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A Discussion of the British-Mexican Treaty of Amity, Commerce and Navigation of December 26th, 1826

James G. Pappas
Loyola University Chicago

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**A DISCUSSION OF THE BRITISH-MEXICAN TREATY
OF AMITY, COMMERCE AND NAVIGATION OF
DECEMBER 26th, 1826**

by

James G. Pappas

**A Thesis Submitted to the Faculty of the Graduate School
of Loyola University in Partial Fulfillment of
the Requirements for the Degree of
Master of Arts**

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CHAPTER I

EARLY BRITISH RELATIONS WITH MEXICO

AN explanation of the British Treaty of Amity, Commerce and Navigation of December 26, 1826 unfolds an obscure and seemingly unimportant event in history. But to accept this event as such would be an inexcusable error for any student of history concerned with this period. A study of this treaty illustrated the British policy toward Mexico, and Spanish-America in general, at the beginning of the Nineteenth Century. The policy of George Canning, the British Foreign Minister, was to link Mexico to Great Britain not by conquest but by establishing strong commercial interests. This treaty was an excellent illustration of Canning's concept of free trade.

This treaty does not unfold in the usual diplomatic round table negotiations and discussions. A political "free for all" between England and the United States occurred. Both of these countries desired a treaty with Mexico, and both employed questionable methods to achieve their ends.

England, the country with long experience in diplomatic relations and methods, was victorious and the first to sign a

treaty with Mexico. England had known the economic value of Mexico, as well as the other Spanish nations, because she had carried on an extensive trade prior to their independence. The merchants of England had pressured Canning to negotiate a treaty, because they had been aware of the Spanish American commercial opportunities earlier and had known their value.¹

In negotiating for a treaty, Canning was following the position that his predecessor Viscount Castlereagh had practiced. After a study of how many men were killed and the cost of carrying on a military conquest in Spanish-America or aiding in a revolution, Castlereagh decided to change British policy toward these countries. He argued that Britain should use a strictly commercial conquest of Spanish-America. He said England should approach this portion of the world as traders and not as enemies because when a nation approaches another country with force or as an enemy, "a new energy is given to the local government which may probably enable them to enforce the prohibitory regulations.

¹Gabrielle Festing, John Hookham Frere and His Friends (London, 1899), p. 268. If Mexico turned him down Canning said "it would have again brought all the commerce men and manufacturers of England at my heels."

against our commerce."² Castlereagh looked upon South America as an area to expand British economic interest exclusively and not an area where British political influence should be exerted. Of course, it must be remembered that when Castlereagh announced this policy England was at war with Napoleon, and the French blockade of the ports on the continent of Europe forced England to look elsewhere for places to sell her manufactured goods. From May 1807, when he issued this policy in a memorandum for his cabinet relative to South America, until the 1900's this remained the British policy in South America.

George Canning followed Castlereagh's policy in assuming Britain's economic interest in South America. He improved upon Castlereagh's policies and succeeded in having good economic relations produce good political relations with South America. The treaty between England and Mexico was indicative of Canning's policy.

During the decade of the 1820's England found itself in somewhat the same position as it was in during the Napoleonic Wars. Britain under Canning had taken a liberal stand on the

² H.S. Ferns, Britain and Argentina in the Nineteenth Century, (Oxford, 1960), pp. 47-48.

independence movements in South America and in Europe which meant Britain did not want the revolting colonies back under the rule of Spain. (England did interfere in constitutional movements.) In 1822 Great Britain withdrew from the Alliances at the Congress of Verona because of the other members who agreed on sending a French army to intervene in Spanish affairs. When the French army invaded Spain in 1823 Canning was furious, and turned to America to take his revenge. "Among the Spanish colonies England had been building up a valuable trade, and, now that tariffs were being raised against British goods all over the continent, these South American markets seemed all the more valuable. Here was the opportune time to establish better economic relations with South America, especially when England could oppose, as it did, any attempt to restore the Spanish colonies. Thus, Canning courted the new nations of South America by recognizing them in 1825 against the wishes of the Alliances."⁵

When these countries declared their independence from Spain, English merchants acted quickly. Frederick Paxson writes "On the 9th of May, 1822 the Liverpool Ship Owner's Association presented its memorial which asked for recognition of the new states; in

^{#5} Frederick B. Artz, Reaction and Revolution 1814-1832, (New York, 1934), pp. 170-171.

June the Liverpool Merchants followed suit in a petition to the Privy Council; in July sixty-one firms of Glasgow petitioned Canning for the recognition of the republics; and in the same month the merchants and shipowners of Liverpool begged the House of Commons for similar action in their behalf.⁴ With this pressure, which supported the liberal sentiments of Canning, England sent commissioners to Buenos Aires, Colombia, and Mexico.

Although the treaty negotiations were initiated by both the United States and England, the concern of this thesis will be the latter. An explanation of one treaty unavoidably involves a discussion of the other.

On December 21, 1822 Patrick Mackie was dispatched on a special mission to Mexico to acquire information about the attitude of the Mexican Government and people toward the extension of British Commerce into that country. It was not until approximately July of 1823 that Mackie arrived in Mexico.⁵ This mission was

⁴Frederick Paxson, The Independence of the South American Republics (Philadelphia, 1916), pp.204-205.

⁵H. Morse Stephens, Herbert E. Bolton, The Pacific Ocean in History (New York, 1917). This work contains an essay called "British Influence in Mexico" by William Manning, p. 322. La Diplomacia Mexicana, (Mexico, 1910-1913), II, p. 97.

not a surprise to the Mexican Government, because Mackie had explained the purpose of his visit to the Provisional President General Guadalupe Victoria.⁶

Conferences were held between these two men at the Villa de Xalapa, and on July 23, 1823 Mackie expressed the desire of Great Britain to enter diplomatic and commercial relations with Mexico. There were four official sessions at Xalapa between Mackie and Victoria and these discussions are considered to be the beginning of diplomatic relations between England and Mexico. Right after Mackie concluded his mission he returned to England.

George Canning's role in the diplomatic relations was of importance. It was his zeal that put through the diplomatic moves to recognize Mexico. When the other European powers restored an absolute government in Spain in 1823, Canning decided to take advantage of this opportunity and recognize the new nations of America. He first invited the United States to enter into a joint declaration with Britain in regard to Spanish-America.

⁶ Diplomacia Mexicana, p. 97.

⁷ Ibid., Diplomacia Mexicana, p. 100. "Tengo el honor de anunciar a V.E. mi llegada a este suelo como Enviado del Gobierno Británico para manifestar al Supremo de Mexico sus ardientes deseos de entablar relaciones armisticas y comerciales etc."

In March of 1823 Canning offered his five proposals to the United States. They were: 1) The British Government considered as hopeless the recovery of the Colonies by Spain; 2) The recognition of these Colonies as independent states should be determined by time and circumstances; 3) Great Britain disclaimed all desire to obtain possession of any portion of the Colonies; 4) Great Britain would place no obstacles in the way of settlement by amicable recognition between Spain and her colonies; 5) Great Britain could not see with indifference the transfer of any portion of the Colonies to any other power.⁸

This attempt by Britain to have a bilateral pronouncement with the United States was not accepted. John Quincy Adams, the United States Secretary of State, rejected the English offer and was very influential in persuading President Monroe to establish the unilateral policy of the United States which was later called the Monroe Doctrine.⁹ Dexter Perkins, the noted American historian on the Monroe Doctrine, wrote that Adams declared "the European and American political systems should be kept as separ-

⁸ Alejandro Álvarez, The Monroe Doctrine, (New York, 1924), p. 9.

⁹ Dexter Perkins, The Monroe Doctrine 1823-26 (Cambridge, 1927), p. 101.

ate and distinct from each other as possible."¹⁰ There was no doubt that from now on Canning's policy was aimed at regaining the prestige England had lost to the United States over this affair.

Perkins wrote that France also had designs on South American trade after Ferdinand of Spain was restored to his throne on July 8, 1823. French ministers were sent to Chile, Colombia, the La Plata, Peru, and Mexico.¹¹ The fear that French commercial interests in these countries would be strengthened by giving Spain the aid she needed in restoring her power in Spanish-America was felt by Britain and the Spanish American countries. French aid was in fact, to be given to Spain to help consolidate and restore her power by establishing new monarchies which when founded, were to be opened to the commerce of the world with a preference of ten percent in favor of Spain.¹² It was because of this that Canning on October 9, 1823 in his conference with the French minister Polignac made the declaration "That the British Government was of the opinion that any attempt to bring Spanish-

¹⁰ Ibid., p. 110.

¹¹ Ibid., p. 111.

¹² Ibid.

America again under its ancient submission to Spain must be utterly hopeless; . . . and that the junction of any foreign power in an enterprise of Spain against the colonies. . . would be considered a motive for recognizing the latter without delay."¹³ The Polignac Memorandum was used by Britain to coerce France to stop any plans she might have had against Spanish-America.

Canning was shrewdly cognizant of each move he was making. He could not offend the pride of Mexico or any other Spanish American country, and he succeeded admirably. On March 18, 1824 the Gaceta Gobierno Supremo De Mexico contained an official notice from London. It said "Great Britain not only has decided to recognize the independence of Mexico and the rest of the independent governments of America, but also to support her by strength of arms in case it is necessary. This same government desires to strengthen our relationship with a treaty of commerce and alliance."¹⁴ The article goes on to tell how England had sent a communique to the courts of Europe urging recognition of the new states and announcing the Polignac Memorandum. There were numerous articles planted in the Gaceta like this, and they proved to

¹³ Paxson, p. 206

¹⁴ Gaceta Del Gobierno Supremo (Mexico, 18 de Marzo de 1824).

be an effective way of arousing a favorable opinion of England.

On October 10, 1823, the day after the Polignac Memorandum was published, a commission of three men were sent to Mexico to arrange for an interchange of diplomatic missions. This commission consisted of Lionel Nervey, Henry G. Ward, and John O'Gorman. Their main objective was to examine the political situation and also to see if the commercial classes had a friendly disposition to establishing commercial intercourse. ¹⁵

When these plenipotentiaries went to Mexico they offered guarantees that England would not attempt to bring any of the Spanish colonies under her dominion, and would not permit to any other nation attempting to do the same. This was accepted quite favorably by the Mexicans and gave them a feeling of security. Mexico took great pride in gaining this support because of English prestige as a world power.

On December 16, 1823 the British delegation to Mexico reached the harbor of Vera Cruz. The Gaceta de Mexico contained a very warm account of the arrival and predicted that they came with the intention of establishing good relations and negotiating a business treaty with Mexico. ¹⁶ There is no doubt that the Englishmen

¹⁵ Diplomacia Mexicana, II, p. 188. Paxson, p. 210

¹⁶ Gaceta (16 Diciembre, 1823).

were received warmly and extended hospitality. On January 7, 1824 there was an editorial in the Gaceta stating that the English commissioners were invited to a magnificent party in the Palace where all of the heads of the Mexican Government were in attendance. At the completion of the dinner President Victoria gave a toast to George IV of England, and Lionel Hervey responded by toasting to the prosperity and unity of the Mexican nation, and then Victoria finished by drinking to an alliance between England and Mexico.¹⁷

Soon after it arrived, the commission sent a report to Canning, which brought the importance of Mexico closer to his attention. The commission wrote:

The Mexicans are looking for an alliance, and the United States has opened her arms wide to receive them. The Americans have already commenced the colonization of the Province of Texas although not belonging to them and are eagerly encouraging the construction of roads which may facilitate the communication between Louisiana and the Northern Mexican Provinces. Much American capital has been sent to this country and, in fact, they are at present our only commercial rivals as we do not find that any French agents or capitalists, with the exception of M. M. Schmalz and Achille de la Motte who were ordered to quit Mexico by way of Tampico have hitherto come over here.

They are willing to form an exclusive alliance with Great Britain and to grant her the most extensive commercial privileges. Our arrival has produced already beneficial effects but it has also excited strong expectations and if his majesty's Government be not prepared to go further than

¹⁷Ibid., (7 Enero, de 1824).

a simple recognition of Mexican Independence we fear that protection will be sought elsewhere and that the glory and advantage of supporting and fostering to maturity this infant Province of a great and flourishing empire may be wrested from us to stimulate the industry and adorn the annals of some more enterprising nation.¹⁸

Statements like the above from the British ministers, who were acting as a fact-finding committee, encouraged English financiers with confidence to loan money to Mexico. Barclay, Her- ring and Company advanced \$500,000 to the Mexican Government in February of 1824.¹⁹ By 1825 the total loan from Britain had grown to \$5,600,000, according to calculations in the foreign office.²⁰

As it turned out the first delegation of English commission- ers was overly enthusiastic. They attempted to color the unstable situation in Mexico, and made it appear that his country was pre- pared and stable enough for diplomatic relations. In the early part of 1824, a serious insurrection was occurring in Mexico, which was called the Labato Revolt.²¹ Hervey did not mention the

¹⁸Hervey to Canning, July 20, 1824. C. K. Webster, Britain and the Independence of Latin America, (London, 1938), I, p. 455.

