage on Texas. <sup>18</sup> Jackson was not amenable to the scheme and forwarded Butler's despatch with an endorsement on the back which instructed Edward Livingston, then Secretary of State, to constrain Butler and inform him to terminate the negotiations for Texas. Jackson had information that the Texans had called a constitutional convention and, if successful, Texas would forever be lost to Mexico. But Butler was not so easily discouraged.

As the situation in Texas grew steadily worse, Butler's patience began to wear thin. In August, 1833, he told Louis McLane, then Secretary of State, that Austin had presented to the Mexican Congress a petition calling for separate statehood but that it probably would

<sup>18</sup> Ibid., Butler to Jackson, February 10, 1833.

fail. <sup>19</sup> The request was denied and Butler's efforts at negotiation were met with equal coolness. The frustrated minister now advised Jackson to take military possession of Texas, and that, too, failed. The President was by this time anxious to remove Butler from Mexico lest he lose control over him. Jackson instructed McIane to take advantage of a technicality in the treaty of 1828 and on good pretense get Butler back home.

In the treaty of 1828 there was an article providing for a survey to be made of the boundary lines between the two countries within a certain time period and that hour had already passed. Accordingly, the Secretary of State instructed his charge to negotiate a new article and when completed to hand carry it to Washington himself. 20 Upon his arrival in that city Butler laid before the President and Secretary of State a venal plan to bribe Mexican officials through one Ignacio Hernandez, a priest in Santa Anna's household and the known manager of palace negotiations, that would once and for all consummate the successful acquisition of Texas. This plan deserves special mention because in it is the first mention of a possibility that the United States might not only obtain Texas, but New Mexico and California as well. In Butler's correspondence to John Forsyth, McLane's replacement, a personal letter from the priest was enclosed saying that "Five hundred thousand judiciously applied" would be sufficient to accomplish the goals of the United States. The priest said nothing of New Mexico or California, but

<sup>19</sup> Ibid., Butler to McLane, August 5, 1833.

McLane to Butler, January 13, 1834, William R. Manning, <u>Diplomatic Correspondence of the United States: Inter-American Affairs</u>, 1831-1860, VIII (Washington, D.C., 1937), pp. 26-28.

Butler quickly interpreted the content as alluding to the possibility. Butler availed himself of the occasion to explain to Forsyth that his plan, if adopted,

would only be the first of a series which must at last give us dominion over the whole of that tract of territory known as New Mexico, and the higher and lower California, an empire in itself, a paradise in climate...rich in minerals and affording a water route to the Pacific through the Arkansas and Colorado rivers.<sup>21</sup>

The scheme angered his superiors and was, of course, refused. The method of acquisition was refused but the idea that "higher California" might be had was pursued by Jackson. Accordingly, the President directed Forsyth to instruct Colonel Butler, who by this time was back in Mexico, to proceed with negotiations for the purchase of Texas and to offer an additional five hundred thousand dollars if the boundary limits could be expanded to include not only Texas but also the coveted bay of San Francisco as a whaling port for United States ships operating in the area. This plan, as would all the others, would fail, and it is doubtful Butler could have had time to present it to the Mexican officials, or to Hernández.

Why Anthony Butler was not discharged immediately is not known. He was in Washington, and any excuse for his removal would have presented itself plausible and welcome to the Mexican government. Nevertheless, a

Despatches, Butler to Forsyth, June 17, 1835. A copy of Hernandez' letter was enclosed with Butler's. For additional explanations, see Reeves, pp. 73-74; and Rives, I, pp. 259-60.

Forsyth to Butler, August 6, 1835, Manning, Diplomatic Correspondence, VIII, pp. 33-34. Robert Cleland Glass, "Early Sentiments for the Annexation of California: An Account of the Growth of American Interest in California, 1835-1846," Southwestern Historical Quarterly, XVIII (July, 1914), pp. 1-40, provided an excellent survey discussion of the matter.

year after his return home Butler was allowed to return to his post in Mexico City. But time and events were against him. The Texas revolution was at hand, and on his way back to Mexico Butler passed through the troubled province. Mexico was sure that his purposes there were to incite rebellion. Finally, on October 21, 1835, the Mexican Secretary of State, José Monasterio, instructed the Mexican charge d'affaires in Washington, Joaquin Castillo, to present to the American government a request for his recall. The behest was of the usual form—unfavorable public antagonism—but was specific in the charge against him. Butler was said to have

imputed intrigues unbecoming a diplomatic agent which imputations is strengthened by the present occurrences in Texas, the revolt there having commenced whilst that gentleman was in those parts,

and if the United States would voluntarily recall him then Mexico would be saved the embarrassment of "tendering him a passport." 23-24

It is true Butler inherited a deteriorating diplomatic circumstance but instead of attempting to improve that difficulty he continually worsened it. Butler perennially represented his own interest more than that of the country that had accredited him. Butler throughout his term never ceased to insure the administration that the purchase of Texas was near to consummation. There were two reasons for this action; obviously he wanted to remain in office, and resorted to lies, deceit and corruption to do so; not to mention that he had speculated in land deals in east Texas which accounts for his unrelenting campaign to amputate Texas

<sup>&</sup>lt;sup>23</sup>Monasterio to Castillo, October 31, 1835, <u>H. Ex. Docs.</u>, 351, 25th Cong., 2nd Sess., p. 719.

Despatches, Butler to Forsyth, November 28, 1835. Butler explained his delay in Texas saying he was ill of the fever.

from its legal owners.

Butler's private papers held by the University of Texas reveal his real interest in the purchase of Texas. These papers show that Butler held script aggregating to a million acres of Texas land insured to the Arkansas and Texas Land Company and the Galveston Bay and Texas Land Company. In case of acquisition or cession and subsequent recognition by the United States it was hoped that the government would recognize the titles and most of its value. The Mexican government, of course, did not acknowledge the legality of these claims and it is possible that that government knew of Butler's holdings in these companies and therefore they actively resisted any negotiations with him on the subject.

When Butler made his visit to Washington in 1835 he took occasion to discuss the details and probabilities of his success when he returned to Mexico with the Galveston Bay and Texas Land Company, through its representative, James Prentice of New York, who authorized Butler as its agent and empowered him to offer the Mexican government ten million dollars for Texas, and with it the transfer of political jurisdiction to the United States. "There is no evidence to show how seriously Butler considered this bizarre proposal." Butler, before returning to Mexico went to New York to confer with the speculators of the New York-Texas Land Company and its representative, the same James Prentice. In return for a lucrative personal contract, of which the consideration was five thousand dollars, he would obtain Texas and promised to "protect and secure" the speculators' land titles; and afterward, if he succeeded, he

<sup>&</sup>lt;sup>25</sup>Barker, "Private Papers," pp. 600-01.

was promised more money and more Texas soil. 26

Butler was as unhappily devoid of honor as he was in the use of diplomatic decorum. Amazing it is that the propriety of the Mexican officials endured as long as it did. The American minister's method in communicating to his government violated the rules of diplomatic courtesy. Butler insisted upon writing directly to the President instead of reporting the representation of the country's interest to him through the State Department. Butler had no conception of channel communication and the concept of the chain of command. This kind of trespassing and the fact that Jackson believed him, added to the knowledge that Butler was an old comrade in arms, probably accounts for the unwarranted length of his services in Mexico. While it is certain that the various secretaries of state to serve under Jackson were never imposed upon to have any faith in Butler, the President did. They knew it and never suggested to their chief that the inept chargé should be replaced.

At last after six years of grossly mismanaged negotiations, Jackson's patience to purchase Texas and endure Butler's gross incompetence further were at an end. Forsyth, on December 16, 1835, following the President's instructions to do so, recalled the second minister of the United States to Mexico. One would have thought that Butler had done all the damage to Mexican-American diplomatic relations that was possible, but the infuriated and embittered former agent lingered in Mexico six months after the arrival of his successor and reeked as much diplomatic havoc in that amount of time as he had in the previous six years.

<sup>&</sup>lt;sup>26</sup>Gilbert, p. 35.

 $<sup>^{27}</sup>$  Forsyth to Butler, December 16, 1835, <u>H. Ex. Docs.</u>, 351, 25th Cong., 2nd Sess., pp. 160-62.

The vindictive Butler involved himself in the most absurd quarrels with the Minister of Foreign Relations, Carlos García, and with the Secretary of War, General José Tornel, whom he personally insulted and challenged to a duel. These incidents obliged the United States more than once to express its regrets over Butler's conduct before he finally left Mexico. It seems a fitting epithet to Butler's public career to renew what George Rives said of the man: "He took up his residence in Texas, where the remainder of his life was passed in deserved obscurity."

The Senate approved Mr. Powhatan Ellis, of Mississippi, as Jack—son's choice to replace Butler in the City of Mexico. The President had already despaired of wresting Texas from Mexico and immediately changed the direction of his foreign policy. On January 29, 1836, Forsyth wrote to Ellis explaining the new objectives of American policy saying that

The claims of citizens of the United States on the Mexican Government for injuries to their persons or property by the authorities or citizens of that republic, are numerous, and of considerable amount; and, though many of them are long-standing, provision for their payment is pertinaciously withheld, and the justice of most of them has not been acknowledged.

Forsyth indicated the President's indulgent consideration due to the incessant commotions which perennially plagued the country's domestic tranquility but hereafter he unmistakedly insisted that these claims be paid. <sup>29</sup>

The origins of the American claims generally were events resulting in times of national distress in Mexico. These occurrences cover a relatively long period of time, from battles of Mexican independence,

<sup>28</sup> Rives, I, pp. 260-61.

<sup>&</sup>lt;sup>29</sup>Forsyth to Ellis, January 29, 1836, <u>H. Ex. Docs.</u>, 351, 25th Cong., 2nd Sess., 160-62.

through the Texas revolution, right on up to the Mexican War in 1845. The American claims were almost as diversified in nature as they were in number. Generally the grievances were of two types. The United States made claims when evidence indicated that the national rights of the United States government had been attacked, or when citizens of the American republic had suffered private injuries or had had their private property confiscated. In the former case a claim was directly chargeable to the Mexican government; in the latter, claims were leveled against the government as well as minor authorities or individuals. example, ocean vessels belonging to the United States government or private individuals were frequently commandeered for Mexican use. American citizens residing in Mexican provinces, especially California and Texas, were arbitrarily arrested and expelled or killed, and their property confiscated. These individuals were classed as undesirables or those attempting to overthrow the Mexican government. receipts of the United States government amounted to thirty million dollars in June of 1845-this figure includes an accrued interest rate of about five per cent, due to the rise of inflation during the period they remained unpaid. After the war the United States would release Mexico from a total debt of \$8,491,603. The United States would obligate itself to pay only \$3,250,000 of that amount to the claimants, thus admitting that the claims in dollar terms were exaggerated almost three times their actual worth. 30

The claims were always presented in two forms: When the claims

<sup>30</sup> Justin H. Smith, The War With Mexico, I (New York, 1919), pp. 74-77, 424-25. Kohl, pp. 80-90. Also the claims are discussed throughout H. Ex. Docs., 351, 25th Cong., 2nd Sess., intermittently.

were presented to the authorities in Washington the Secretary of State would then forward them on to the American Minister in Mexico for formal presentation to the Mexican government. When a claim was recent and occurred in close proximity to the American legation, the claims were presented to the nearest American Consul and he would forward them on to Mexico City.

Following Forsyth's instructions to acquaint himself with the record of grievances kept in the American legation at Mexico, Ellis made the following report: "I am unable to find a single case where indemnification has been awarded to and a payment received by, the claimant." Ellis explained that the outrages on American commerce were very likely to continue because Mexico looked upon the United States as either imbecilic or afraid to vindicate their rights, and the longer the United States permitted the violations to continue confabulation on the subject was useless. And in accordance with these facts Ellis proposed the United States assume a direct and straightforward policy toward collecting the claims in an uncompromising manner. Ellis was absolutely right.

Heretofore the preceding pages have been concerned with events as they happened. Poinsett was deeply involved with local politics, Cuba, and interstate commerce. Butler was concerned only with Texas. The two, however, had orders to present American grievances to the Mexican government and they did, but without results. Poinsett had created so much general hate and discontent that when he presented he seldom received a reply. Butler met with similar hostility when he tried to

<sup>31</sup> Despatches, Ellis to Forsyth, May 28, 1836.

follow his instructions. So many interpositions were received by the American State Department in 1832 and 1833 that Van Buren once again enjoined Butler to forget Texas for the moment and impress these grievances upon Mexico. 32 When he received these orders Butler wrote a note to the Mexican ministry and requested an interview to discuss the backlog of claims in the legation's archives. 33 Eight days later Garcia curtly replied that if the claimants really wanted to collect their debts they could present themselves and their evidence to the Treasury Department. Garcia closed by a remark that probably reflects his disdain for Butler and the United States:

However, should that gentleman still insist upon an interview, after what has been here said, the undersigned will have the honor of appointing a day where he will repeat to him the resolution referred to above. 34

This reply marks the setting of Mexican policy toward the claims and the method the injured would have to endure to gain any satisfaction. Some of the claimants did report in person but to no avail. And it appeared, said Butler, that Mexico's policy was a designed evasion and delay. 35

At length Secretary McLane instructed Butler

that if a prompt and favorable answer should not be given upon this as well as upon the other points at issue between the two Governments, you will present my letter to the Minister of Foreign Affairs, and return home. 30

Butler, too interested in his obsession for Texas, never took the

 $<sup>^{32}\</sup>text{H}$ . Ex. Docs., 351, 25th Cong., 2nd Sess., pp. 83 and 106.

<sup>33</sup> Despatches, Butler to Garcia, October 16, 1833.

<sup>34</sup> Ibid., Garcia to Butler, October 24, 1833.

<sup>35</sup> Ibid., Butler to McLane, October 26, 1833.

 $<sup>^{36}</sup>$ McLane to Butler, June 28, 1834,  $\underline{\text{H}}$ .  $\underline{\text{Ex}}$ .  $\underline{\text{Docs}}$ ., 351, 25th Cong., 2nd Sess., pp. 144-45.

enjoined action.

Jackson's dream to incorporate Texas lasted much longer than his patience to collect the claims. Just two months after Ellis' note of May 28, 1836, the President and the State Department made their decision concurrent with Ellis' suggestion. Forsyth, on July 20, 1836, directed Ellis to implement his plan. His instructions included a list of fifteen claims to which he was to make immediate demands for reparations. The claims were those the United States had made interposition for according to the provisions of the fourteenth article of the treaty of 1832, none of which had been acted upon. If Mexico refused to hear the cases Ellis was to inform that government that his further residence in their capital would be useless; that failing he was to say that unless the wrongs were satisfactorily redressed within a fortnight he was to request his passports and return home, bringing the archives of the legation with him. 37

To the letter the American charge carried out his assignment. In the exchange of letters between Ellis and Mexico's Acting Minister of Foreign Relations, José Monasterio, nothing was accomplished. Ellis, on September 26, wrote to Monasterio and presented the claims he had received from Forsyth, and, not altogether in pacific terms, he proceeded to generalize on past insults not documented. He reminded Monasterio that the President of the United States had always shown a remarkable proclivity to forbear with the unhappy domestic situation in Mexico and was confident that it would be more than pleased to agree to

<sup>&</sup>lt;sup>37</sup>Ibid., Forsyth to Ellis, July 30, 1836.

the demanded reparations. 38

Monasterio replied that the Mexican government had the matter under consideration and as soon as the documents could be examined on their points of legality and justice they would be reported forthwith. <sup>39</sup> Ellis waited two weeks and after no word he informed the Mexicans of his intention to sever relations with them if they did not meet his demands without any unnecessary delays.

The Mexican foreign minister temporized with perfectly logical reasoning, explaining that such action was unfair, hasty, and premature considering that he had been given such short notice to comply with the demands but Ellis refused to recant his position. In his reply Ellis said so, adding that unless Mexico agreed to honor the claims within a fortnight he would return to the United States. Monasterio answered him but it was not the reply Ellis had hoped for. In it the Mexican reviewed the claims submitted by Ellis on September 26, considered them one by one, and in the end accepted only two of the fifteen as valid. Further, Monasterio said that his government's inability to redress grievances within two weeks was not unprecedented seeing that the United States on other issues was guilty of the same offense, therefore that was no reason to suspend diplomatic intercourse. The Mexican Secretary also referred to article fourteen of the treaty of 1832, claiming that the aggrieved parties should bring their claims before the Mexican tribunal for adjudications. Finally, he resented the inference that the American President had always treated Mexico with special indulgence and

<sup>38</sup> Despatches, Ellis to Monasterio, September 26, 1836.

<sup>&</sup>lt;sup>39</sup>Ibid., Monasterio to Ellis, October 3, 1836.

cited his obvious reasons. 40 In all, the letter was masterfully written, decidedly unbiased, stating fairly and clearly the facts which illumined Mexico's position.

Ellis, unsatisfied, made good his threats on December 7, 1836.

After taking issue with Monasterio's reference to the court procedure outlined by treaty, saying it was prejudicial and the results a foregone conclusion, he declared that

The Undersigned entertains no hope of a satisfactory adjustment of the questions in controversy between the United States and Mexico. He has patiently waited three weeks for some evidence of a more favorable disposition to render justice to his injured country, but he has waited in vain; and, whatever may be the consequences, he now feels it to be his duty, in compliance with instructions, to request that his excellency the President ad interim will be pleased to furnish him with the necessary passports to leave the Mexican republic.

The documents were tendered and for the next three years the United States was without representation in Mexico City although the various American consuls throughout the Mexican States remained at their posts.