¹⁹Hervey to Canning, February 21, 1824. Ibid.

²⁰Ibid.

²¹Paxson, p. 221.

seriousness of this revolt to Canning in his communiques. Shortly thereafter, Hervey promised a loan to Mexico, which was a very unwise decision in view of the circumstances. Canning evidently did not think very highly of their decision because he recalled Hervey for turning in a report of the country based on a "fort-night or three week experience," and dispatched not only "before you had allowed yourselves time to form a mature judgment, but in a moment of public disturbance."²² Hervey was later replaced by James Morier.

Without a doubt, Hervey was guilty of overlooking Mexico's political conditions and jeopardizing the international prestige of Great Britain. In a discussion on the Mexican situation after Hervey's recall, Sir James Mackintosh appears to be in disagreement with British policy toward Mexico. He said in a speech to Parliament: "When Great Britain recognizes the States of Spanish America it will not be as a concession to them for they need no such recognition, but it would be for Mexico's own sake to promote her own interest, to protect the trade and navigation of her subjects, to acquire the best means of cultivating friendly relations with important countries."²³ Undoubtedly Mackintosh

²² Webster, p. 445.

²³ T.C. Hansard, Hansard's Parliamentary Debates Second Series, (London, 1895), X, pp. 992-1010.

was referring to Great Britain, which carried on an extensive trade and had control of the seas. Mackintosh did not want to yield to Mexico's every desire and demand. He was to be one of the negotiators of the Mexican Treaty.

Foreign Minister Canning sent Mr. James Morier to replace Hervey as the head of the British commission in Mexico. His instructions were almost the same as his predecessor. He was told on July 30, 1824 "you are to ascertain the fact of Mexican Independence not actively to promote it, and to from and report an opinion of the stability of the government, not to prescribe its form or attempt to influence its councils."²⁴

None of Canning's reprimands to his commissioners were known to the Mexicans. Most of the favorable decisions in the Mexican policy of Great Britain were printed in the Gaceta. In fact, some of the articles were exact reprints of articles in the London Times.²⁵ Again there can be no doubt that the Gaceta circulated only favorable news about Britain throughout the years from 1823 to April of 1825. The Gaceta was a government publication and thus printed only the news which was favorable to the admin-

²⁴Canning to Morier, July 30, 1824. Webster, Britain and the Independence of Latin America, I, pp. 457-458.

²⁵Gaceta, 18 de Marzo de 1824.

istration. Favorable news about a country cannot help but leave a favorable impression toward it by at least a minority of the population. It appears that England enjoyed much more than a minority share of Mexico's good will.

It is interesting to note that the feeling toward England was so favorable that in April of 1824 a public birthday celebration for His Majesty the King of Great Britain was considered by the Government.²⁶ They finally decided against this because they felt this would not be in good taste, and might bring unfavorable opinion from other countries. This shows, however, that the Mexican Government had pro-British sentiments, and was trying to please the British Government.

²⁶J. Fred Rippy, Joel Roberts Poinsett Versatile American, (Durham, 1935), p. 107.

CHAPTER II

PROTECTIONISM VS. FREE TRADE

In discussing the treaty negotiations it becomes necessary to relate how Mexico felt about commercial relations with foreign nations. Mexico had just gained her independence and was encountering the many problems of establishing a government, and government policies. One of these problems concerned the foreign policy of the nation, and there was much disagreement over the type of foreign policy Mexico should follow concerning commercial relations. The specific question was should Mexico follow a protectionist policy or a policy of free trade?

As we know the Mexican Government was in a position to negotiate a treaty with Great Britain in 1824. Later there would be other foreign nations entering into commercial negotiations with Mexico. So the question arises over what type of legislation existed in Mexico at this time which would affect commercial relations with foreign nations? What type of economic planning was taking shape by the Mexican Congress? Were there any pressures put on the Congress to pass legislation to protect industry? In short, how did the public and government feel about free trade?

Between 1822 and 1825 Mexico was involved in many debates

that concerned liberalism, federalism, and centralism. Sometimes the positions taken were not easily distinguishable. Authority was in the hands of the national government, which really meant that the "big three" controlled the government—Vera Cruz, Puebla and Mexico City. However, these three provinces had their own interests to protect and had differing opinions over the tariff question. Vera Cruz was for free trade and liberalism, Puebla for protectionism and federalism, and Mexico City desired to be the sole decision maker for the nation with the government centered there. Mexico can be compared to the United States during the pre-civil war period when there were strong sectional differences. Debates in Mexico were bitter and linked the tariff question with the protection of infant national industry.

Public opinion in Mexico concerning free trade was not harmonious. Some Provinces had been manufacturing products for domestic use, and did not want outside competition which would interfere with their industry. On the other hand there were those who desired free trade and even doctrinaire liberalism.¹ This pressure came from provinces in Mexico that produced raw

¹ Doctrinaire liberalism, when used in an economic sense, means a policy of free trade, reduction of tariffs, and open ports; any way which would help to multiply business transaction and build up a nation economically.

agricultural goods. Yucatán falls into this category because of the tobacco raised there. Thus, Yucatán argued for the principle of economic liberalism in tobacco agriculture and insisted upon a free price, an open market, and individual enterprise. The state of Campeche also wished to have low tariff duties because this state, like Yucatán, contained many planters.

Agreeing with these agricultural interests were the port cities, of which Vera Cruz had the largest voice. To the port cities the newly gained independence had meant free trade and the removal of the Aduana—the custom house. With the opening of trade with Great Britain or any manufacturing nation, Vera Cruz could replace profitably the trade it had with Spain. The more goods that passed through the custom house the more Vera Cruz prospered. There was also a nice profit for the merchants of the city, who distributed goods to the interior. In fact, while the discussion over what economic policy was to prevail the port cities had been practicing unlimited commercial relations with foreign countries.²

Puebla was against the concept of free trade because it had a growing industry to protect. In January of 1823 Puebla asked

² Dictamen de las Comisiones Unidas de Hacienda y Comercio, sobre prohibiciones de efectos. Mexico: 1824, imprenta del Supremo Gobierno, en Palacio, p. 2 y sigs. /Jesus Reyes Heróles, El Liberalismo Mexicano, Tomo I, (Mexico: 1957, p. 205.)

for an absolute prohibition on the importation of cotton, tallow, soap, butter, ordinary and custom made crockery, and to raise the duties on textiles.³ The reason for this request was obvious. Puebla wished to protect the cotton planters, and other small industries which sold household goods to people in Mexico. This list was presented to the Junta Nacional Instituyente by a deputation from Puebla, and was one of the last attempts at keeping a mercantilistic economic system alive in Mexico. The Comisión de Legislación opposed the proposition from Puebla, and stated that such a prohibition would hurt the consumer class in Mexico⁴ because there would be no competition with items manufactured in Mexico, and thus there would be no way in which prices could be kept low. The Comisión agreed that Mexico did not have enough industry in which competition would thrive and in effect benefit the consumers.

Manuel Ortiz de la Torre, a member of the Comisión, was an exponent of free trade. He favored absolute freedom of commerce to the extent of abolishing tariffs.⁵ He insisted that a lack of

³ Diario de la Junta Nacional Instituyente del Imperio Mexicano, Tomo I, p. 255 y sigs. [Heróles, p. 169.]

⁴ Ibid., p. 256 y sig.

⁵ Ibid., p. 172.

outside competition would hurt existing industry because industry does not improve by itself, but only through competition. Ortiz de la Torre did not step here. He said, "Mexico needs trade in order to benefit from the improvements and progress made by foreign countries. Nations are like individuals; they have to be happy and joined together in society." This point, he said, "is called international interdependence and in order to attain this, prohibitions should not exist because they cause hate and rivalry." Furthermore, he argued, "foreign countries judge us by our commercial relationship and consider whether or not we will be of commercial advantage to them."⁶

La Torre backed his statements upon the necessity for free trade by using England as an example. He stated that England became a great nation "not by the use of prohibitions, but without them." He continued, the England owed its prosperity to the abolition of impediments to laborers and artisans, and to a free choice of work given to the people.

The Comisión de Legislación presented to the Junta Nacional Instituyente a resolution that was similar to Puebla's list of prohibitions on January 21, 1823. It is interesting to see that La Torre dissented from the majority who favored the prohibitions.

⁶Ibid., p. 175-76.

Namely, the resolution stated that a prohibition should be set upon the following items: textiles, cotton (blankets, etc.), salted meats, butter, tallow, soap, ordinary china, shoes, and clothing.⁷

Perhaps one of the greatest liberals that lived at this time in Mexico was Francisco García from Zacatecas. However, García realized if he put forth his liberal doctrine of free trade with no prohibitions, the nascent industries of Mexico would die. García said, "Foreign goods can be bought cheaper, but what would we do with our own labor force?"⁸ García also stated that tariffs would hurt Mexican commerce and agriculture because of their dependence on manufacturing. This is logical because agriculture suffers when a government is protective. It is hard to sell agricultural products and raw materials to foreign nations which are stopped from selling their manufactured goods to you due to a high tariff. Mexican commerce would then be hurt due to a reduction in trade. García realized that extremism either way would hurt the nation as a whole, but industries must have some

⁷Ibid., footnote 18, p. 169.

⁸ Francisco García: Exposición sobre el dictamen en que la Comisión Ordinaria de Hacienda consulta la prohibición de ciertas manufacturas y efectos extranjeros. Julio 6 de 1823. Mexico: imprenta de D. Mariano Ontiveros. (Héroles, pp. 196-98).

protection.

It is curious to note how this problem preoccupied the provinces. The Instrucciones Dirigidas por la Deputación Provincial de Chihuahua a sus diputados in el Congreso General Constituyente Mexicano in 1823 related that it would be best to try to pass a prohibition on the things that were made in their territory. "Many families depend on the established industries in our province and free trade would cause a lack of occupations for the Mexican labor forces."⁹ So the concern for protection was not only restricted to Puebla and Zacatecas, but also included Chihuahua.

García, then, was not only speaking for Puebla when he spoke for free trade with limited protection for growing industry, but for other provinces that had the same need. By having some free trade with foreign nations, García said, "New ideas will help us advance in industry and will open the door to more trade."¹⁰

There was another thought on how to solve this conflicting problem of gaining foreign support and still saving domestic industry. Members of the Comisión de Legislación stated that industry usually multiplied the capital invested in it. The Comisión felt that Mexico was ripe for investment or loans to industry.

⁹ Heróles, footnote 27, p. 203.

¹⁰ Ibid., p. 202.

Bocanegra, an eminent statesman of the time, stated, "We have all the requirements for industry in Mexico, but what is needed is capital."¹¹ It appeared that most of the Mexican deputies supported a foreign loan, including President Victoria, because in May of 1823 an eight million peso loan to be negotiated with England was approved by the Mexican Congress. Besides having the approval of the above, this loan was also favored by such Mexican statesmen as Gómez Farías (from the mining area of Zacatecas) and Lorenzo Zavala (from the tobacco area of Yucatan).¹² As mentioned in the opening chapter, England did loan Mexico substantial amounts of money. This, however, did not settle the argument of free trade vs. protectionism.

On January 26, 1824 the Comisiones Unidas de Hacienda y Comercio presented a report on the prohibitions to Congress. Again the report illustrated the pressure put on the Comisiones by the protectionist provinces. This might also illustrate the protectionist feeling prevalent in Mexico. The Comisiones had two distinct petitions: One was the complete prohibition of the importation of goods and items not only produced in Mexico, but in other countries whose prohibition stopped Mexican fabrics

¹¹Diario de la Junta Nacional Instituyente del Imperio Mexicano, Tomo I, p. 255 y sigs. (Heróles, p. 183).

¹²Ibid., Tomo II, pp. de la 85 a la 92. (Heróles, p. 186).

from being used as credit. The second was to restrict only those items that the provinces produce or manufacture and leave the other items off the prohibitive list.¹³

In view of this Committee approval on May 20, 1824 the Mexican Congress, for protectionist reasons, approved a decree that raised the tariff on some goods. The Commissioners stated they wanted trade with foreign countries judged according to what extent they were in favor of Mexican progress. It was also stated trade should be set up so that a national marine could be created.

A twenty-five percent duty on goods coming into Mexico, established in 1821, was lowered. The Commissioners felt all that the twenty-five percent duty had accomplished was to stimulate smuggling. The Commissioners proposed that the duty of twenty-five percent be lowered to fifteen percent. The lower tariff would be an incentive for a national marine to grow. The Commission stated that a moderate tariff would lessen contraband and would permit a lowering of duties to five percent on textiles or other products that would be carried by ships under the national flag. The Commissioners further stated that this last measure

¹³ Dictamen de las Comisiones Unidas Hacienda y Comercio, sobre prohibiciones de efectos. Mexico: 1824, imprenta del supremo Gobierno, en Palacio, p. 2 y sigs. Este dictamen fue leído en la sesión del Congreso de 13 de enero de 1824. (Heróles, p. 205).

was the one that England and Colombia had esteemed and through which they hoped to increase the national marine.¹⁴

Thus, the commission was in favor of a moderate tariff on all goods produced in Mexico. However, there was to be no prohibition on machinery and industrial instruments that were not made in Mexico or would contribute to the arts and sciences of Mexico. This would also help the labor force to get and maintain jobs.

The Comisiones de Hacienda y Comercio defended their tariff reform to Congress in the following way. They recognized an international economic interdependence (mentioned earlier by de la Torre) or "reciprocal dependence" as it can be called.¹⁵ It was also recognized that moderate margins prevent speculative profits and this would encourage the nation to produce sanely and in a way not to misuse labor and capital. At the same time the tariff could be used as a defense measure so as not to abuse prices by domestic producers. Free trade, they added, would not make Mexico a tributary of foreign nations because there would be a need in Mexico for many things from foreign nations as Mexico needed an outlet for her products--thus reciprocal dependence.

¹⁴Ibid., 25 de Abril de 1824. (Heróles, p. 210).

¹⁵Dictamen sobre reformas del arancel general, presentado al Congreso por sus Comisiones de Hacienda y Comercio Unidas. Mexico: 1824. Imprenta del Supremo Gobierno, en Palacio, pp. 5 y 6. (Heróles, pp. 210-11).

It appeared that the members of the Comisión looked at the moderate tariff as a panacea for economic problems; however, they were quite able to be flexible in carrying this policy out.

In brief, Mexico was following a rather liberal protectionism in her foreign policy. This economic policy would benefit the nation as a whole. Private interest and labor would gain from an increase in industry, and the consumer class would undoubtedly support Mexico's economy.

Any treaty that was to be negotiated at that time would have to be with a nation that would reciprocate with Mexico. England had left an indelible impression in the minds of some Mexican statesmen when arguing these points over the tariff question. We can also see that many provinces clamoured for absolute protection for their young industries, and of course, had a direct influence on the tariff policy of the nation.

CHAPTER III

BRITAIN AND MEXICO AGREE TO A TREATY

The Mexican Government's first choice as minister to Great Britain, Pablo De La Llave, resigned shortly after his appointment.¹ In his place Mariano Michelana was chosen.² His instructions were:

The object of the mission is to solicit the recognition of the Independence of Mexico from Great Britain; to try to have Britain mediate between Spain and her former colonies, and have her recognize them; to try to form a treaty of alliance with England so she will help Mexico in case the Holy Alliance attempts to intervene in our maritime affairs; to make a commercial treaty with Great Britain without conceding exclusive privileges or concessions to other countries except the Spanish Americans who can and should have some commercial advantages.³

Canning received Michelana with cordiality. The matter of recognition was the first topic they discussed. Canning and Michelana had many conferences over the probability of Spain accepting England as a mediator between her and her former colo-

¹ Diplomacia Mexicana, II, p. 268.

² Ibid., III, p. 4.

³ Ibid., pp. 272-274.

nies. Volume III of the Diplomacia Mexicana is filled with dispatches from Michelana to the Mexican Government concerning this problem. England pressed Spain to recognize her former colonies in return for commercial favors. If England could get Spain to recognize her old colonies or at least show that an attempt was made to do so, there would be less difficulty with the Holy Alliance who backed the restoration of the old order, and not the independence of the new nation.

The Gaceta published the British Government's statements that stemmed from the meetings between Michelana and Canning. The articles always implied a favorable position to Mexico and in many cases were repetitions of the five proposals and the Polignac Memorandum. In addition it was stated that "England did not intend to recognize the new states until the mother country had first done so."⁴

After waiting over five months for Spain's recognition of her old colonies it appears that Canning became exasperated, and decided to recognize Mexico. Most likely Canning knew beforehand that Spain was not ready to recognize her new colonies especially with the bitter taste of revolution still in her mouth. This made England appear to have nothing else to do but recognize the colonies to protect her trade and commercial relations.

⁴Gaceta 15 de Mayo de 1824.

On January 3, 1825 Canning announced to his ministers and the people of the diplomatic corps in London that he intended to negotiate a formal treaty with Mexico which would automatically recognize the new state. On that same day he sent a dispatch to Morier and Ward in Mexico with instructions that were to guide them in negotiating a treaty. This same letter named Ward as Chargé d Affairs in Mexico, and charged him with securing a treaty.⁵ In this same letter Canning told Ward to suggest the recall of Michelana because "He is a Spaniard" and had not been working in complete harmony with the British Government.⁶

Canning appears to have accomplished a great feat with his act of recognition by being the champion of Mexican independence. He wrote to a friend of his, Doctor John H. Frere, that "the great danger of the time--a danger which the policy of the European System would have fostered, with a division of the world into European and American, Republican and Monarchical; a league of worn out Governments on the one hand and of youthful stirring nations with the United States at their head on the other. We slip in between and plant ourselves in Mexico. The United States have not gotten the start on us in vain, and we link once more

⁵ Canning to Hervey, January 3, 1825. Webster, Britain and the Independence of Latin America, I, p. 459.

⁶ Ibid.

America to Europe. Six months more and the mischief would have been done."⁷

Canning's letter to Ward on January 3, 1825 regarding the treaty was that it should be a reciprocal agreement and contain "freedom of commerce on a most favored nation basis, and that there should be lower duties on goods carried by British and Mexican manned ships."⁸ The Foreign Minister added a second part to this letter concerning public worship.

The reasons for this additional article were that much criticism had occurred in Parliament over the treaty between Britain and Colombia regarding public worship. Parliament objected to the Colombian Treaty because Colombian residents in England were entitled to exercise their religion in their own houses only. So it was decided that in future treaties with South America the "honorable plenipotentiaries" were to get the benefit of toleration for English subjects that was lost in the Colombian Treaty. Canning was not going to make too many concessions to Mexico, and if England would again agree to something less than complete toleration the Mexicans would have to give up something in return for such a concession. It read:

⁷ Festing, p. 268.

⁸ Canning to Ward, January 3, 1825. Webster, Britain and the Independence of Latin America, I., p. 463.

This is to tell them if an objection arises over religion they can omit the words from the draft of the treaty 'to attend and celebrate Divine Service either within their own private houses or in their own particular churches and chapels which they shall be at liberty to build and maintain within the said territories of Mexico for the purposes of Divine Service substituting the following words to celebrate Divine Service with proper decorum.' But you will, in this case, add to the treaty an explanatory, though if required, secret article to the effect of the words omitted viz, that it is understood that Divine Service is to be celebrated for the present in private houses, but that chapels and churches shall be allowed to be built for that purpose--so soon as the efforts of the Government shall have succeeded in obviating the difficulties now apprehended to such a measure.

The British and Mexican Ministers lost no time in negotiating a treaty. By April 6, 1825 the ministers for both countries agreed to a treaty. This rapid signing of the treaty was attributed to the pro-British feelings of the Mexicans, and the over-enthusiastic English ministers. The treaty turned out to be advantageous to the Mexicans. In fact, Ward blundered so badly that when Canning criticized the treaty, he found all of the major provisions unacceptable. The same time that Canning was notified of the treaty he also learned of new Mexican demands for a clear and positive declaration of recognition by Great Britain. The rejection of the treaty meant that England had not as yet officially recognized Mexico. This was to be a quid pro quo agreement--Britain would give recognition in return for a commercial treaty. Ward also wrote him about the Mexican objections

⁹ Ibid., pp. 463-64.

to the article on religion regarding the giving of toleration to English in Mexico, and the granting of special privileges to former Spanish colonies.¹⁰ Canning rejected this treaty in its entirety:

It is not to be expected that we will abandon for the sake of this new connection, a principle which we have never conceded in our intercourse with other states, whether of the old or the new world, either to considerations of friendship, or to menaces of hostility.

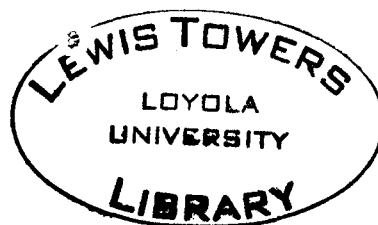
There was not one thing Canning wrote that was favorable to the treaty. He itemized his objections article by article stating at times that the Commissioners went against the whole tenor of their instructions. Unfortunately the text of this treaty cannot be located. Webster, in his Britain and the Independence of Latin America only gives Canning's dispatch which was a precis of the treaty.¹¹

In a second letter on the same day Canning wrote that "he knows that failure to ratify the treaty will create an unpleasant impression on Mexico," but that it will have "a salutary effect in sobering... that somewhat extravagant estimate of the importance of Mexico to Britain and that this attitude probably stimu-

¹⁰Ward to Canning, April 10, 1825. Webster, Britain and the Independence of Latin America, I., p. 468. Also, Lucas Alaman, Historia De Mejico (Mejico, 1825), V, p. 815. He was very influential in the treaty negotiations and comments on it.

¹¹See the appendix for Canning's criticism of the treaty.

lated the unreasonable pretensions of their Plenipotentiaries."¹²
From the signing of this treaty, in April, until September of 1825 Mexican public opinion toward Great Britain was at its most favorable point. This popularity diminished slightly in 1826, but never to any great extent during the treaty negotiations.



¹²Ward to Canning, April 10, 1825. Webster, Britain and the Independence of Latin America, I, pp. 476-77.

CHAPTER IV

THE UNITED STATES ESTABLISHED DIPLOMATIC RELATIONS

The United States also wanted to gain a close relationship with Mexico. It recognized the independence of Mexico in April of 1822, only one year after Mexico had proclaimed her independence from Spain. President Monroe then recommended that the Government should send a minister to represent the United States in Mexico. There was much indecision over what rank or status this minister should have, and when he should be sent. Nothing was accomplished until the beginning of 1823 when Monroe demanded someone to be appointed immediately. Many men were offered the post of American Minister to Mexico but it was hard to get them to accept. It seems that the men under consideration either had better positions in the United States or were waiting for an appointment to a government position that had a better political future. One of the persons who was offered the post was Andrew Jackson. Jackson, rightly so, chose not to take the position because of the possibility of becoming a presidential candidate and because of his dislike for monarchical governments such as that in Mexico.¹ Just after Jackson's refusal Iturbide fell from power

¹George Lockhard Rives, The United States and Mexico 1821-48 (New York, 1913), I, p. 46.

and the United States slowed down its efforts to appoint a new minister.

This matter was taken up again early in 1824. But this was election year in the United States, and political manipulations caused further delay. Ninian Edwards, territorial Governor of Illinois, was appointed. He refused the position in June of 1824.² There was still no one appointed by December of 1824.

In January of 1825 President Monroe offered the position to Joel Roberts Poinsett who at first declined the offer because there was a chance he would be selected as the Secretary of State by John Quincy Adams. He was not appointed to the post so on March 6, 1825, Poinsett accepted the position as minister to Mexico.

J. Fred Rippey and Hubert E. Putnam, both biographers of Joel Roberts Poinsett, concluded that he was probably the best man for the job.³ Poinsett had the knowledge and experience for the position. In his earlier years he had done some extensive traveling in Europe. In 1810 he had gone to Buenos Aires and Chile where he performed a diplomatic mission for the United States Govern-

²Ibid.

³Hubert E. Putnam, Joel Roberts Poinsett, A Political Biography (Washington D.C., 1935). J. Fred Rippey, Joel R. Poinsett, Versatile American (Durham North Carolina, 1935).

ment. His responsibilities were to render a report on the conditions that prevailed there, so that Washington could adopt a definite policy toward the new Emperor of that country. He wrote a book entitled Notes on Mexico, and this was published in 1824. In his book, he wrote that "we should not recognize Iturbide. . . if we do we will give him help over the Republican Party." He describes Iturbide as "not having talents nor scruples" and that he regarded "American Institutions as good but unsuitable for Mexico."⁴

Although Poinsett's Notes on Mexico bear no direct relation to the political situation of his later second mission to Mexico, the book does contain his feelings toward a centralized form of government and desired a form of government that would be more comparable and favorable to democratic institutions—the United States. This became relevant in his second mission to Mexico when he opposed the conservative party for two reasons. First, because of their favoritism to Great Britain, and second because of their efforts to establish a centralized form of government.