Jackson knew that Mexico was in difficulty; her finances were in a deplorable condition and the Texas War of Independence was soon to be a fact. Yet, he chose this inopportune time to press that beleaguered nation for settlement of grievances against it. The breach of diplomatic differences was as wide in Washington as it was in Mexico City and the Mexicans acted first by terminating official intercourse before the United States did. Two months before Ellis requested his passports the Mexican envoy in Washington, Manuel de Gorostiza, on October 15, accused the United States of violating Mexican neutrality in allowing General

<sup>40</sup> Ibid., November 30, 1836.

<sup>41</sup> Ibid., Ellis to Monasterio, December 7, 1836.

Gaines' forces not only to assemble on the Texas-Louisiana boundary but to encroach upon Mexican soil by permitting them to cross the Sabine River into Texas. Gorostiza dutifully protested, demanding that Gaines be recalled, but to no avail. When Jackson refused his bidding, Gorostiza withdrew and as he did he circulated a pamphlet among the foreign legations resident in Washington condemning the United States for its conduct and complicity in the whole affair. 42

After both countries had terminated diplomatic relations, the Jackson administration in its last official act recognized Texas' independence on March 3, 1837. The United States, however, refused to accept Texas' bid for annexation. Jesse Reeves suggests that this action led to the restoration of formal relations between the two countries. His grasp of the situation argues that

The open refusal of the United States to accept the Texan offer of annexation put the United States in a position where demand for payment of its claims upon Mexico could be made without any suspicion of ulterior motive...Jackson's policy was justified by its result.

As is known, up to this time Mexico had refused to adjudicate the American claims against it. It is possible (although uncertain) that Mexico made the first overtures to restore diplomatic relations with the United States by way of promising to arbitrate and pay the claims, adjudicated by a commission. This action by Mexico was not to reward the United States for refusing to annex Texas, but rather in the hope of preventing it in the future.

<sup>42</sup> Reeves, pp. 76-80. Gorostiza's grievances are printed in his letter to Dickins, October 15, 1836, H. Ex. Docs., 190, 25th Cong., 2nd Sess. Also see Kohl, p. 11.

<sup>43</sup> Reeves, pp. 86-87.

If the claims were used as bait then the United States took it and formal relations were restored as follows: On May 14, 1837, the Mexican President, Miguel Valentin, appointed Francisco Martinez as minister plenipotentiary to the United States; on May 20, of that year, Valentin published a decree promising to adjust the claims by arbitration; on October 14, 1837, the American government accepted Francisco Martinez according to his credentials to negotiate terms of restoration and establish the ground work for a convention to arbitrate the claims as suggested by Mexico. Martinez proposed to re-establish diplomatic relations on April 7, 1838, and Forsyth accepted the proposition on April 21, solely for the purpose of lending legality to the proposed convention. Finally, after many delays, the convention was held and concluded on April 11, 1839.

There are other interpretations which, for the record, should be noted. After the break of diplomatic relations Jackson took the matter to Congress and in his message of February 6, 1837, he declared that Mexico's attitude via Gorostiza's actions "would justify in the eyes of all nations, immediate war." However, he said Mexico should be afforded

one more opportunity to atone for the past, before we take redress into our own hands...I recommend that an act be passed authorizing reprisals, and the use of the Naval force of the United States, by the executive, against Mexico, to enforce them, in the event of a refusal by the Mexican government to come to an amicable agreement of the matters in controversy between us, upon another demand thereof, made from on board one of our vessels of war on the coast of Mexico.

<sup>44</sup>Documents relating these events and lending this theory to it are printed in United States Congress, House of Representatives, The Report of Committees, Report 752, IV, 29th Congress, 1st Session, pp. 15-22; hereinafter cited as H. Rep. Coms. The results of that and the treaty are printed in Treaties and Conventions.

<sup>45&</sup>lt;sub>Н</sub>. <u>Ex. Docs</u>., 139, 24th Cong., 2nd Sess., p. 1.

The President's actions might have equalled his words if Congress had given him the authority to declare war. Upon this statement Clayton Charles Kohl, in his <u>Claims as a Cause of the Mexican War</u>, records his command of the subsequent events that led to the restoration of diplomatic relations.

The Senate Committee of Foreign Relations, under the chairmanship of James Buchanan, took Jackson's bellicose message to study and, if need be, act upon it. The Committee justified his thinking but not his actions to go to war. They submitted their proposals to Van Buren, now President, that Mexico should be given "one more opportunity to atone for the past." Accordingly, Forsyth, on May 27, 1837, thirteen days after Mexico had appointed a minister to the United States and seven days after it had published its decree of promises, commissioned Robert Greenhow to carry messages of reconciliation to the Mexican government. Greenhow, after presenting himself and his charges to Mexico, was to remain for one week for an answer, requesting immediate redress of the claims. The claims presented were those appended to Jackson's Congressional address of February 6, instead of those Mexico had already agreed to pay. The new claims, fifty-seven in all, could not have been previously agreed upon (except four) by Mexico and were summarily rejected because she could not accredit them in a week's time. Greenhow returned a failure 46 and Mexico made its bid.

The proposal to submit the claims to arbitration being agreed to, Powhatan Ellis was instructed to return to Mexico City on May 3, 1839,

<sup>46</sup> Kohl, pp. 13-29.

to resume his post and his unfinished mission. 47

<sup>47</sup> Forsyth to Ellis, May 3, 1839, Manning, <u>Diplomatic Correspondence</u>, VIII, pp. 93-95.

## CHAPTER IV

## THE PERIOD OF ARBITRATION, 1839-1843

It is deemed worthwhile at this time to recapitulate the events and some of their significances to this point. Poinsett's mission was a disaster and Butler's a catastrophe. Poinsett had failed to secure Texas honorably and Butler failed to annex it dishonorably. The ever present claims were actively pursued as a secondary objective to the acquisition of Texas. Jackson, more actively than Adams, had tried every means of legal and illegal coercion and decided, in view of the pending Texas revolution, to begin an active campaign to collect the claims against Mexico.

Thus it was Mexico's intransigent attitude over settlement of the Texas boundary dispute that became the catalyst which eventually allowed the claims issue to ascend to one of primary importance in the future formulation and execution of American foreign policy toward Mexico. It was at this time, in 1836, that the United States embarked on a vigorous and uncompromising policy to collect their outstanding debts. Diplomatic intercourse between the two countries had been anything but placid and in 1836 the course of Mexican-American relations took a decided turn on a perilous course that would not improve, but would relentlessly follow until the outbreak of war in 1846.

The claims were long in arrears when Jackson changed his policy objectives but his only leverage was the vague and unenforceable article

fourteen of the treaty of 1832. Forsyth alluded to its legality and means of employment in Ellis' instructions. Ellis, in turn, denied the same when referred to a Mexican use by that country's foreign relations minister. Jackson had proceeded on thin legal grounds and high hopes. Up until 1836 Mexico had recognized the validity of the claims, or at least of most of them. But at best the claims were only quasi-legal regarding Mexico's obligation to pay them until the international tribunal was established under the Claims Commission of 1839. The treaty of 1839 was preceded by a convention which met and signed an agreement on September 10, 1838. The treaty was never ratified by the Mexican Congress who begged that the terms of the treaty did not allow them enough time to carry out their obligations and that the King of Prussia, appointed as umpire, refused to act. The United States accepted their reasons, much to their chagrin, and President Van Buren assented to a new convention. 2

The agents of the two countries met and concluded another treaty on April 11, 1839. The terms of this latter agreement were essentially the same as its predecessor's. The convention provided for a board of commissioners—two Mexican and two American—and the Prussian King. Their labors were to be completed within eighteen months from the day they met. Four of these months "were spent in preliminary discussions, which had arisen on frivolous and dilatory objections, raised by the Mexican commissioners." Finally on December 24, 1840, the commissioners began examination of the claims. The board allowed eleven claims, amounting

H. Rep. Coms., 752, IV, 29th Cong., 1st Sess., p. 24.

<sup>&</sup>lt;sup>2</sup>Ibid.

to \$439,393.82 including principal and interest. The grievances on which the board could not agree were referred to the umpire who allowed fifty—one claims, aggregating to \$1,586,745.86 including principal and interest. In all the total sum reached \$2,026,139.68.

Meanwhile, Ellis returned to Mexico with the following admonishments from Forsyth:

It is the President's wish that in resuming the discussion of these cases [pecuniary claims not submitted for arbitration] and any other business which you may have to transact with the Mexican government, your language and deportment should be of the most conciliatory kind, and evincive of his disposition to do everything in his power to restore and preserve the best understanding between the two governments.<sup>4</sup>

Ellis employed all the civilities embraced in his instructions and Juan de Dios Cañedo, the Mexican Secretary of State, returned the cordiality. Both sides were anxious to maintain amicable relations having been so recently restored. The two representatives were waiting for the results of the board of commissioners meeting in Washington before attempting to settle any of the claims of the American citizens against Mexico. Some pecuniary grievances were presented to the Mexican government, but the United States had little proof of the offenses and were not pressing the issue very hard. Consequently, from the time Ellis arrived in Mexico in July, 1839, until he was replaced by President John Tyler when he appointed Waddy Thompson of South Carolina to the mission, little was accomplished—but little was attempted.