Poinsett openly accused President Victoria of having monarchial ambitions in 1825. Later, Henry Ward, the British minister, mentioned to Canning in one of his dispatches that the statement

⁴Joel Roberts Poinsett, Notes on Mexico 1822 (London, 1825), p. 91.

was true.⁵ Evidently, Poinsett's attitude toward Mexico was somewhat colored by his early mission to that country in 1822.

Rippy wrote that besides Poinsett's previous experience in Chile and Mexico, he also had a vast knowledge of Spanish America and a warm and sustained interest in the struggles of its people for independence. He could write and speak Spanish fluently. Most historians have called him a polished gentleman, which he probably was, and all agree he advocated republicanism. This is true because in political philosophy he was a follower of Andrew Jackson. All of this might be calculated to contribute to his success as minister to Mexico. However, as Rippy wrote, "he was a flaming evangelist of democracy, and his career in Chile had revealed both an impudent aggressiveness and a disposition to violate rules of diplomatic decorum."⁶

Poinsett started his diplomatic career in Mexico at a time when a heavy tide of British influence had to be combated. One of the biggest obstacles that Poinsett encountered was the Mexican Secretary of State, Lucas Alamán, who was inclined toward Great Britain. Alamán, as well as other Mexican leaders, had come to

⁵Ward to Canning, September 30, 1825. Webster, Britain and the Independence of Latin America, I, p. 489.

⁶Rippy, p. 106.

look upon the United States as their natural rival and enemy. In 1822 Manuel Zozaya, the first Mexican minister to the United States, had written that "the neighbors north of the Rio Grande will be our sworn enemies and foreseeing this we ought to treat them as such from the present day."⁷ In 1823 General Victoria, who became President before Poinsett's arrival, represented the citizens of the United States as "an ambitious people always ready to encroach upon adjacent territory and without a spark of good faith."⁸ He was, of course, referring to the problem arising in Texas, and the procedure of the North Americans when they took possession of Florida. Obregon, the Mexican minister in Washington, had written that Poinsett was "not a person of great talents," and it was learned that Poinsett expressed the desire to acquire for the United States a portion of Northern Mexico.⁹ Lionel Hervey, the recalled English Commissioner, in 1824 had mentioned to the Mexicans that the use of American capital in building American roads, and the immigration of American citizens into Mexican territory would be harmful to them.¹⁰

⁷Ibid.

⁸Ibid.

⁹Ibid.

¹⁰Frederick Paxson "England and Mexico" Texas Historical Association Quarterly. (Austin, 1906-07), IX, p. 139.

Lucas Alamán was a learned man with an aristocratic nature. He was in favor of a strong British-Mexican relationship. One of the reasons for this was because he was director of an English mining company in Mexico. Alamán was also a member of the Centralista Party which favored a strong central government and friendly relations with England. Opposed to this group was the Federalista Party which favored a government much like that of the United States.

In January of 1825 Alamán gave his report to the Mexican Congress. In this report one can see his definite favoritism to England. The theme of the speech was on the nature and value of England's friendship to Mexico. He reported on the diplomatic assistance of England to Mexico. He mentioned that in 1823 Mexico was in dangerous straits and faced with European intervention. Alamán was referring to the attempt by France and Spain to restore the country to Spain. At this time, he said, England replied to the invitation of the minister of King Ferdinand and declined to encourage any restoration of the former Spanish colonies. He continued, "England publically disclosed the liberal principles she was to follow. Without refusing to recognize our independence England at first desired that Spain should do so, and that England could not wait a long time for the cabinet at Madrid to define her policy."¹¹ He stated that "next England frankly stated that

¹¹Lucas Alamán, "Report to Congress January 1825." British and Foreign State Papers (London, 1826), XII, pp. 984-85.

she could not suffer any power or league of powers to help Spain in armed intervention in any questions involving Spain and her colonies." He continued that, "when England and Mexico learned of their friendly dispositions to each other they exchanged diplomatic ministers."¹² He pointed out that England was the first European nation to build a friendly relationship to the Mexican Republic. In the same speech he mentioned that the President of the United States announced a message that was similar to Great Britain's policies, and that the United States had also sent a plenipotentiary to Mexico.¹³ Alaman did not mention that the Monroe Doctrine had preceded the protective statements of England, which it did. On the whole he did not devote much time to the United States.

There can be no denial that the United States and Poinsett knew of the strong British sentiment for England. On March 26, 1825 the New York Daily Advertiser printed the following: "A large quantity of dollars has arrived from London at Alvarado due to the Mexican loan negotiations in England. The Mexican markets are glittered with British manufacturers to get the dollars

¹²ibid.

¹³ibid.

Britain loaned to Mexico back again."¹⁴ Again in the National Journal it was printed that Lucas Alaman reported to the Congress of Mexico in May of 1825 that "as our commercial relations with Great Britain are constantly enlarging, and as the loans intimately affect our financial operations it was deemed proper to appoint a consul general to that kingdom who was authorized to designate vice consuls for the ports where commerce should require them."¹⁵ It becomes obvious then that Poinsett knew there must have been a pro-British sympathy existing in Mexico.

When reading histories about the formal reception of Poinsett in Mexico on June 1, 1825, it is always mentioned that Henry G. Ward was received on May 31, the day before. This misleadingly leaves one to assume that the two ministers had arrived at approximately the same time which is incorrect. Another misconception is that there was only one treaty negotiated between England and Mexico. As previously mentioned the English commissioners, including Ward, had been in Mexico for over a year and had negotiated a treaty in April 9, 1825 which was rejected by England in September of the same year.

After Ward and Poinsett were officially received on the 31st

¹⁴ Niles Weekly Register (Baltimore, March 26, 1825), 28:54.

¹⁵ Ibid., (May 14, 1825), 28:169.

of May and the 1st of June respectively, Poinsett wrote a communique to Clay. In it he expressed the fact that there was no favoritism shown to either minister. Poinsett wrote that "Mr. Ward was received the day before with precisely the same forms and ceremonies."¹⁶ He wrote:

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.¹⁷

There can be no doubt that Poinsett exaggerated when he wrote that a vast majority of people in the Mexican Congress favored the United States. This was not true when Poinsett first came in 1825 as described in the first chapter. In 1826, a year later, the Mexican Congress contained a sizable amount of representatives that favored better and closer relations with the United States. Perhaps, Poinsett was misinformed at this time due to his association with the pro-American factions in Mexico.

Clay had drawn up instructions on March 26, 1825. He wrote

¹⁶ Poinsett to Clay, June 4, 1825. William R. Manning, Diplomatic Correspondence of the United States Concerning the Independence of The Latin American Nations (New York, 1925), III, p. 1626.

¹⁷ Ibid.

that the purpose of this mission "is to lay for the first time the foundation of an intercourse of amity, commerce and navigation and neighborhood which may exert a powerful influence for a long period upon the prosperity of both states."¹⁸ Clay probably gave Poinsett very little new information about Mexico. Poinsett's Notes on Mexico 1822 was a very extensive report on that country. From the statistics listed in his book it was evident that Poinsett had already known the population, geographical position, and natural resources of Mexico. He also knew it equalled or surpassed all other Spanish American nations. Clay wanted Poinsett to bring out the fact that the United States had recognized the Mexican States before any other country, and had warned other countries from interfering in affairs of the American Nations in the Monroe Doctrine. Poinsett was to explain any problem that might arise in the workings of the Mexican Constitution which had been largely copied from the United States Constitution.¹⁹

Perhaps one of the biggest mistakes that Clay ever made was when he told Poinsett to explain the processes of the Constitution, since theirs was similar to ours, if the occasion ever arose.

¹⁸ Clay to Poinsett, Instructions, March 26, 1825. American State Papers, Documents, Legislative and Executive, Foreign Relations (Washington, 1859), V, p. 908, and VI, p. 578.

¹⁹ Ibid., V, p. 908.

Poinsett was an ardent proponent of a federal form of government. Poinsett had known, ever since 1822, that the Mexican Government's leaders were advocates of a strong central government. It appears that Poinsett took it upon himself to maintain a federal union in Mexico, and head-off a centralization movement. Of course, this was not the whole reason for his promotion of federalism. The party in Mexico that was of the federalist persuasion was also the admirer of the United States. The name given to this group was Federalistas, and opposing them were the Centralistas. Poinsett was compelled to exert his influence on the Mexican Government in an indirect way so as to counteract the English influence that prevailed in Mexico at this time. It was because of his participation in internal political affairs that Poinsett was to receive criticism later.

There were still other influences that made Mexico skeptical of the United States. After reading a substantial amount of material the writer has formed the opinion that the Mexican officials looked upon the Monroe Doctrine as an effort by the United States to gain prestige by acting unilaterally. The Mexicans, however, gave full credit to the English for the establishment of the Monroe Doctrine. They believed in the "conventional Theory" of the Monroe Doctrine, which states that the sources of the Monroe Doctrine were European and more specifically English. The Mexicans felt that without English efforts-- the Polignac

Memorandum—the Monroe Doctrine would not have been promulgated. The Mexicans had nothing but skepticism for the Doctrine from the day it was promulgated. This will be substantiated later when Cuba is discussed.

Although Cuba was not directly involved in this treaty it does have an indirect bearing on the negotiations. Right after the independence movements in South America there arose the problem of what to do with Cuba which was still under the control of Spain. Mexico had designs on Cuba, and wanted the island to be a political part of the mainland to protect Mexico's interests in the Caribbean.²⁰ The United States wanted Cuba to remain in the hands of Spain because Cuban ports were open to United States commerce and the North Americans did not wish this to be changed.²¹ Secretary of State Clay tried to persuade Spain to make peace with Mexico and Colombia who were planning a joint effort to attack the island.²² England also wanted Spain to make peace with these states in order to induce them to guarantee the possession of Cuba. As long as Spain held Cuba and did not recognize Colom-

²⁰ Harold Temperley, The Foreign Policy of Canning 1822-27, (London, 1925), 172-73.

²¹ J.M. Callahan, Cuba and International Relations A Study in American Diplomacy, (Baltimore, 1899), p. 145.

²² Diplomacia Mexicana, III, p. 124. This was mentioned in a conference between Michelana and Canning.

bia and Mexico, Spanish Cuba was a threat to their security. They could always claim that a fleet in Havana was preparing to attack one of the countries.

In August of 1825 a French fleet brought to Santiago de Cuba a new Spanish Governor. Not knowing why these ships were in the Caribbean, Lucas Alamán became alarmed. He thought of the possibility of an attack. He conferred with Poinsett and Ward.²³ Mexico looked upon these movements of French war ships as an infraction of the Monroe Doctrine. This was obviously an interference of a third power between Spain and her former colonies in America—an act which violated the Monroe Doctrine. The Mexican Government told Poinsett that he should refer this matter to his government so that it will demand an explanation from France and Spain. At first, Poinsett speculated and said that possibly Spain had ceded Cuba to France to avoid an independence movement encouraged from Mexico.²⁴ This of course was false.

When this demand was put to Poinsett, he objected to the language used because it implied that the declaration of Monroe gave Mexico the right to demand that the United States should in-

²³ J. M. Callahan, Cuba and International Relations A Study in American Diplomacy (Baltimore, 1899), pp. 142-3.

²⁴ Poinsett to Clay, August 21, 1825. Diplomatic Correspondence, III, p. 1632.

terfere on behalf of the new states.²⁵ When this statement was made, the Monroe Doctrine in the eyes of Mexico, was looked upon as a useless proclamation. It had been put to the test and failed. This was the start of the Monroe Doctrine as being looked upon as a unilateral policy of the United States.

In fact when President Victoria made his closing speech to the General Congress of Mexico on May 23, 1826 he referred to this occasion with displeasure. He said,

The United States has publicly declared that they have contracted no engagement, nor made any pledge to the Governments of Mexico, and South America or to either of them. That the United States would not permit the interference of any foreign powers with the independence or form of government of those nations is indeed true, that Mr. Clay, Secretary of State and author of the vote appeals to the sympathy of the people of the United States and to their community of interests in the New Republic, but it is no less true that we have no longer any sort of guarantee or promise on the part of that government to take part in the contest if a third power should become an auxiliary of Spain.²⁶

The auxiliary or third power he referred to here was obviously France. It can be said that the United States did not back up

²⁵ William R. Manning, Early Diplomatic Relations Between the United States and Mexico (Baltimore, 1916), p. 121. Manning quoted from primary sources.

²⁶ President Guadalupe Victoria's closing speech to congress May 23, 1826. British and Foreign State Papers 1825-26, (London, 1827), XIII, p. 1082.

its foreign policy on this occasion. This did not facilitate the negotiations for a commercial treaty with Mexico, and made things more difficult for Poinsett.

CHAPTER V

FREEMASONRY AND POLITICS

Freemasonry had been flourishing in Mexico prior to the arrival of Poinsett. The first lodge was the Scottish Rite Lodge that played a decisive factor in the consummation of Mexican independence and was the first party in the Mexican Congress.¹ The men who composed the Scottish Rite Lodge were, for the most part, of the conservative persuasion. In politics they favored the Centralista Party that was mentioned earlier. There had been a split occurring within the Scottish Lodge which was primarily caused by opposition to Emperor Iturbide and his Empire. When the Emperor fell from power, the two groups split completely. The Centralistas and the Federalistas were now openly opposed to each other. The Federalistas organized to oppose a return to a monarchical form of government, and against the men who composed the Centralistas—the privileged classes.² In 1825 the Federalistas decided to form a new Masonic Lodge.

¹ Jesus Reyes Heróles, El Liberalismo Mexicano. La Sociedad Fluctuante. (Mexico, 1933), II, p. 49.

² Ibid., p. 51.

José María Alpuche, a member of the Senate, General Guerrero, distinguished revolutionary officer, José Ignacio Esteva, the Minister of the Treasure, and Lorenzo de Zavala, a member of the Senate and later a Governor of the state of Mexico had organized a group of Masonic Lodges.³ These men asked Poinsett to obtain a charter for them from the Grand Lodge in New York. Poinsett claimed that York Rite Masons had existed in Mexico before his arrival, but did not have charters. He said the only thing he did was to secure the charter for the lodge.⁴ There can be no doubt that there was communication between Poinsett and these men. They knew he was a Mason because he had been the Grand Master in South Carolina. It was only a matter of fraternal courtesy that would bring these men together. The big question that arises is, who was the dominant force in founding this new lodge? Zavala wrote that Poinsett did no more than obtain the charters for the Mexicans. He wrote that Poinsett was slandered by the Centralistas:

This step, the installation of the grand lodge was the only intervention that the American [Poinsett] made in the affairs of Mexico. It ended by the aristocrats and various European agents in Mexico taking a greater part than the

³Manning Early Diplomatic Relations, p. 192.

⁴Ibid.

American in the affairs of the country.⁵

Zavala was a very good friend of Poinsett, so his testimony for Poinsett must be judged as prejudiced. In his book, he upholds Poinsett's character and points out only the beneficial things about him. Poinsett wrote to Rufus King, the United States Minister in England, and later to Henry Clay that he was asked to send for charters, for these new lodges, from the Grand Lodge of New York.⁶

It appeared that Poinsett became very influential in the Yorkinos, as it was called in Spanish. It was composed of people who were known federalists and American sympathizers. Poinsett wrote to Clay that the Yorkinos were favorable to the United States and gave an explanation about the more important men in the lodge.⁷

The Niles Weekly Register had the following article on December 24, 1825:

A ceremony took place in the city of Mexico which imperatively shows the progress of liberal ideals and good principles in that republic—as much so perhaps all things considered, as any other that could have happened. We allude to the installation of a grand lodge of freemasons in the capital by our minister Mr. Poinsett, as being past deputy grand master of Masons in South Carolina. It

⁵Lorenzo de Zavala, Ensayo Historico de las Revoluciones de Mexico desde 1808 hasta 1830, (Mexico, 1845), p. 258.

⁶Poinsett to Rufus King, October 10, 1825 and Poinsett to Clay July 8, 1827. Diplomatic Correspondence, pp. 1634 and 1663.

⁷Poinsett to Clay, October 12, 1825, Ibid., pp. 1637-38.

is composed of the first men in the country—patriot warriors and statesmen and among the grand officers are two priests of high standing, one of them being also a senator.⁸

From the information available on the entanglement of Poinsett and freemasonry one can only infer what actually happened. It is obvious that he was faced with a very difficult situation. Poinsett was a very zealous and dynamic man. He realized he was involved in a political battle with the English minister Henry G. Ward over a commercial treaty. There is no doubt that Ward was a very formidable enemy. He had been entertaining the leading Mexican Conservatives for months, and had established himself with the Scottish Rite Masonic Lodge. Although Ward denied the fact that he joined the Scottish Rite Lodge he, like Poinsett, had intimate connections with prominent men who were Escoceses. Poinsett wrote to Rufus King that "Mr. Ward set about forming a European Party in opposition to a party he thinks was formed by me."⁹ There were numerous accusations by these ministers of each other, and the two lodges had their own vehicles of propaganda in newspapers. The Escoceses used the paper El Sol and the Yorkinos the paper Correo de La Federacion.¹⁰ However, there can be no

⁸Niles Register, December 24, 1825; 29:259.

⁹Poinsett to Rufus King, October 10, 1825: Diplomatic Correspondence, III, p. 1634.

¹⁰Heróles, El Liberalismo, II, p. 50.

testimony found in writing that these men used the lodges as political devices. All that can be stated is that to claim or to accuse Poinsett and Ward guilty of using the Masonic Lodges as political tools is a reasonable assumption.

From the political eruptions that took place in the fall of 1825, it was evident that a change in government was trying to be effected. If it can be assumed, and it can rightly so, that the Masonic Parties were deeply involved in governmental affairs, most likely Poinsett realized he could not gain anything without a change in government, which involved a change in the Mexican officials sentiments or getting them completely removed. The use of the American Party or Yorkinos to gain a respectable party in both houses was his plan.¹¹ As mentioned earlier, Poinsett had written that there were people who were friendly to the North Americans. These people included the liberals, democrats, and those dissatisfied with the turn of politics.¹² On the other side were monarchists, aristocrats, Europeans, and old Spanish monopolists. Professor Rippy claimed that Poinsett used coercion against the Centralists. He also held parties trying to win men of influence on his side. By September of 1825, the Yorkinos

¹¹Rippy, Versatile American, p. 109.

¹²Ibid.

had become very strong in Congress. This did not occur by election, it occurred because the Yorkinos gained new members. Curiously the Yorkinos mushroomed from five lodges to one hundred and thirty lodges.¹³ They spread to all parts of Mexico, and came to embrace the more liberal democratic groups which favored the maintenance of a federal constitution as opposed to the centralized system advocated by the Escoceses.¹⁴ Zavala wrote that many Escoceses fanatically changed over to the Yorkinos.¹⁵ H. G. Putnam wrote there were no more Federalist and Centralist parties, their names became Yorkinos and Escoceses.

Then the wave of political manipulation spread to the President's cabinet. A reorganization took place which was due to the demands of the Yorkinos who now wanted more voice in governmental affairs. Victoria appointed two prominent Yorkinos to cabinet positions, after an attempted plot.

Poinsett seems to be the only person who related this story. He described this plot in a letter to Clay on October 12, 1825.¹⁶

¹³Zavala, p. 258.

¹⁴Putnam, p. 74.

¹⁵Zavala, p. 258.

¹⁶Poinsett to Clay, October 12, 1825. Diplomatic Correspondence, III, pp. 1636-38.

According to Poinsett, Alaman and Esteva plotted to have Victoria turn out Don Pablo de la Llave the Minister of Justice and Ecclesiastical Affairs. In order to do this they employed the "Minister from Colombia, Santa Maria and the Countess of Regla, a pretty creole possessed of great shrewdness and exercising great influence over Victoria."¹⁷ They wanted to replace Llave with the Bishop of Puebla, who according to Poinsett was "of European birth and an insidious and dangerous enemy to the American countries."¹⁸ He continued, "Llave had retired to the country awaiting the event without an exertion." But Ramos de Arizpe, another priest, his friend, a man of an active intriguing character, who had been a deputy of one of the Mexican provinces in Spain, and while there brought frequently in collision with the Bishop of Puebla, was opposed vigorously to the appointment of the latter, and finding that he could not prevent it, procured himself to be appointed chief officer in that department. This action and a declaration made by Llave, that he would appeal to the public and expose the intrigues of these men, prevented the Bishop from accepting the appointment.¹⁹ Suddenly in face of this possible

¹⁷Ibid.

¹⁸Ibid.

¹⁹Ibid.

scandal, the Bishop refused the appointment, and Arizpe was appointed. Due to the growing political opposition and the pressure by the Yorkinos on Alamán in the senate, he retired. Poinsett wrote that his fall was "hastened by a personal pique between him and Ward," who helped obtain his dismissal. Victoria then replaced Alamán with Sebastian Camacho.

Arizpe and Camacho were both Yorkinos. Esteva, who was not loyal to anyone and looking out for his own good, changed over from the Escoceses to the Yorkinos. With this big change in favor of the latter, the former were put in a very precarious position in the election of 1826. In this year the Yorkinos gained a significant triumph in Congress. The legislature of Mexico, which up to this time had been controlled by Escoceses, had gone in favor of the Yorkinos.²⁰ This put the Escoceses in danger of losing the presidential election of 1828.

Also opposed to Poinsett was Victoria's secretary, José María Tornel. He blamed Poinsett for the hostilities that arose between the two opposing parties. He claimed that Poinsett did not act in a manner that was becoming of a foreign minister.²¹ Alamán was also very bitter toward Poinsett. He wrote in his Historia de

²⁰Manning, Early Diplomatic Relations, p. 195.

²¹José María Tornel, Breve Pasena Historico (Mexico, 1825), pp. 38-39.

Mexico that Poinsett planned the removal of the Centralistas, but was not trying to establish a more democratic nation. Instead he wanted to have the country run by a handful of men who would give the people less of a voice in the government.²² These two men have written books based on their personal contact with this situation, but were of course decidedly prejudiced against Poinsett. It was from these two testimonies that most denunciations of Poinsett were based. From their stories, it becomes quite evident that the American Minister meddled in Mexican politics.

Mr. Ward had not been idle during these eventful months of 1825. He was desperately holding on to his political influence in the government. There were dinners given by him at which the British contributions to Mexican Independence were discussed.²³

From the Fall of 1825 to the Summer of 1826, the "political free for all" took place between Poinsett and Ward. As mentioned earlier, Poinsett accused Ward of using the Countess of Regla to exercise her influence over Victoria to further the interests of his country.²⁴ In return the British Minister reprinted and cir-

²²Alamán, V, p. 823.

²³Putnam, p. 75

²⁴Ibid.

culated an attack on the United States which included the De Onis map.²⁵ This map demonstrated how the North Americans were encroaching on Mexican Territory. Because of Ward's intimacy with Victoria, which was made even closer now, the treaty negotiations between the United States and Mexico were delayed. This delay worked for the benefit of England, because there had been some negotiations between Mexico and the United States before the upheaval in September of 1825. Poinsett had lost no time in starting his negotiations for a treaty. He had been authorized to negotiate a treaty of limits and boundaries, and commerce. Because of the difficulties that existed over limits and boundaries, which Ward had further complicated, Poinsett turned his energy to a trade agreement.

The negotiations for a commercial treaty began early in August of 1825.²⁶ Alamán and Esteva were appointed to work together in the negotiations with the United States diplomat. Poinsett quickly drew up a protocol. The most difficult problem arose over the "most favored nation clause." This meant that any concession or favor granted by the United States or Mexico to any third nation should be immediately extended to the other of the contract-

²⁵Ibid.

²⁶American State Papers, Foreign Relations (Washington, 1859), VI, p. 583.

ing powers. The Mexican Government would accept this clause as a general principle, but wished to exclude the other American Nations from its operations.²⁷

President Victoria did not want a strict clause like this in his treaties with either the United States or Britain. He had a plan that would knit the other Spanish American Countries close to Mexico, and in fact put them under Mexican hegemony. He wanted to grant special privileges to these countries without being compelled to apply them to other powers.²⁸ Putnam, Poinsett's political biographer, wrote "this was kind of a Spanish American Monroe Doctrine which would have excluded the Anglo-Americans of the North."²⁹ This was in direct conflict with the plans of the United States who wished to do the same.

Ward had encountered this same difficulty with Mexico. The Mexicans told Poinsett that Britain had accepted this policy in their treaty signed on April 9, 1825. But at this time it was not known that the treaty had not been ratified and that Canning had rejected this clause as completely unacceptable. Poinsett had learned that the British protested the "most favored nation

²⁷Putnam, p. 75.

²⁸Ibid.

²⁹Ibid.

clause" in their treaty; so he asked Ward to cooperate with him in securing the withdrawal of this clause. Instead of cooperating with the American Minister, the shrewd Mr. Ward withdrew his objection to the clause "in order to prevent a treaty between Mexico and the United States," and he also expressed to President Victoria the opinion that the British Government "would admit the exception in favor of the former Spanish Colonies if the United States did the same."³⁰ Due to this quick maneuver by Ward, the United States remained without a treaty at the end of 1825.

Poinsett would not assent to a treaty that contained a clause which gave Mexico the right to grant special privileges to other countries. The Mexican diplomats tried to compromise with the American Minister. Arizpe, an intimate friend of Poinsett, proposed that the exception only be applied to those nations which made similar provision in regard to Mexico. Poinsett found this proposal objectionable to the original statement. It was then suggested that "as Poinsett has expressed an opinion that the treaty with Great Britain would be rejected on account of the clause that Mexico wanted, that he should agree to be bound by the terms finally reached with that power."³¹ Poinsett ruled

³⁰Fred Rippy, "Britain's Role in the Early Relations of the United States and Mexico," Hispanic American Historical Review (1937), VII, pp. 11-12.