In the interim period of two years between the meeting of the board, the process of adjudication, the transmission of the result, and

<sup>&</sup>lt;sup>3</sup>Ibid., pp. 24-25.

<sup>4</sup>Forsyth to Ellis, May 3, 1839, Manning, Diplomatic Correspondence, VIII, p. 95.

their joint ratification, the claims continued to mount and Forsyth and his successor, Daniel Webster, continued to forward them to Mexico for interposition. Mexico was still smarting from their loss of Texas, by this time recognized as an independent nation by Great Britain, France, Holland, Belgium, and the United States. The Mexicans considered all aliens in their states to be subverters, arrested them on the pretense of violation of Mexican neutrality, and treated them as prisoners of war.

Throughout the troubled era the United States was continually grieved over the numerous decrees, both oral and written, designed to curtail the commercial and individual activities of American citizens residing or traveling in the various Mexican provinces. Charges and countercharges, real and imaginary, and with varying degrees of severity, were constantly being leveled at the other, establishing a somewhat predictable pattern. Whatever the offense it was generally considered a violation of some article of some treaty. These not infrequent occurrences were seldom provocative enough to draw from one legation or the other more than a strong protest. The grievances were usually settled on the diplomatic level. According to the established pattern during and after each successive crisis, the United States persistently reiterated its major foreign policy objective toward Mexico—to collect the unpaid and overdue claims.

Two of these incidences deserve special mention to illustrate the caustic relations between the two countries during this time—not in Mexico, but in Washington. In 1841 President Mirabeau B. Lamar of Texas authorized the army of that republic to organize an expedition to Santa Fe for the purpose of adding New Mexico to their domain. Some

American citizens were found on the muster rolls of the Texas army. The expedition was disasterous—six members were captured and marched some two thousand miles over land to Mexico City and held as prisoners of war in the dungeons. Among them was George M. Kendall, editor of the New Orleans Picayune. Ellis negotiated for their release and finally obtained it just as he was relieved by Waddy Thompson.

In a long letter, on April 5, 1842, Webster wrote to his charge, Waddy Thompson, at Mexico City and outlined in the strongest language the American position and protest on these matters. While José de Bocanegra, the most recent Mexican Secretary of State, reiterated his country's stand, the situation—if it is not too trite to repeat—was a Mexican standoff.

No sooner than that incident had been satisfactorily concluded the infamous invasion of California at Monterey took place by Commodore Thomas AP Catesby Jones on October 19, 1842. Juan N. Almonte, the Mexican minister in Washington, dutifully protested and Webster dutifully apologized. 8

It will be remembered that the two countries were still arbitrating claims immediately subsequent to these occurrences and that with a new president came new ideas of foreign policy. Tyler was a Virginian

<sup>&</sup>lt;sup>5</sup>Reeves, p. 94.

Webster to Thompson, April 5, 1842, The Writings and Speeches of Daniel Webster, XII (National ed., Boston, 1903), pp. 101-14.

<sup>&</sup>lt;sup>7</sup>Ibid., Bocanegra to Webster, May 12, 1842, pp. 116-18.

The incident is recorded in H. Ex. Docs., 166, 27th Cong., 3rd Sess., p. 70. Ibid., the Mexican complaint—Almonte to Webster, January 24, 1843, p. 3. Ibid., the American apology—Webster to Almonte, January 30, 1843, p. 5.

and was subject to the outcries of John Quincy Adams and his following that the President wanted to obtain Texas for a slave state. Some of these charges, while true, have been later adjudged exaggerated. But that Tyler wanted Texas and California is true and he quickly became ready to trade the claims, despairing that they would ever be paid, for this annexation of land. Tyler feared that the British were entertaining the same thoughts, and, on advice of his Secretary of the Navy, sent Commodore Jones to the Pacific to prevent this. To abet his plans in Mexico, the President sent Waddy Thompson as his representative. That the British were interested in California has been quite definitely established, 10 although privately Lord Ashburton denied it to Webster. 11

Thompson, in his first letter from Mexico, discusses the situation as he found it relative to California and Texas. Thompson told Webster:

I believe that this government would cede to us Texas and the Californias, and I am thoroughly satisfied that it is all we shall ever get for the claims of our merchants on this country.

He considered California infinitely more valuable than Texas and he was convinced that California was

destined to be the granary of the Pacific. It is a country in which slavery is not necessary, and therefore, if that is made an objection, let there be another compromise. France and England both have their eyes upon it.

He concluded by saying that he would desire "no higher honor than to be an instrument in securing it." 12

<sup>9</sup>Kohl, pp. 45-47.

<sup>&</sup>lt;sup>10</sup>E. D. Adams, "English Interest in the Annexation of California," American Historical Review, XIV (April, 1909), pp. 744-763.

<sup>11</sup> Ashburton to Webster, April 28, 1844, Webster, II, p. 192.

Despatches, Thompson to Webster, April 29, 1842.

Thompson repeated his desire to the President on May 9 and on June 27. Webster answered both letters and stated the American policy toward such acquisitions. Secretary Webster said it was not of the highest expectations, but

Nevertheless the benefit of the possession of a good Harbour on the Pacific is so obvious, that to that extent, at least, the President strongly inclines to favor the idea of a treaty with Mexico...You are at liberty to sound the Mexican Government upon the subject of a cession of the Territory upon the Pacific, in satisfaction of those claims, or some of them. 13

In complying with his instructions, Thompson attempted every opportunity to sound out the Mexican government on its amenability to part with California and Texas, arguing that Mexico had not taken hostile action against Texas in the last six years and the hopes of it in the future were equally as distressing. Thompson, in the meantime, returned to the task of collecting the claims, although throughout his entire tenure in Mexico he consistently mentioned California to his superiors in Washington.

"Our Philo-Mexican minister," <sup>14</sup> as Justin Smith described him, managed to associate among high circles in Mexico City and gained considerable influence in the clergy and the State Department, but even in doing so it did not help him to convince Mexico to pay her debts. Mexico looked upon the Claims Commission as a tribunal that required Mexico to allow American citizens to present claims but did not require it to pay them. Webster agreed to this logic and the American government assented. The problems that brought this about were due to the nature of some of the claims Thompson had to present for payment. The American

<sup>13</sup>Quoted by Kohl, Webster to Thompson, June 27, 1842, p. 48.

<sup>&</sup>lt;sup>14</sup>Smith, I, p. 80.

envoy at this time was presenting claims that had not been brought before the arbitration board, and one of these illustrates Mexico's indignation and a good reason not to pay it.

The claim was made by William S. Parrott, and consisted largely of huge amounts of bottled porter. The total sum was six hundred ninety thousand dollars. Thompson reported his feelings on the matter, saying:

These claims are not of such a character as to justify menace and the execution of that menace if compliance is refused. I am constrained to say that if they were referred to me as a judge, I could not admit them, nay more I cannot with a clear conscience assist them.

To do so, he continued, "would subject both me and the government to ridicule, if nothing worse." 15

The situation, as it stood, was entirely untenable for both sides and a new convention seemed to be a remedy. Thompson had some trouble persuading Mexico to agree as they were rather chary, this request having come so soon after the Jones affair in Monterey. At length Mexico did agree and a convention was held in Washington. An agreement was signed on January 30, 1843. Mexico agreed to liquidate the adjudicated debts in quarterly installments over a five—year period beginning the following April. In the end Mexico would make only three of the twenty payments under this compact.

To please the Mexican government, the January treaty contained provisions to call another convention, to be held in Mexico City on the following November 20, in order that the Mexican republic could present their claims against the United States (although unofficially the latter denied that Mexico had any legal claims against the American

<sup>15</sup> Despatches, Thompson to Webster, November 30, 1842.

government).

The Americans, having the most numerous claims, rightly insisted that the joint board of commissioners meet in Washington, and Mexico agreed. The concession to hold a convention in Mexico City and the board to meet in Washington was one of the two amendments attached by the United States Senate when that body ratified the proceedings on January 30, 1844. If the arbitrators had met in Mexico City it would have effectively negated the convention agreements and infinitely postponed settlement. The claimants, all American citizens, would have been required to travel to Mexico to present their documents and testimonies in person. This had been tried before, it will be recalled, and completely without result. In addition, a new board was to be, in fact, but a continuance of the old one and its duties were chiefly to complete the business which had been left unfinished in Washington by the previous commission.

The second amendment struck out the sixteenth article which referred to the board the claims of a pecuniary nature that the two governments might have against each other, with an appeal to the umpire in case a majority of the commissioners could not agree. The Senate deleted the article as it discovered that in the course of the negotiations no mention was ever made of any pecuniary claims relative to the governments themselves. Only the claims of American citizens against the Republic of Mexico were ever discussed. Finally, as stated above, the aggregate amount adjudicated from all conventions of all claims, including principal, interest, and inflation totaled \$8,491,603.

 $<sup>^{16}\</sup>text{H.}$  Rep. Coms., 752, IV, 29th Cong., 1st Sess., p. 25. Also see Smith,  $\overline{\text{I}},$  pp. 81 and 431.

The United States at last had Mexico's signature to a document attesting to their obligation to pay their debts, some of which were at least thirty years old.

Waddy Thompson returned to the United States on March 9, 1844, and Ben Green became acting charge d'affaires until September 1, 1844.

## CHAPTER V

## THE FINAL BREAK, 1844-1846

At the beginning of 1844 domestic politics in the United States predominated. There was continual talk of the annexation of Texas by the United States. It was an election year, and events from the previous autumn injected fear that the British and even the French were intriguing for their influence to be felt in Texas. British machinations in Texas were not as well founded as the United States and John C. Calhoun, then Secretary of State, purported them to be. In December, 1843, Lord Aberdeen of the British Foreign Office wrote to the British minister, Richard Packenham, in Washington to set the record straight regarding that government's attitude and activities in Texas. Said the British foreign minister,

We have put ourselves forward in pressing the Government of Mexico to acknowledge Texas as independent. But in thus acting, we have no occult design, either with reference to any peculiar influence which we might seek to establish in Mexico or in Texas, or even with reference to the slavery which now exists, and which we desire to see abolished in Texas...The governments of the slaveholding States may be assured that, although we shall not desist from open and honest efforts which we have constantly made for procuring the abolition of slavery throughout the world, we shall neither openly nor secretly resort to any measures which

<sup>1</sup>St. George Leakin Sioussat, "John Caldwell Calhoun, Secretary of State," The American Secretaries of State and Their Diplomacy, ed. Samuel Flagg Bemis, V (New York, 1929), p. 231.

can tend to disturb their internal tranquility, or thereby affect the prosperity of the American Union. 2

Calhoun was not easily convinced. He flew into a tirade and in very censorious language replied to Aberdeen statements communicated to him by Packenham. He set down all of the virtues of slaves, slave owning as an institution, and said that in no way did he believe in the sincerity of Aberdeen or the British government. The harangue continued as Calhoun informed Packenham that the treaty of annexation was soon to be submitted to the United States Senate and that, in no uncertain terms, was the British, hereafter, to mind their own business. The subsequent exchange of letters between the two men proved nothing as Calhoun continued to charge the British government with diplomatic intrigue in Texas and Mexico, and Packenham was disposed to deny them. The United States was mainly concerned with British interference relative to the abolition of slavery in Texas, and, while there was some British activity to do so, it was by private citizens—not the British government.

On August 1, 1843, Ashbel Smith, the Texan charge draffaires in London reported to the British foreign office that British subjects purporting to represent the Texas government were appealing to authorities in London, seeking aid to help abolish slavery in Texas. He said the Texas government disavowed any league with those British subjects as to whether slavery or any other institution of its government should be

<sup>&</sup>lt;sup>2</sup>British Foreign and State Papers, XXXIII, Aberdeen to Packenham, December 26, 1843, pp. 232-33.

<sup>3</sup> Ibid., Calhoun to Packenham, April 18, 1844, pp. 236-40.

<sup>&</sup>lt;sup>4</sup>Ibid., The exchange of correspondence between Calhoun and Packenham, pp. 240-45.

changed. Smith assured Aberdeen that neither he nor any of his charges at the legation were representing to the British government any complicity in the matter.<sup>5</sup>

Some Englishmen were suspected of slave running out of the Texas port of Galveston, and when the British consuls there knew of it they refused to issue them the papers which would have given them protection at sea under the British flag. The British government was probably annoyed at these activities and tried to stop them, but they encouraged their nationals to speak out against slavery. On September 11, 1843, Aberdeen acknowledged Smith's explanation and stated the position of the British government saying that "Nothing can be further from their intention [British government] than thus to interfere in the internal affairs of Texas." However, any individual British citizen in Texas who was so inclined to denounce the institution was at freedom to do so. 7

The British did have an interest in Texan affairs and may have gently aggravated the slavery issue to that government in order that they might secure better maritime conditions for their commerce in the area. But as to the extent the United States assigned their involvement seems to have been exaggerated—especially a year later, in 1845, when the United States justified its annexation of Texas to Mexico saying the step was necessary because of abounding British intrigue in Texas to abolish slavery and to protect and insure the continued harmony

<sup>&</sup>lt;sup>5</sup>Ibid., XXXII, Ashbel Smith to Aberdeen, August 1, 1843, p. 415.

<sup>6</sup> Ibid., pp. 416-17.

<sup>7</sup> Ibid., Aberdeen to Smith, September 11, 1843, p. 418.

of the union relative to those slave states adjacent to the Texas borders.

In 1844 and 1845 the Tyler administration was firm in these convictions, and these opinions may have been quite instrumental in guiding their foreign policy toward annexation. Abel Upshur, Webster's successor, had been actively advancing negotiations for a treaty of annexation to present to Congress that would bring Texas into the union. When he was suddenly despatched by an explosion on the United States Ship Princeton, John C. Calhoun of South Carolina, the leading spokesman for the slave factions in the country, assumed his post as Secretary of State on March 6, 1844.

Cries of a slave conspiracy to annex Texas as a slave state immediately came from the abolitionists. Their case, logical if unfounded, ran that Calhoun and Tyler were both southerners, old friends, slave advocates, and would have Texas at any price—even war. Tyler's opposition charged that after Jones' blunder at Monterey the President despaired of trading the claims for Texas and California, and thereafter left the claims grievances open and unresolved in order that he might return to them in the future, if necessary, as a cause for war that he might still obtain Texas if all else failed.

As for Tyler himself, he probably chose Calhoun for the same reasons given along with the fact that his cabinet was filled with Calhounites. But why!—if he knew, and he surely did, that Calhoun, when brought back from retirement and into a position of national prominence might, if he were successful, renew his former aspirations for the

<sup>8</sup>Kohl, pp. 49-50.

presidency. Tyler clearly wanted Texas in the union, and he knew Calhoun did; he was also aware that their views on the matter were the same. Upshur's negotiations for annexation were well underway and Tyler was receiving much of the credit—if Calhoun could continue where Upshur left off then the credit would still accrue to the President, and Tyler needed and wanted it. This long sought after achievement would give the chief executive the necessary platform he required to run for the presidency again, as public opinion already was in his favor on the issue. 9

Tyler's policy toward Texas was well known in 1842, but whatever changes he made in his policy towards Mexico after the Jones fiasco are difficult to determine. His Secretary of State seems to have made no policy alterations. Perhaps Tyler's position was similar to Jackson's in 1835; with the Texas revolution almost a certainty he ordered Butler to discontinue further negotiation as the situation was now far enough advanced to take care of itself. Tyler might easily have felt the same way from 1842 to 1844, although, unlike Jackson, he issued no orders to that effect. At any rate Thompson, and Green after him, continued to press the Mexican government to liquidate their debts; for the first time the United States' demands were legally established and recognized by the entire world. A close review of the last two years in Mexico before the outbreak of war best describes not only the United States' effort to collect its grievances but provides a good monitor of Mexico's growing animosity toward the United States, Texas, and annexation.

Ben Green, the American charge doaffaires at Mexico City, received the proceedings of the November convention on March 28, 1844. On that

<sup>9</sup>Reeves, pp. 140-42.

same day he addressed a letter to Bocanegra requesting an audience to discuss the convention results and the amendments attached by the United States. <sup>10</sup> Bocanegra did not reply. Green summoned his attention to the matter again on March 30. In the second letter Green was as conciliatory as before but slightly more forceful, declaring unequivocally that he and the United States government expected Mexico to accept the results with the amendments—the sooner the better. <sup>11</sup> Bocanegra this time replied. He insisted that to date he had received no official notification of the treaty modifications from the Mexican minister in Washington, General Juan N. Almonte. The acting charge pressed Bocanegra again on the second day of April, and again on the sixth and eighth days of that month. Each time the reply was the same.

Judging from the letters and correspondence of the American consular despatches at Mexico City, Green was apparently not only the most able but also the most effective of all the consular diplomats during these distressing years. Green seemed better able to communicate with the Mexican officials and adjust to the revolutionary convulsions that frequently brought new ministers and administrations to power in Mexico. In addition, Green had considerable influence among other important circles in this uncertain environment, including the clergy. His advice to his superiors in Washington relative to the political conditions in Mexico apparently was seriously reviewed by them when formulating the strategy of their foreign policy.

Green's observations concerning the claims situation and the

<sup>10</sup> Despatches, Green to Bocanegra, March 28, 1844.