³¹Putnam, p. 76.

this out as unacceptable. A heated argument arose between him and the Mexican negotiators. Poinsett lost his temper and denounced the policy of Great Britain. This ended the negotiations for a while until new instructions would arrive from Washington.

In a letter from Clay to Poinsett on November 9, 1825 it is obvious that President Adams approved of Poinsett's stand against Mexican demands. Clay wrote:

Should the Mexican Government continue to insist upon the exception it would be better to have no treaty and abide by the special commercial laws of the two countries than to subscribe to a principle wholly inadmissible, and which being assented to in the case of Mexico, might form a precedent to be extended to others of the New States.³²

Clay also asserted that no power except Mexico had attempted to reserve the right to grant special favors to other Spanish American powers. Clay used the same provisions in the Mexican treaty as he did in the Colombian treaty. In fact, he had sent Poinsett a draft of this treaty to be used as a model.

There were no negotiations between Mexico and the United States from September 28, 1825 to May of 1826. On May 6, 1826, a conference was held between Mexico and the United States. Here the Mexican negotiators backed down on their demand for the exception of special favors for the Spanish American States. Poin-

³²Clay to Poinsett, November 9, 1825. American State Papers V, p. 854, and VI, p. 582.

sett then yielded on a point he had denied before, which provided for perfect reciprocity of tonnage dues. Therefore, the "most favored nation principle was accepted by both countries without modification and was embodied in the treaty."³³

On July 10, 1826, the ministers had just about completed their negotiations. Poinsett had embodied the principle that "free ships shall make free goods."³⁴ However, he had added an exception to this which excluded from the advantages of the provision, property belonging to subjects of a government that did not recognize this principle. This put the Mexican ministers in a bad position because negotiations were then pending for a commercial treaty with Great Britain. If they accepted this exception, they might have their negotiations with Britain interrupted. After a while, Poinsett finally withdrew this exception.³⁵

Negotiations for this treaty were carried on until 1831, when finally they were abandoned. The main cause of disagreement after 1827 was over an article in which the United States demanded that Mexico should restore fugitive slaves if they entered

³³Manning, Early Diplomatic Relations, p. 221.

³⁴Ibid.

³⁵Poinsett to Mexican Plenipotentiaries, June 16, 1826, American State Papers, VI, p. 597.

Mexican territory. This was totally unacceptable to Mexico.

In the fall of 1825 it was learned that Great Britain had not ratified the Mexican treaty. This was mentioned earlier. Now Morier and Ward had strict instructions to negotiate a new treaty with no objectionable clauses to England.

Probably, much to the chagrin of Poinsett, neither the political revolution that took place at the end of September of 1825 nor the rejection of the Mexican treaty by the British seemed to change the attitude of the Mexican government toward the British. The American Minister knew, even though a change was accomplished and Victoria had asked him for a personal conference, that feelings toward him were still a little cool. He wrote "the President gave me repeated assurances of regard for the United States and of his American sentiments. . .and the President is a good man with no bad dispositions, but he is badly surrounded. . .he listens to tales by Tornel and Esteva, the first a very bad man without a single quality."³⁶ Poinsett continued, "I believe him (Tornel) to be in the pay of the British Charge d'Affaires. Esteva came over to the American party only because he perceived the impossibility of sustaining himself independently."³⁷ In

³⁶ Poinsett to Clay, October 12, 1825, Diplomatic Correspondence, III, p. 1638.

³⁷ Ibid.

Poinsett's opinion President Victoria was therefore being misled by people who were anti-North America.

The President of Mexico gave his opening speech to Congress on January 1st, 1826, in which he had high praise for the British. This was an indication that England's popularity was still very strong in Mexico, if the President can be used as a measuring stick. The reason for this renewed praise to England was because she had announced to the powers her intention to recognize and to enter into relations with the new American States. Victoria said, 1) that the British turned back any aggressive European intentions, 2) that, if she had not, France would have interfered with us, 3) that Britain recognized us, 4) that Messrs. Barclay, Richardson and Company of London negotiated very helpful loans to Mexico, and he mentioned the House of B. A. Goldsmith and Company for their monetary help.³⁸ Victoria commented briefly on the treaty that was being negotiated between Mexico and the United States, and praised the United States for this.³⁹

This speech should not be misjudged as being greatly favorable to the United States. Only this last part of the speech concerned the United States while over half concerns the help

³⁸ J.A. Mateos, Historia de Los Congresos Mexicanos, III, pp. 347-55.

³⁹ Ibid.

Great Britain gave Mexico. Victoria, even with the great political pressure brought on him by the Yorkinos in the last months of 1825, still showed favoritism to Great Britain. It is also true that even with the improved political condition of the Federalistas, Poinsett was not able to get his treaty ratified by the Mexican Government. Nowhere can it be proven that the United States really surpassed or equalled the popularity attained by the British.

Then came Victoria's speech to Congress closing that particular session on May 23, 1826. This speech, as mentioned earlier, was a denouncement of the United States policy embodied in the Monroe Doctrine. The United States helped Canning in his attempt to win back any possible lost prestige, when this document was announced, by not honoring the Doctrine when Mexico asked the United States to do so.

The opinion in Congress at the time of the speech must have been favorable to Great Britain. One of the main items of discussion from May 3, to November 13, 1826 were the loans Mexico had received from Barclay, Herring and Company, Baring Brothers and Company, and the House of Goldsmith.⁴⁰ The discussions concerning the loans and their credit relations with these companies were extensive. Vincent Rocafuerte, the attache' in London for

⁴⁰Mateos, III, pp. 580-676.

the Mexican Government, had sent a report stating that Mexico was in good standing with the London businessmen.⁴¹

Thus, Victoria's denouncement of United States foreign policy to Mexico came at a propitious time. With favorable economic and political relations between Great Britain and Mexico in 1826, the British Ministers would have an easier time in negotiating a treaty.

H. G. Ward wrote a letter to Canning on May 28, 1826 after hearing Victoria's speech to Congress. He wrote that the United States committed treason to the American Republics by "perpetuating the influence of Spain in Cuba"⁴² He wrote, "the ties which connected the United States to the other states of America are now dissolved. . .due to the United States policy of keeping Cuba Spanish to guard their trade interests."⁴³ He was without a doubt right.

⁴¹Ibid., p. 676

⁴²Ward to Canning, May 29, 1826. Webster, Britain and the Independence of Latin America, I, p. 508.

⁴³Ibid., I, pp. 508-9.

CHAPTER VI

THE TREATY OF DECEMBER 26, 1826 AND CONCLUSION

When the British began their negotiations with Mexico for a new treaty it was held in secrecy,¹ because of the rivalry between the United States and England. England, like the United States, used every possible strategem in order to secure a treaty. After a while it became evident that it was impossible to carry on negotiations in Mexico. The political hostilities, and the complexity of the treaty made it mandatory for the negotiation to be moved to a more accommodating environment. George Canning had the negotiations moved to London. There he could have complete control over the deliberations. The move to London took place in the middle of March 1826. Mr. Morier was to come to England accompanied by a Mexican minister, who turned out to be the new Secretary of State, Don Sebastian Camacho.²

Mr. Morier insisted that one of the secretaries of the Mexi-

¹Manning, Early Diplomatic Relations, p. 87.

²Peinsett to Clay, February 1, 1826. Diplomatic Correspondence, III, p. 1851.

can cabinet must be the plenipotentiary to his government as no one else would be received.³ He wanted Camacho to be the minister because he was the top secretary in the cabinet. He said that if the Senate did not ratify Camacho's appointment this would rupture relations between the two nations, and demonstrate that the "secret influence of the United States was dividing the old world from the new."⁴ The Senate did ratify Camacho's appointment.

Again this illustrates that English popularity among the Senators was still high. There are two possibilities why Camacho was selected: First, and most likely, because he was the choice of the majority of the Mexican officials in and out of the Senate. Second, because he was both the choice of the President and the Senate who were the most likely members of the Centralista Party.

In any case if Poinsett and his party were to succeed in negotiating a treaty before the English, it was political suicide to let the negotiations for the British treaty be moved to London. Evidently, Poinsett could not stop this move by the British which can be viewed as a measure of Poinsett's lack of influence.

In England Camacho and Morier were under the direct control

³Poinsett to Clay, April 8, 1826. Ibid., p. 1656.

⁴Ibid., There is the possibility that Morier wanted to get Camacho, who had pro-American feelings, out of the clutches of England.

of the Foreign Minister George Canning and other cabinet members, including William Huskinson who was the President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations.⁵

The final treaty was signed by the ministers of both countries in London on December 26, 1826. It should be remembered that Canning rejected the treaty of April 9, 1825 in its entirety. Canning must have been able to remedy the many articles that were disadvantageous to England. This clearly demonstrates the fact that England was not going to yield totally to the terms outlined by a new nation, that had not as yet matured, without gaining an advantage. There is no doubt that the politically conscious and clever Canning would not let a young nation dictate the terms of a treaty to him. As early as August 10, 1825 an article in a London newspaper, The Courier contained an editorial which aptly illustrated this point. The editorial stated "why should a State like Mexico coquet with a power like England over a definite proclamation of recognition. . .Isn't it true that we have treated them as independent by negotiating a treaty with them. . .Mexico

⁵ Lewis Hertslet Esq., Hertslet's Commercial Treaties (London, 1841), III, p. 247. This contains the Treaty of December 26, 1826 with Huskinson's name included at the end. The Treaty is printed in the appendix of this thesis.

should not and is not in the position to quibble about terms."⁶

The second treaty established a complete legal and political equality between Great Britain and Mexico. In this treaty Canning protected British commercial interest. He did this not by seeking special treaty rights governing residence and activity of British subjects in Mexico, but by agreeing to the same treatment for British subjects as the Mexican Government accorded all foreigners. The British extended the same treatment to Mexicans in the British territories. Article II of the treaty provided that,

the inhabitants of the two countries respectively, shall have liberty freely and securely to come with their ships and cargoes, to all places, ports and rivers in the territories aforesaid, saving only such particular ports to which other foreigners shall not be permitted to come, to enter into the same, and to remain and reside in any part of the said territories respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and, generally, the merchants and traders of each nation, respectively shall enjoy the most complete protection and security for their commerce.

Articles III, IV, V, VI, and VII are devoted to working out the particular details of these principles upon which was to be founded the perpetual amity between the dominions and subjects of the two countries. Neither party, for example, sought to limit the liberty of the other to impose taxes, tariffs, and other economic and commercial controls, but they bound themselves not to

⁶The Courier, August 10, 1825.

discriminate against each other's subjects or citizens in so doing. Again Articles VIII and IX spell out and guarantee freedom of enterprise and business activity for both British subjects in Mexico and for the citizens of Mexico in Great Britain. Article VIII stated that,

All merchants, commanders of ships, and others, the subjects of His Britannic Majesty, shall have full liberty in all territories of Mexico, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter, nor shall they be obliged to employ any other persons for those purposes than those employed by Mexicans, nor to pay them for any other salary or remuneration than such as is paid, in like cases, by Mexican citizens; and absolute freedom shall be allowed, in all cases, to the buyer and seller, to bargain and fix the price of any goods, wares, or merchandize, imported into, or exported from Mexico, as they shall see good, observing the laws and established customs of the country.

Article IX gives both countries the right to dispose of their property without being charged. . .with any higher imposts or duties, than those which are paid or may be paid, by the native subjects or citizens of the power in whose dominions or territories they may be resident. Again, this illustrates that no special rights and privileges were demanded by either side.

Again in Article X the British subjects and Mexican citizens were insured the right to be 'subject to local laws and regulations. . .exemption from all compulsory military service.' That 'no forced loans shall be levied. . .nor their property be subject to any charges, requisitions, or taxes, than such as are paid by the native subjects or citizens of the Contracting Parties, in

their respective dominions.'

Article XI gave each Contracting Party the right to appoint consuls for the protection of trade, to reside in the dominions and territories of the other party, and to be approved by the Government to which he is sent. Also, that the diplomatic agents and consuls from both countries shall enjoy, according to the strictest reciprocity whatever privileges, exceptions, and immunities granted in each dominion.