<sup>11</sup> Ibid., March 30, 1844.

political pulse of Mexico were exceptionally valuable, as shown in a long communication to Calhoun on April 8, 1844. As concerns the claims, he said, the Mexican government had made no pretentions to deny the justice of foreign claims nor did they sincerely object to having the grievances adjusted by a commission. However, the Mexican officials were hedging on paying any installments by attempting to arouse popular public opinion against the validity of the American claims. In informal conversation the Mexican minister of the treasury had privately remarked to Thompson that his government, for the purpose of local consumption, must make the people believe that Mexico, too, had legal and outstanding claims against the American government. Employing the best use of this successful bit of propaganda, the Mexican government was able to justify withholding payments for a while longer, that it might satisfy the demands of its people. Green warned that the next installment, under "a previous arrangement," would probably not be paid as there was scarcely a dollar in the treasury.

The informative letter continued. Mexico was impressed with forceful tactics, as exemplified by the French diplomacy of 1838. The diplomat accordingly suggested that the United States assume a more forceful
approach in diplomacy—the kind Mexicans best understood. This important communique contained enlightening insight about Mexico's most
popular political enigma, General Santa Anna, and some of his political
ambitions which soon threatened to manifest themselves in the character
of Mexican politics. Santa Anna had extemporaneously told Thompson that
"Mexico needs a foreign war to develop her resources." Green interpreted this audacious remark to mean that Santa Anna really hoped to involve his country in war that he might restore his dictatorial powers;

and, worse, "that he seeks to place upon his own brow the imperial diadem which cost Iturbide his life." Finally, in this despatch, Green, upon hearing renewed rumors of British interest in the Californias, stated that

We have nothing to gain by quarreling with her [Mexico] unless indeed we should end by gaining possession of California, and thereby, secure a harbourage for our shipping on the Pacific and enhance our prestige abroad. 12

This expression of expansionism reflected some of the popular political thinking of the day—that of Manifest Destiny. The importance of Manifest Destiny as an instrument of American foreign policy in conjunction with the settlement of claims appeared negligible at the time of Green's despatch. Buchanan's later instructions to Slidell possibly pointed to a juxtaposition of the two objectives for the first time since Tyler's and Thompson's efforts in early 1842.

Throughout April and May of 1844 almost every letter of correspondence from the American legation addressed to the Mexican foreign office requested that payments for claims be honored. By April 25, the arrival of American newspapers, editorializing on the annexation of Texas, angered the Mexicans, causing debates and speculation that the event was near at hand. Ben Green reported to Secretary of State Calhoun that the furor of the Texas issue might bring about some changes in key ministerial posts that would be unfavorable to the United States. On May 16, Green, in despair, said that Mexico was "expecting from day to day to

<sup>12</sup> Ibid., Green to Calhoun, April 8, 1844.

<sup>13</sup> John Bassett Moore, ed., The Works of James Buchanan Comprising his Speeches, State Papers, and Private Correspondence, VI (New York, 1960), pp. 294-306.

<sup>14</sup> Despatches, Green to Calhoun, April 25, 1844.

hear of the annexation of Texas, which will offer an excuse for not paying at all." 15

On May 23, 1844, the already strained relations between Mexico and the United States worsened. From this point to the outbreak of hostilities any real hope of ever collecting payment for the American claims was almost totally lost. Following instructions from President Tyler, Green proceeded to inform the Mexican government that the plenipotentiaries of the Republics of Texas and the United States had signed a treaty of annexation and had submitted it to the United States Senate for its approval. 16

Green's communication of May 23 to Bocanegra took care to insure the Mexican government that the act of annexation was in no way meant to demean the honor and dignity of Mexico. He then explained the reasons why the United States took such a step. The American government, he said, was acting upon information that British efforts to abolish slavery in that territory were serious and abounding with intrigue. Second, he stated that in order to protect the continued harmony of the union in those states adjacent to Texas, this step had become necessary. In addition, the Texas borders were left undefined and open for future negotiations with Mexico. He concluded this reasoning by assuring Bocanegra that the United States' motives were sincere, and that it would be a circumstance of great regret if the Mexican government were

<sup>&</sup>lt;sup>15</sup>Ibid., May 16, 1844.

<sup>16</sup> Calhoun to Green, April 19, 1844, Manning, Diplomatic Correspondence, VIII, pp. 149-51.

to think otherwise. <sup>17</sup> This line of reasoning seems very curious to present to Mexico considering that in earlier years it had already abolished slavery in Texas.

A report from the Mexican Secretary of State, Lucas Alaman, to the Mexican Congress relates the slavery issue in Texas and the circumstances under which it was exempted. The abolition of slavery in all Mexican provinces was decreed by President Vicente Guerrero on September 15, 1829. The context indicates that the Texans promptly revolted upon hearing of the decree. The American settlements at Aires, Atoyac, and Sabinas apparently started the trouble. Texas was exempted, according to Alaman, not by congressional provision, but by the personal command of General Guerrero in a letter to the Mexican Commandant General, José Teran, in the province. The action was taken because Mexico did not have the military resources to enforce the decree. Receive instructions from the President seemed to suggest that the Tyler administration was to sanction slavery as an instrument of national policy. With this kind of logic the forthcoming answer from Bocanegra should have been one that Green might reasonably have expected it to be.

In answering Green's pronouncements, Bocanegra stated that the United States' reasoning for the treaty of annexation was unacceptable, and indeed that it appeared that official United States policy was to condone slavery. Bocanegra belabored the point enough to impress Green, saying that the Mexican government looked upon slavery "with horror" and as a "relic of barbarous ages." In this correspondence Bocanegra

<sup>17</sup> Despatches, Green to Bocanegra, May 23, 1844. Also see George Ficknor Curtis, Life of James Buchanan, I (New York, 1885), pp. 581-82.

<sup>18&</sup>lt;u>H</u>. <u>Ex</u>. <u>Docs</u>., 351, 25th Cong., 2nd Sess., pp. 315-16.

officially informed the United States government that if the annexation treaty were ratified by the Senate, Mexico must declare such an act as equivalent grounds for a declaration of war. Further, Bocanegra declared that once Texas was incorporated into the American Union the Mexican government would not convene to discuss the international boundary lines. These boundaries, he declared, were already fixed by the treaty of 1828 and under no circumstances were they to be adjusted. 19

Green, on June 7, wrote to Calhoun to discuss Bocanegra's reply briefly and assessed the current situation in Mexico relative to the recent news of annexation. Green said that the Mexican Congress was in session attempting to muster another effort to reconquer Texas, and that Santa Anna probably would not attempt it again, and, therefore, would be reluctant to send another general to Texas who might succeed where he had failed. The money for such a conquest, fortunately, was not available and every effort to borrow it failed. The Mexican minister of war privately told General Thompson that "Texas is gone from Mexico, it is impossible for us to reconquer her, and all we wish is to save the national decorum." Green continued discussing the influence of the several factions within the country—some wanted immediate action, while others wanted to wait until Tyler was out of office, hoping for a The situation, although uncertain at the time, was probably change. favorable because to date Mexico had shown much ineptitude in dealing with Texas, exemplified by eight years of inaction.

<sup>19</sup> Despatches, Bocanegra to Green, May 30, 1844. The treaty Bocanegra referred to is the "Treaty of Limits with the United Mexican States" of January 12, 1828, which confirmed the boundaries as those established in the Adams-Onis Treaty of 1819. American State Papers, Foreign Relations, VI, pp. 946-50.

Santa Anna and the Congress were moving with caution, Green reported, because the powerful clergy seemed unalterably opposed to any action regarding the reconquest of Texas. Green's confidents had informed him of certain military troop deployments since the middle of May northward from two cities, San Luis Potosi and Jalapa. Finally, in his correspondence of June 7, Green warned that the success or failure of any definite plans of the Mexican government might depend upon the success of a recent envoy sent to France and England to appeal for aid. 20

From June to October the strained relations between the two countries continued without improvement. The two ministers, in their correspondence, maintained the requisite diplomatic protocols as they continued the two basic arguments—Texas and the claims.

If the diplomatic relations deteriorated in May of 1844, they turned sour in October of that year when Wilson Shannon succeeded Waddy Thompson as the American minister in Mexico. This move did not improve the American position but a similar change in the Mexican minister of foreign relations considerably improved Mexico's when Manuel Rejon replaced Bocanegra as the Minister of Gobernación. When Shannon was appointed, his instructions were the same as the other ministers—to press for the payment of claims. Shannon, however, was not a subtle diplomat and had little tact in dealing with the skillful Rejon. From the beginning Shannon was given to the use of hard and abusive words which continually angered the Mexicans and seriously hampered his effectiveness. On the other hand, Rejon always maintained a remarkable

Despatches, Green to Calhoun, June 7, 1844.

<sup>&</sup>lt;sup>21</sup>See footnote 13 above.

diplomatic composure.

On November 12, 1844, Shannon wrote to Calhoun complaining of the grossly offensive language employed by Mexican officials (which was no worse than his own) against the United States, its government, and its people relative to Texas annexation, and the fever of the government was definitely warlike as it had begun to mobilize its army. The blustering and impatient Shannon was considering demanding his passports for this reason alone but demurred, thinking his mission was too important. Finally, he informed Calhoun of some of the methods of the Mexican government to delay payment and declared, in his opinion, that unless the issue was certain to result in war, the claims would never be paid, and it was "time for Congress to begin to act, and vindicate the honor of the country as well as the just rights of our plundered citizens." 22

For one pretext or another, the Mexican government always found an excuse to avoid honoring payment of the claims. In September of 1843 the Mexican minister of war issued decrees to the governors of the provinces of California, Sinaloa, Sonora, and Chihuahua instructing them to exercise their authority by judging for themselves when aliens, especially Americans, in their provinces were vagrants, seditionists, or otherwise dangerous menaces to the public laws. Those who were arbitrarily thought to be such were often arrested, incarcerated, fined, and expelled from Mexican territory. These border regulations and other similar violations by Americans supplied the Mexican government with additional reasons not to make their installment payments or to discuss the Texas question.

<sup>22</sup> Despatches, Shannon to Calhoun, November 12, 1844.

In October, Mexico was still protesting the question of the Texas annexation. Rejon, in a letter to Shannon, reviewed the entire history of the province. In the letter—a masterpiece in diplomatic correspondence—Rejon skillfully manipulated the truth and any aspect of it clearly to the Mexican advantage. Basically, the argument set forth with amazing credulity all the legal aspects for the rightful ownership of Texas by Mexico as defined in the Adams—Onis Treaty, which was later confirmed by the treaty of 1828. He said, in essence, that the United States had seized the opportunity to recognize Texas' independence through the misfortunes of Mexico. Mexico, he asserted, had never recognized the independence of Texas and still retained, "in the eyes of all the world," legal and undisputed ownership of that province. 23
Shannon immediately expressed his indignation and demanded that the correspondence be officially withdrawn. Shannon, to his credit, did not attempt to debate the point with Rejon.

In early December, 1844, the Santa Anna government was overthrown in a revolution by General Mariano Paredes. In the midst of impending revolution, Calhoun, well aware of the political instability in Mexico, and knowing full well that the country was near bankruptcy, continued to press for payment of claims. Green informed Calhoun of the present situation on December 17. He stated that the last three installments had not been paid, and no prospect for their settlement was in sight. Green said that Mexico had borrowed enough money to satisfy all the outstanding claims but had used it for other purposes. The claims issue was a daily subject of vehement editorials in the Mexican government's

<sup>23</sup> Ibid., Rejon to Shannon, October 31, 1844.

official organ, <u>El Diario</u>. These editorials were serving the purpose well, saying that American claims were totally unjustified and, in consequence, should not be paid. Evasively, the present government placed the obligation to pay the claims on the old Bustamante government, which, of course, absolved the present government of any blame. <sup>24</sup>

At the beginning of 1845, in addition to the Texas and the claims disputes, California became a part of American foreign policy. On January 9, 1845, Shannon advised his superiors in Washington of new events relative to British efforts to buy the two Californias. Santa Anna, although out of power, was negotiating with the British minister for the sale of California. The negotiations were based on the English claims against Mexico which amounted to twenty-six million dollars in mortgages. Shannon assessed the English to be seriously interested in the project, but for the moment it looked as though it might fail because public opinion in Mexico was not favorable to Santa Anna or to the British. This unpopularity came about because Santa Anna, acting on British advice, dismissed the Congress and declared himself a dictator. 25

In 1844, James Knox Polk was elected President. When he took over the reins of government in March, 1845, Mexico had ceased to make the payments awarded by the convention of January 30, 1843. The subsequent convention of November 20 had failed to be ratified because Mexico was expecting the annexation of Texas. The claims were almost as grievious to the United States as Texas was to Mexico. Juan Almonte, the Mexican minister in Washington, severed diplomatic relations (before they were

<sup>24</sup>Tbid., Shannon to Calhoun, December 9, 1844.

<sup>&</sup>lt;sup>25</sup>Ibid., January 9, 1845.

in Mexico) when Tyler signed the joint resolution of the United States Congress for the annexation of Texas on March 1, 1845. Meantime, owing to slow communication, diplomatic activities in Mexico continued.

As to California and the British interest there, the United States reacted. That the United States became more interested in obtaining California might have been the result of developments contained in Shannon's communication to Washington on the subject. President Polk, once in office, stepped up activities in California because he feared that Great Britain or even France might acquire California before the United States could. By September of 1845 the President was ready to pay from fifteen to twenty million dollars for the purchase of upper California and New Mexico. The matter must have seemed of paramount importance to Polk, for he readily became willing to pay upwards to forty million dollars for that territory if the situation demanded it. 28

Polk, like his predecessor, was interested in acquiring Texas by annexation and had made it the chief subject of his campaign promises for the presidency in 1844. The new President was more desperate in his aims than was Tyler, and desired to accomplish his goals by attempting to start a war in Texas through political intrigue with the Texas president, Anson Jones. Jones, however, demurred, probably due to the popular public sentiment already felt towards the more peaceful aim of annexation. This theory is proposed by Richard R. Stenberg in his "The Failure of Polk's Mexican War Intrigue of 1845," and through his expert

<sup>26</sup> Kohl, p. 58.

<sup>27&</sup>lt;sub>E</sub>. D. Adams, pp. 744-63.

Milo Milton Quaife, ed., The Diary of James K. Polk During His Presidency, 1845 to 1849, I (Chicago, 1910), pp. 34-35. Smith, I, p.95.

documentation, he proves it. 29

The period from January to March, 1845, was uneventful in Mexico. The exchange of letters and correspondence between Mexico and the United States was characterized by short notes and short tempers. The notes were straight to the point, concerning only trivial matters, such as consular appointments, permission to hold public auctions, and some minor grievances.

Shannon felt that the United States could not convince Mexico to reconsider its position on Texas, especially with the introduction of the California question. In this position the American minister pursued the only issue on which he had legal ground—that of the payment of claims, which, since 1825, was never allowed to lay idle for any length of time. The Mexican government made no genuine effort to pay the claims but did adopt a policy to keep the question from getting out of hand. The government would issue notes through the foreign minister for payment but the Treasury would not honor them.

On March 28, 1845, the final break in diplomatic relations in Mexico took place. Luis Cuevas, the new Mexican foreign relations minister, informed the United States government and Shannon that, owing to the recent ratification of the treaty for annexation of Texas by the United States Senate, all diplomatic relations between the two countries were thereby severed. When notified of this decision, Shannon attempted to get the Mexican government to reconsider. The Mexicans, however, were adament and declared that they would stand on their

<sup>&</sup>lt;sup>29</sup>Richard R. Stenberg, "The Failure of Polk's Mexican War Intrigue of 1845," Pacific Historical Review, IV (March, 1935), pp. 39-68.

Despatches, Cuevas to Shannon, March 28, 1845.

decision. Shannon, in reluctant acquiescence, requested his passports on May 8, 1845, saying that he regretted that Mexico had refused the extension of the "olive branch" and the desire to discuss further the distressing problems between the two countries. 31

Wilson Shannon was not the last United States Minister to Mexico before the war, but was the last one to reside in Mexico City. The Polk administration had decided to attempt to re-establish diplomatic relations with Mexico. Accordingly, it was decided that Mr. John Slidell of New Orleans would be appointed as the new minister. Slidell's commission was explicit in its instructions. He was directed to again take up the subject of the claims issue. This time, however, the United States, hoping to appease Mexico on the issue, decided to make an offer. The proposition, in essence, stated that in return for acknowledging the limits of the United States territory as the Rio Grande, the United States would release Mexico from the obligation to pay the remainder of these American claims still outstanding. If this agreement could have been made, the United States government would have taken on itself the responsibility of payment of the old debt. 33

However, Mexico availed itself of a technicality in the wording of Slidell's commission, saying that Mexico would be willing to receive only a commissioner for preliminary discussions before restoring formal diplomatic relations, not a full-fledged minister, as was Slidell. This

<sup>31</sup> Ibid., Shannon to Cuevas, May 8, 1845.

<sup>32</sup>Quaife, I, p. 34.

<sup>33</sup>Moore, p. 300. Frederick Merk, Manifest Destiny and Mission in American History—A Reinterpretation (New York, 1963), pp. 84-85.

Samuel Flagg Bemis, Diplomatic History of the United States (4th ed., New York, 1955), p. 237.

action was an indication that Mexico really did not want to restore relations, else they would have remembered that in 1837 when formal relations were broken the United States accepted Martinez as a fully accredited minister—not a commissioner. Accordingly, the Mexican government rejected Slidell, his credentials, and his mission. The United States had said and done all it could do. Mexico had said and done all it was going to do. The breach between the countries this time was final—their longstanding differences would now have to be settled by war instead of diplomacy.