The question of religion was settled in Article XIII. The subjects of Britain shall enjoy, in their houses, persons, and properties the protection of the government (Mexican). . .and shall not be disturbed, molested, or annoyed, in any manner, on account of their religion, provided they respect that of the nation in which they reside, as well as the constitution, laws, and customs of the country. 'The British subjects also had the right to continue burying their dead' in places already assigned for that purpose. . .within Mexican territories.' However, the citizens of Mexico shall enjoy in all the dominions of his Britannic Majesty, the same protection, and shall be allowed the free exercise of their religion, in public or private, either within their own houses, or in the chapels and places or worship set apart for the purpose.' There was a technical difference in this article that can be considered one-sided. The Mexicans gained all of the religious privileges that the British did plus the fact

they could exercise their religion freely and in chapels or places of worship. This was not extended to the British in Mexico. However, this should not be looked at too narrowly. Practical religious toleration had been established in Britain; but written into the Mexican Constitution of 1824 was intolerance of all religions except Catholicism.

Article XIV kept in effect the Convention between England and Spain signed on July 14, 1786. This gave Britain fishing rights, the right to cut dyewood including mahogany, and the right to gather fruits or produce in the south of Mexico which was later called British Honduras. In return for these commercial gains the British could not build fortifications, or buildings that could be used for stationing troops or as an arsenal.⁷ Thus, Britain kept its commercial rights in this area. This was a big concession for the Mexicans to give. Possibly it was part of a quid pro quo agreement between the two governments. Mexico would give large commercial concessions and Great Britain would not ask for complete religious freedom.

In Article XV both governments cooperated in the suppression of the slave trade. This joint agreement on 'total abolition of the Slave Trade symbolized a sense of union for both countries.

⁷Hertslet's Commercial Treaties, Vol. II (London, H. Butterworth, 1841), p. 245.

It was an assurance to themselves and the world that they were in the vanguard of progress and that they were thinking in terms of the highest moral and social ideals.

There were two additional articles to this treaty which were also of great importance. Mexico could not completely benefit from the reciprocity established in the treaty because of the definition in Article VII on what constituted a Mexican (or British) ship. The definition held to in Article VII was that a 'Mexican ship shall actually have been built in Mexico.' This additional article gave Mexico the right to use ships built elsewhere as long as they were 'bona fide the property of, and wholly owned by, one or more citizens of Mexico.' The reason for this article was to give Mexico an opportunity to build a large merchant marine and navy. Mexico would not be able to use many ships if they had to adhere to Article VII in the treaty because of the small number of ships owned and still fewer that were actually built in Mexico.

The second part of the additional Articles established perfect reciprocity and contains the most favored nation clause for both Mexico and Great Britain. This clearly takes away the right of giving special terms to other Spanish American countries that Mexico had attempted to establish in the earlier treaty.

The treaty was sent to Mexico for ratification early in 1827. "It passed both Houses of the Mexican Congress without the slight-

est objections," and received ratification on October 27, 1827.⁸

This treaty was important for more than one reason. It was not just a triumph over the United States, but also a bold move against the reactionary governments in Europe. As mentioned in chapter one, Britain opposed the intentions of the Holy Alliance to restore the Spanish colonies. Instead Britain recognized the Spanish American countries, which was a counterstroke to the policy of the Holy Alliance.⁹ In an explanation for the policy of Britain regarding Spanish America Canning said, "I am an enthusiast for national independence, but not for revolution."¹⁰ Revolution had been a fact for the Spanish American Colonies. Next, the competition for their trade arose, and Britain quickly gained a new outlet for trade.

There was to be no attempt to conquer Mexico or any other Spanish republic by England. England wanted economic rather than political possession. As the Latin American historian John Rydjord wrote, "England wanted the liberation of Mexico rather

⁸ Putnam, p. 77. (Putnam sources here are the Poinsett Papers, VI, p. 56).

⁹ A.R. Marriott, George Canning and His Times A Political Study (London, 1903), p. 101.

¹⁰ William Kaufman, British Policy and the Independence of Latin America, 1804-1828. (New Haven, 1951), p. 122.

than the conquest. . .they would get greater commercial opportunities this way."¹¹ So this treaty can be looked upon as the culmination of a long drive by Britain to extend their commerce to Mexico in a secure way. This treaty was the last of three treaties negotiated with Spanish American countries. They were negotiated in this order: Buenos Aires, Colombia, and Mexico. Now Britain had trading rights with the countries farthest south and north in the old Spanish dominions.

The United States suffered a two-fold defeat with this treaty. The first, an obvious one, was the fact that Britain secured their treaty before the United States. The United States did not sign a treaty with Mexico until five years later. The United States suffered the height of embarrassment when Joel R. Poinsett was recalled from Mexico due to demands from the Mexican Government. This recall was due to the fact that Poinsett had become involved with the Masonic Lodges which were used in influencing Mexico's politicians. It was the legislature of Vera Cruz that published a document attacking Poinsett and the Yorkinos and asked for his recall. Evidently, the legislature in Vera Cruz was favorable to the Escoceses because they also demanded that legislation should be passed in which secret organization, like

¹¹ John Rydjord, Foreign Interest In the Independence of Latin America (Durham, North Carolina, 1935), p. 106.

the Yorkinos, would be prohibited.¹² In their public denunciation, the legislators called the Yorkinos, "traitorous vipers."¹³ If anything, this did not enhance the position of Poinsett or the United States.

Secondly this treaty between Great Britain and Mexico really hurt the claims and pretensions of the Monroe Doctrine. The United States had attempted to keep European powers out of Spanish America or at least Mexico. This was implied in the no future intervention clause by European nations.¹⁴ This, of course, was one of the main objectives of George Canning as he had said—to detach the United States from Spanish America.¹⁵

British influence in Mexico steadily improved in the nineteenth century. Not only was British influence felt economically, but also politically, philosophically, and socially. Conversely, American influence steadily diminished, until the United States and Mexican War broke out.

¹² Niles Register (September 1, 1827), XXXIII, p. 13.

¹³ Ibid.

¹⁴ H. W. V. Temperley, "The Later American Policy of George Canning," American Historical Review, (1905-06), II, p. 779.

¹⁵ Ibid., p. 787.

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The most important sources used in this thesis are the letters of correspondence between the English and Mexican ministers. By reading the following documents one can see the forces operating behind diplomatic procedure. The Secretaría de Relaciones published La Diplomacia Mexicana (Mexico, Publicaciones de la Secretaría Exteriores, 1910-1913), three volumes, which is truly a monumental work for the years it covers. In addition to letters this work contains texts of conferences between Michelana and Canning. Unfortunately the work stops in 1825. C.K. Webster's Britain and the Independence of Latin America, Select Documents from the Foreign Office Archives (London, Oxford University Press, 1938), Volume III is valuable work. Webster has a masterly introduction to the documents collected by him on the diplomatic relations of the new Spanish-American States with Great Britain. William R. Manning edited the Diplomatic Correspondence of the United States Concerning the Independence of the Latin American Nations (New York, Oxford University Press, 1925), Volume III. This superb collection of letters and manuscripts was used to cover the Poinsett correspondence.

Another source that was equally important was the Gaceta Del Gobierno Supremo De Mexico, 3 Diciembre 1823 a 31 Mayo 1825, microfilmed by Bancroft Library of the University of California in May of 1952. The Gaceta sometimes contains official Governmental publications. At this time it contained laws, decrees, transactions of Congress, foreign and domestic news, editorials and miscellaneous material. This proved helpful because it showed the tremendous popularity of Britain. Unfortunately like the Diplomacia Mexicana, it stops in 1825.

Also very helpful were three American publications: the Niles Weekly Register (Baltimore, Franklin Press, March 1825 to August 1828), Volumes XXVII which contained articles on foreign news occurring in Mexico. The American Annual Register (New York, G. C. Carvell, 1825 to 1827) Volumes I and II are also enlightening on the denunciation of Poinsett. The North American Review (Gray and Bowen, April 1831) Volume XXXII. This paper has a good article on the British loans to Mexico. To get the feeling of the English towards Mexico at this time The Courier (London, April to December of 1825), proved helpful as did The London Times (London, April to December of 1828).

The American State Papers, Documents, Legislative and Executive, Foreign Relations (Foreign Office, Washington 1859), Volume V, VI, contains a large number of communications between Clay and Poinsett. The British and Foreign State Papers (London,

Foreign Office, 1825-1826), XII, XIII are equally as important as the above citation. These volumes contain some of Victoria's messages to the Mexican Congress.

In some instances the writer was able to read the views of the members of Parliament in T. C. Hansard's Hansard's Parliamentary Debates the Parliamentary History of England (London, Noster Press, second series, 1824-1827). This is a very excellent source for finding out the opinion of the British people as expressed by their representatives. Similar to this is a work by J. A. Mateos Historia De Los Congresos Mexicanos (Mexico, Imprenta De Jose Vincente Villada, 1935), Volumes III, IV, and V. This latter is not as valuable as the former, and did not prove to be extremely helpful. It is limited to what Mateos considers to be important events.

The treaty of December 26, 1826 is found in Herstlet's Commercial Treaties (London, Henry Butterworth, 1841), Volume III. A document in the Archivo Historico Diplomatico Mexicano "Lucas Alamán, El Reconocimiento De Nuestra Independencia Por Espana y la Union de Los Paises Hispano-Americanos" (Mexico, 1924), Volume VII. This is enlightening because it gives one the idea of Alamán's attitude.

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APPENDIX I

Treaty of Amity, Commerce, and Navigation, between Britain and Mexico. Signed at London, December 26, 1826.

In the Name of the Most Holy Trinity.

Extensive commercial intercourse having been established, for some time, between the dominions of His Britannic Majesty and the United States of Mexico, it seems good for the security, as well as the encouragement of such commercial intercourse, and for the maintenance of good understanding between His said Britannic Majesty and the said States, that the relations now subsisting between them should be regularly acknowledged and confirmed, by the signature of a Treaty of Amity, Commerce, and Navigation.

For this purpose they have named their respective Plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable William Huskisson, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations, and Treasurer of His said Majesty's Navy;—and James Morier, Esq.:

And His Excellency the President of the United States of Mexico, His Excellency Señor Sebastian Camacho, his First Minister of State, and for the Department of Foreign Affairs:

Who, after having communicated to each other their full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:

Art. I. There shall be perpetual amity between the dominions and subjects of His Majesty the King of the United Kingdom of Great Britain and Ireland, and the United States of Mexico, and their citizens.

II. There shall be, between all the territories of His Britannic Majesty in Europe and the territories of Mexico, a reciprocal freedom of commerce. The inhabitants of the two countries respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the territories aforesaid, saving only such particular ports to which other foreigners shall not be permitted to

come, to enter into the same, and to remain and reside in any part of the said territories respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce.

In like manner, the respective ships of war, and post-office packets of the two countries, shall have liberty freely and securely to come to all harbours, rivers and places, saving only such particular ports (if any) to which other foreign ships of war and packets shall not be permitted to come, to enter into the same, to anchor, and to remain there and refit; subject always to the laws and statutes of the two countries, respectively.

By the right of entering the places, ports and rivers mentioned in this Article, the privilege of carrying on the coasting trade is not understood, in which national vessels only are permitted to engage.

III. His Majesty the King of the United Kingdom of Great Britain and Ireland engages further, that the inhabitants of Mexico shall have the like liberty of commerce and navigation stipulated for in the preceding Article, in all his dominions situated out of Europe, to the full extent in which the same is permitted at present, or shall be permitted hereafter, to any other nation.

IV. No higher or other duties shall be imposed on the importation into the dominions of His Britannic Majesty, of any article of the growth, produce, or manufacture of Mexico, and no higher or other duties shall be imposed on the importation into the territories of Mexico, of any articles of the growth, produce, or manufacture of His Britannic Majesty's dominions, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country; nor shall any other or higher duties or charges be imposed in the territories or dominions of either of the Contracting Parties on the exportation of any articles to the territories of the other, than such as are or may be payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed upon the exportation of any articles the growth, produce, or manufacture of His Britannic Majesty's dominions or of the said territories of Mexico, to or from the said dominions of His Britannic Majesty, or to or from the said territories of Mexico, which shall not equally extend to all other nations.

V. No higher or other duties or charges on account of tonnage, light or harbour dues, pilotage, salvage in case of

damage or shipwreck, or any other local charges, shall be imposed, in any of the ports of Mexico, on British vessels; than those payable in the same ports by Mexican vessels; nor, in the ports of His Britannic Majesty's territories, on Mexican vessels, than shall be payable, in the same ports, on British vessels.

VI. The same duties shall be paid on the importation into the territories of Mexico, of any article the growth, produce, or manufacture of His Britannic Majesty's dominions, whether such importation shall be in Mexican or in British vessels; and the same duties shall be paid on the importation into the dominions of His Britannic Majesty, of any article the growth, produce, or manufacture of Mexico, whether such importation shall be in British or in Mexican vessels. The same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation to Mexico of any articles of the growth, produce, or manufacture of His Britannic Majesty's dominions, whether such exportation shall be in Mexican or in British vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any articles the growth, produce, or manufacture of Mexico, to His Britannic Majesty's dominions, whether such exportation shall be in British or in Mexican vessels.

VII. In order to avoid any misunderstanding with respect to the regulations which may respectively constitute a British or Mexican vessel, it is hereby agreed that all vessels built in the dominions of His Britannic Majesty, or vessels which shall have been captured from an enemy by His Britannic Majesty's ships of war, or by subjects of His said Majesty furnished with letters of marque by the Lords Commissioners of the Admiralty, and regularly condemned in one of His said Majesty's Prize Courts as a lawful prize, or which shall have been condemned in any competent Court for the breach of the laws made for the prevention of the Slave Trade, and owned, navigated, and registered according to the laws of Great Britain, shall be considered as British vessels: and that all vessels built in the territories of Mexico, or captured from the enemy by the ships of Mexico, and condemned under similar circumstances, and which shall be owned by any citizen or citizens thereof, and whereof the master and three-fourths of the mariners are citizens of Mexico, excepting where the laws provide for any extreme cases, shall be considered as Mexican vessels.

And it is further agreed, that every vessel, qualified to trade as above described, under the provisions of this Treaty, shall be furnished with a register, passport, or sea letter, under the signature of the proper person authorized to grant the same, according to the laws of the respective countries, (the form of which shall be communicated), certifying the name, oc-

occupation, and residence of the owner or owners, in the dominions of His Britannic Majesty, or in the territories of Mexico, as the case may be; and that he, or they, is, or are, the sole owner or owners, in the proportion to be specified; together with the name, burthen, and description of the vessel, as to built and measurement, and the several particulars constituting the national character of the vessel, as the case may be.

VIII. All merchants, commanders of ships, and others, the subjects of His Britannic Majesty, shall have full liberty, in all the territories of Mexico, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter; nor shall they be obliged to employ any other persons for those purposes than those employed by Mexicans, nor to pay them any other salary or remuneration than such as is paid, in like cases, by Mexican citizens; and absolute freedom shall be allowed, in all cases, to the buyer and seller, to bargain and fix the price of any goods, wares, or merchandise, imported into, or exported from Mexico, as they shall see good, observing the laws and established customs of the country. The same privileges shall be enjoyed in the dominions of His Britannic Majesty, by the citizens of Mexico, under the same conditions.

The citizens and subjects of the Contracting Parties, in the territories of each other, shall receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the Courts of Justice in the said countries, respectively, for the prosecution and defence of their just rights; and they shall be at liberty to employ, in all causes, the advocates, attornies, or agents of whatever description, whom they may think proper; and they shall enjoy, in this respect, the same rights and privileges therein, as native citizens.

IX. In whatever relates to the succession to personal estates, by will or otherwise, and the disposal of personal property of every sort and denomination, by sale, donation, exchange, or testament, or in any other manner whatsoever, as also the administration of justice, the subjects and citizens of the two Contracting Parties shall enjoy, in their respective dominions and territories, the same privileges, liberties, and rights, as native subjects; and shall not be charged, in any of these respects, with any higher imposts or duties, than those which are paid, or may be paid, by the native subjects or citizens of the power in whose dominions or territories they may be resident.

X. In all that relates to the police of the ports, the lading and unlading of ships, the safety of merchandise, goods, and effects, the subjects of His Britannic Majesty, and the citizens of Mexico, respectively, shall be subject to the local laws and regulations of the dominions and territories in which

they may reside. They shall be exempted from all compulsory military service, whether by sea or land. No forced loans shall be levied upon them; not shall their property be subject to any other charges, requisitions, or taxes, than such as are paid by the native subjects or citizens of the Contracting Parties, in their respective dominions.

XI. It shall be free for each of the two Contracting Parties to appoint Consuls for the protection of trade, to reside in the dominions and territories of the other party: but, before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent: and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge fit to be excepted. The Mexican diplomatic agents and Consuls shall enjoy, in the dominions of His Britannic Majesty, whatever privileges, exceptions, and immunities are or shall be granted to Agents of the same rank belonging to the most favoured nation: and, in like manner, the diplomatic Agents and Consuls of His Britannic Majesty in the Mexican territories shall enjoy, according to the strictest reciprocity, whatever privileges, exceptions, and immunities are or may be granted to the Mexican diplomatic Agents and Consuls in the dominions of His Britannic Majesty.

XII. For the better security of commerce between the subjects of His Britannic Majesty and the citizens of the Mexican States, it is agreed that if, at any time, any interruption of friendly intercourse, or any rupture should unfortunately take place between the two Contracting Parties, the merchants residing upon the coasts shall be allowed 6 months, and those of the interior a whole year, to wind up their accounts, and dispose of their property; and that a safe conduct shall be given them to embark at the port which they shall themselves select. All those who are established in the respective dominions and territories of the two Contracting Parties, in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade and employment therein, without any manner of interruption, in full enjoyment of their liberty and property, as long as they behave peaceably, and commit no offence against the laws; and their goods and effects, of whatever description they may be, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property, belonging to the native subjects or citizens of the respective dominions or territories in which such subjects or citizens may reside. In the same case, debts between individuals, public funds, and the shares of companies, shall never be confiscated, sequestered, or detained.

XIII. The subjects of His Britannic Majesty, residing in the Mexican territories, shall enjoy, in their houses, persons, and properties, the protection of the Government; and, continuing in possession of what they now enjoy, they shall not be disturbed, molested, or annoyed, in any manner, on account of their religion, provided they respect that of the nation in which they reside, as well as the constitution, laws, and customs of the country. They shall continue to enjoy, to the full, the privilege already granted to them of burying, in the places already assigned for that purpose, such subjects of His Britannic Majesty as may die within the Mexican territories; nor shall the funerals and sepulchres of the dead be disturbed in any way, or upon any account. The citizens of Mexico shall enjoy in all the dominions of His Britannic Majesty, the same protection, and shall be allowed the free exercise of their religion, in public or private, either within their own houses, or in the chapels and places of worship set apart for that purpose.

XIV. The subjects of His Britannic Majesty, shall, on no account or pretext whatsoever, be disturbed or molested in the peaceable possession and exercise of whatever rights, privileges, and immunities they have at any time enjoyed within the limits described and laid down in a Convention, signed between His said Majesty and the King of Spain, on the 14th of July, 1766; whether such rights, privileges, and immunities shall be derived from the stipulations of the said Convention, or from any other concession which may, at any time, have been made by the King of Spain, or his predecessors, to British subjects and settlers residing and following their lawful occupations within the limits aforesaid: the two Contracting Parties reserving, however, for some more fitting opportunity, the further arrangements on this Article.

XV. The Government of Mexico engages to co-operate with His Britannic Majesty for the total abolition of the Slave Trade, and to prohibit all persons inhabiting within the territories of Mexico, in the most effectual manner, from taking any share in such trade.

XVI. The two Contracting Parties reserve to themselves the right of treating and agreeing hereafter, from time to time, upon such other Articles as may appear to them to contribute still further to the improvement of their mutual intercourse, and the advancement of the general interests of their respective subjects and citizens; and such Articles as may be so agreed upon, shall, when duly ratified, be regarded as forming a part of the present Treaty, and shall have the same force as those now contained in it.

XVII. The present Treaty shall be ratified, and the ratifications shall be exchanged at London, within the space of 6 months or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at London, the 26th day of December, in the year of our Lord 1826.

(L.S.) WILLIAM HUSKISSON. (L.S.) SEBASTIAN CAMACHO.

(L.S.) JAMES J. MORIER.

ADDITIONAL ARTICLES

I. Whereas in the present state of Mexican shipping, it would not be possible for Mexico to receive the full advantage of the reciprocity established by the Articles V. VI. VII. of the Treaty signed this day, if that part of the VIIth Article which stipulates that, in order to be considered as a Mexican ship, a ship shall actually have been built in Mexico, should be strictly and literally observed, and immediately brought into operation,—it is agreed that, for the space of 10 years, to be reckoned from the date of the exchange of the ratifications of this Treaty, any ships, wheresoever built, being bona fide the property of, and wholly owned by, one or more citizens of Mexico, and whereof the master and three-fourths of the mariners, at least, are also natural born citizens of Mexico, or persons domiciliated in Mexico, by act of the Government, as lawful subjects of Mexico, to be certified according to the laws of that country, shall be considered as Mexican ships; His Majesty the King of the United Kingdom of Great Britain and Ireland, reserving to himself the right, at the end of the said term of 10 years, to claim the principle of reciprocal restriction stipulated for in the Article VII. above referred to, if the interests of British navigation shall be found to be prejudiced by the present exception to that reciprocity, in favour of Mexican shipping.

II. It is further agreed that, for the like term of 10 years, the stipulations contained in Articles V. and VI. of the present Treaty shall be suspended; and, in lieu thereof, it is hereby agreed that, until the expiration of the said term of 10 years, British ships entering into the ports of Mexico, from the United Kingdom of Great Britain and Ireland, or any other of His Britannic Majesty's dominions, and all articles the growth, produce, or manufacture of the United Kingdom, or of any of the said dominions, imported in such ships, shall pay no other or higher duties than are or may hereafter be payable, in the said ports, by the ships, and the like goods, the growth, produce, or manufacture of the most favoured nation; and, reciprocally, it is agreed that Mexican ships, entering into the ports of the

United Kingdom of Great Britain and Ireland, or any other of His Britannic Majesty's dominions, from any port of the States of Mexico, and all articles the growth, produce, or manufacture of the said States, imported in such ships, shall pay no other or higher duties than are or may hereafter be payable, in the said ports, by the ships and the like goods, the growth, produce, or manufacture of the most favoured nation; and that no higher duties shall be paid, or bounties or drawbacks allowed, on the exportation of any article the growth, produce, or manufacture of the dominions of either country, in the ships of the other, than upon the exportation of the like articles in the ships of any other foreign country.

It being understood that, at the end of the said term of 10 years, the stipulations of the said Vth and VIth Articles shall, from thenceforward, be in full force between the two countries.

The present Additional Articles shall have the same force and validity as if they were inserted, word for word, in the Treaty signed this day. They shall be ratified, and the ratifications shall be exchanged at the same time.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at London, the 26th day of December, in the year of Our Lord 1826.

(L.S.) WILLIAM HUSKISSON. (L.S.) SEBASTIAN CAMACHO.
(L.S.) JAMES J. MORIER.

APPENDIX II

Canning's rejection of the first treaty found in a letter from Canning to Ward on April 10, 1825.

It is not to be expected that we will abandon for the sake of this new connection, a principle which we have never conceded in our intercourse with other states, whether of the old or the new world, either to considerations of friendship, or to menaces of hostility.

The Mexican Secretary of State must be informed that the British Government cannot possibly admit Article eight which was admitted by his Majesty's Commissioners against the whole tenour of their instructions.

Other alterations are also necessary; in the Preamble the words 'being independent' which have been introduced are redundant if conveying a claim by Mexico or employing an acknowledgement by Britain as the negotiation and the signature of the treaty are sufficient to establish the fact of independence.

Articles one, two, and three require no alterations except a verbal alteration in Article two.

The second part of Article four is open to a grave objection as it would give Mexico the right to give special terms to countries which recognize it in the future as regards special Articles and so it would take away all certainty from Great Britain and thus make it not worthwhile to sign the treaty. Nor is the case different for all countries in South America. Neither Colombia nor Buenos Aires made any exceptions in favor of Mexico, so Mexico cannot make favors or exceptions for them. Thus it must be altogether given up.

Similarly the fifth and sixth Articles as to the admission of shipping leave uncertainty. They are unequal in advantage to Britain and Mexico and might give to other nations in the future greater advantages than to Britain.

Similarly in the seventh Article Britain cannot give concession as to the admission of Mexican ships which she has not given to older allies in Europe, though she is prepared to make concessions for a limited period of time while the Mexican merchant marine is being built up.

Article eight is entirely inadmissible. The first part implies abandonment by Britain of a principle of international law which has always been upheld. The second part relinquishes the right of embargo which only the country imposing it can judge. It might be of some temporary advantage to Britain in the circum-

stances of the moment, but she cannot give up principles for such. The fifteenth Article would recognize Mexico's right to territory which she possesses neither de jure nor de facto and cannot be accepted.

An additional Article reserves the right to grant to Spain greater commercial privileges than any other European nation. This would exclude the United States. Britain has openly agreed that Spain should have special privileges above all other nations for a limited time and is prepared to do so now, but only if she remains on the footing of the most favored nation as regards all other states. This Article is a poor return to the British spirit of generosity and self-denial and must be rejected.

Further negotiation is to be carried on conjointly and the latter is not to act without the former who is on his way back to Mexico.

APPROVAL SHEET

The thesis submitted by James G. Pappas has been read and approved by three members of the Department of History.

The final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

July 9, 1966
Date

Paul A. Firth
Signature of Adviser