<sup>34</sup> Bemis, <u>Diplomatic History</u>, p. 237.

## CHAPTER VI

# CONCLUSIONS

Mexican-American diplomatic relations had an inauspicious begin-When Poinsett arrived in Mexico to assume his duties, the official attitude was already set against him. He was further confronted with a strong British influence abetted by the United States because, due to political domestic jealousies at home, the appointment of a minister was delayed three years after the American government recognized Mexico's independence. Poinsett seemed a perfect choice: he was widely experienced in Latin American affairs, he had held important governmental positions, and he had a commanding knowledge of the Spanish language. He was, however, an impatient "flaming evangel of republicanism," and he had not the prudence to keep from involving himself in the local political wars, not as a spectator but as a gladiator. He did so for two reasons: to gain access to the political influence which he felt would bring about a government based on pure republican principles modeled after that of the United States; and to offset British influence.

Poinsett effectively fulfilled the early Mexican prophecies made of him even before he began his mission. The evils he accomplished far outweighed the good he did. He was never able to provide the material or ideological cement necessary to harmonize relations between the two countries. He failed where even a more talented or prudent diplomat

might have failed because of the ill-conceived instructions he was obligated to discharge.

Mexico demanded his recall because local politicians resented his "unauthorized excursion in local politics" (although he continually denied it). Mexico's timing was unpropitious, however, because Andrew Jackson sent a man Mexicans would soon hate even more than his predecessor. Poinsett's replacement was Anthony Butler, a man who had never held an important civil position, who was totally unacquainted with the Spanish language, and who described himself as "a perfect novice in diplomacy." Butler's mission chiefly was to wrest Texas away from Mexico, and, as an aside, he was ostensibly to protect the lives and property of American citizens and collect the claims of his countrymen owed them by the Mexican government. Butler succeeded only in signing two treaties previously negotiated by Poinsett as an inducement to get Mexico to open negotiations on Texas. In addition, Butler successfully radiated gloom and perpetuated anger throughout his six-year tenure in Mexico—until that republic was forced to request his recall.

With the passing of Jackson and Butler from office, a rejuvenated foreign policy toward Mexico was initiated. The claims, so long in arrears assumed first priority in American foreign policy in 1836. The legality of the American claims was well founded and an accepted fact, not only to Spanish-Americans but to the entire world as well. A national and an international tribunal in 1839 recognized them as such. This made the United States as firm in the legal belief of its claims as it was in doggedly pursuing the adjustment and payment of these

<sup>1</sup>H. Ex. Docs., 351, 25th Cong., 2nd Sess., pp. 381-82.

outstanding debts. More than once the claims of the American government would result in a severe exchange of accusations which, in turn, would threaten the severance of diplomatic relations between the two countries—and did once in fact.

The United States, it could be said, persisted with commendable forbearance toward Mexico in its campaign to secure a final settlement of these claims. Such a forbearance was unexampled when compared to the French solution of attempting to exact payment for its claims against Mexico, although they were much smaller than those of the United States. The French took to arms and invaded the country in the "Pastry War" episode of 1838. Although the United States had lawful grounds for declaring war to exact payment for its debts, it chose rather to negotiate its grievances and avoid war if possible.

In 1837 President Andrew Jackson had recommended war. The United States Senate informed President Martin Van Buren that it was willing to back any executive decision he deemed necessary to secure payment of the claims, including reprisals of war. But the Senate did recommend a more peaceable solution.<sup>3</sup> By the time Polk had become President, relations between the United States and Mexico had reached such a nadir that he was willing to declare war over the issue. On May 9, 1846, with the consent of his cabinet, Polk made plans to draft a message to present to Congress requesting a declaration of war, basing his reasons chiefly on the unpaid claims. Before the message could be drafted, however, he received word that General Zachary Taylor's army of dragoons had been

<sup>&</sup>lt;sup>2</sup>British Foreign and State Papers, XXVII, pp. 1176-1214.

<sup>&</sup>lt;sup>3</sup>Congressional Globe, IV, 24th Congress, 2nd Session, pp. 193-94.

attacked on American soil (in Texas), and the war had begun.4

If the continued refusal of Mexico to settle the Texas territorial boundaries angered the United States, the constant pressure by the North Americans to settle the claims infuriated the Mexicans, thus setting the stage for a tragicomic drama that would last for twenty years. Mexico during these years had a strange mixture of gifted and sincere diplomats contrasted with some of America's most bumbling demagogues. Alaman and Rejon were master diplomats, men who instantly commanded respect and were tenacious patriots and ardent nationalists. Santa Anna, on the other hand,

was an actor unsurpassed; he was a master of the dramatic entrance and the commanding exit; ... and his extravagant display of personal glory eclipsed even that of Napoleon. He was the supreme egotist; he made vanity a profession, bombast a fine art, treachery a specialty; he was faithless to men, women, and causes.

These unfortunate anomalies in Mexican politics plagued the country; there were no less than seventeen presidents holding office between 1825 and 1846, and probably as many secretaries of state, although no specific count is available. All such changes brought new approaches to foreign policy. Notwithstanding, the grievances between the two countries lasted too long and were too much at variance for either country to settle amicably—even from the beginning.

There were two sides to the argument over Texas, and an equal number over the claims. Morally the United States was within its rights to recognize Texas' independence, as that event was brought about much in the same manner as that of the United States. In the eyes of the world,

<sup>4</sup>Quaife, pp. 384-86.

<sup>&</sup>lt;sup>5</sup>Herring, p. 296.

Texas had earned its freedom and was entitled to it. Mexico after 1836 never again attempted to subjugate its rebellious province. This example of inaction has often been cited as a license that insured Texas' freedom. Therefore, other nations were not offending Mexico's honor by recognizing the former province. The events of Texas independence were often cited as analogous to the way and manner in which Mexico had gained freedom from Spain—and therefore it was right. The United States and other nations may have had moral law in their favor, but Mexico had legal right on its side. By treaty and by inheritance from Spain, Mexico was the legal owner of Texas, and at no time had Mexico ever acknowledged the independence of that recalcitrant province. The United States conveniently overlooked the legal stipulation, arguing that morally Texas was free and should be treated as such. Washington officials continually turned a deaf ear toward Mexico's position on Texas—and Mexicans returned the compliment on the claims question.

The claims arguments presented essentially the same debate. Mexico recognized the validity of the American claims and seemed to be willing to pay them, especially after 1839. The United States perennially argued that Mexico should honor them on demand and that Mexico should accept American documents as presented without question and without the benefit of investigating them for itself. The Americans persisted in this approach as strongly as did the Mexicans adhere to theirs. Mexico, it would seem, was right in insisting that it be allowed to investigate the claims for legitimacy, especially after having been presented a bill for \$690,000 for the seizure of bottled beer. The United States without pause demanded its due, knowing full well that the Mexican treasury was always near depletion and that the Mexican ability to pay was almost

nonexistent, although Mexico was bound by treaty to settle the claims.

Evidence clearly indicates that Mexico probably would have (at length) paid the claims if the United States had not annexed Texas. But when that event became obvious to the Mexicans over a year before it happened, they found every pretext not to pay their debts.

Historians have concluded that if Mexico had been willing to negotiate the international boundary lines bordering Texas or had traded that province to settle the claims, as Tyler wanted them to do, the Mexican War would never have been necessary. As a result of this study that assumption seems true. However, Mexico felt it was more honorable to lose Texas by war than barter it away peaceably. Mexico would no more sell Texas or upper California than would an American president have sold Missouri or upper Iouisiana to Mexico. Conclusively Mexico started the war to avenge its legal rights while the United States fought back on moral grounds.

Bemis, <u>Diplomatic History</u>, p. 221.

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# **VITA**

# Curtis Ray Reynolds

# Candidate for the Degree of

## Master of Arts

Thesis: MEXICAN-AMERICAN DIPLOMATIC RELATIONS, 1825-1845: A STUDY IN DETERIORATING DIPLOMACY

Major Field: History

Biographical:

Personal Data: Born in Tulsa, Oklahoma, February 15, 1937, the son of William E. and Ethel F. Reynolds.

Education: Attended public schools in Tulsa, Oklahoma; graduated from Daniel Webster High School, Tulsa, Oklahoma, in May, 1956; attended the United States Department of Defense Language Institute East Coast, Washington, D.C., and graduated with a diploma of Proficiency in the Spanish Language on April 24, 1964; received the Bachelor of Science degree from Oklahoma State University in May, 1969; began graduate study at Oklahoma State University in June, 1969, and completed requirements for the Master of Arts degree in History at Oklahoma State University in July, 1970.

Professional Experience: Served as Communications Technician and foreign language interpreter in the United States Navy from October, 1961, to September, 1967.