

# THE UNITED STATES AND MEXICO

## CHAPTER I

### THE FLORIDA TREATY

THE country we now know as Mexico was formerly a part of that great and famous kingdom of New Spain which was conquered by stout Cortés, and which for nearly three centuries was held under an unrelenting and iron rule by a long succession of Spanish viceroys. The people of the kingdom in the first quarter of the nineteenth century rose in revolt, and after a tedious and doubtful and bloody struggle succeeded in establishing their independence. From the earliest years of their separate existence as a nation they were necessarily brought into close contact with their ambitious neighbors on the north, and it is the purpose of this book to trace the course of the relations between the two countries until these relations were interrupted by war, and then re-established after the loss by Mexico of more than half her territory.

The relations between the United States and Mexico could hardly be regarded as a continuation or development of those which had existed for a generation between the United States and Spain. Foreign intercourse with the Spanish possessions was, in general, sedulously restricted under the colonial policy of the mother country; and therefore, out of all the many and varied controversies which vexed the American and Spanish governments, but a single one related directly to the kingdom of New Spain. That one, however, was of great magnitude, for it involved nothing less than the ownership of Texas.

It was at first asserted on the one hand, and denied on the other, that Texas was, of right, a part of Louisiana, and that

it had therefore been included within the boundaries of the great purchase from France in 1803; but after long and acrimonious discussions the United States, in 1819, in the treaty by which it acquired Florida, ceded to Spain and renounced forever all its "rights, claims, and pretensions" to Texas. This cession was criticised at the time; and the belief persisted for many years that the American government had recklessly given away a vast and fertile territory. It was inevitable that such a belief should seriously influence the subsequent course of events, and it is therefore necessary to inquire, at the outset of this narrative, whether the United States ever really possessed any such title to Texas as was capable of being given away. Whatever that title was, it necessarily depended upon the grant contained in the Louisiana treaty of 1803; and the question in debate always came back to this: *Was Texas, or any part of it, included in what was formerly called Louisiana?*<sup>1</sup>

The French title to Louisiana had come through discoveries made by her subjects. Starting from Canada, they had explored the Mississippi and its head-waters and had ultimately descended the stream to its mouth. Subsequently Mobile and New Orleans were occupied, colonies were planted, and permanent possession was maintained of posts on both banks of the Mississippi. Both banks of the Red River were also occupied for some distance back from the point where it emptied into the Mississippi. These notorious facts, it was generally conceded, gave France title to the whole of the Mississippi valley, except perhaps where actual occupation might have secured small portions for British settlers, and the French title continued until it was extinguished by the cessions to Great Britain and Spain in 1762 and 1763.

<sup>1</sup> This question has recently been re-examined, and much light thrown upon it from the French and Mexican archives and the records of the Texan missions. Reference may in particular be made to *La Louisiane sous la Compagnie des Indes*, by P. Heinrich; "The Beginnings of Texas," by R. C. Clark, in *Tex. Hist. Quar.*, V, 171-205; "Louis Juchereau de Saint-Denis," by the same author, in *Tex. Hist. Quar.*, VI, 1-26; "Was Texas a Part of the Louisiana Purchase?" by John R. Ficklen, in *Publications of Southern Hist. Assn.*, V, 351-387; "The Louisiana-Texas Frontier," by I. J. Cox, in *Tex. Hist. Quar.*, X, 1-75.

Spain's title to her possessions in the New World rested, in the first place, upon the universally recognized basis of discovery and occupation; and, in the second place, upon the papal bull of May 4, 1493, in which Alexander VI—acting, as he asserted, by divine authority—gave, granted, and assigned to Ferdinand and Isabella and their heirs and assigns the whole of North America and the greater part of South America, and all the islands "discovered and to be discovered" in that quarter of the globe.<sup>1</sup> The official Spanish view was therefore that the French and all other settlers in North America were mere trespassers; and although the Spanish government made no effectual attempts to disturb the English, French, or Dutch colonies farther north, it did prevent by force of arms, up to almost the end of the seventeenth century, any foreign settlements in Florida or on the coasts of the Gulf of Mexico.

As early as 1519 the shores of Texas were explored by Alonso Alvarez de Pineda.<sup>2</sup> Sixteen years later Alvar Nuñez Cabeza de Vaca and three companions, having escaped from captivity among the Indians and wandered across the interior, by some extraordinary good fortune made their way to the Spanish settlements on the Pacific coast.<sup>3</sup> Between 1540 and 1543 Francisco Vásquez de Coronado and Hernando de Soto may have visited parts of the present state of Texas.<sup>4</sup> And during the next hundred and forty-four years several expeditions from New Mexico visited the country, unvexed as yet by rival explorers.<sup>5</sup>

But the earliest attempt at a permanent settlement was made by the French. Robert Cavelier de la Salle, a native

<sup>1</sup> "Auctoritate Omnipotentis Dei nobis in Beato Petro concessa, ac Vicariatus Jesu-Christi quo fungimur in terris . . . tenore praesentium donamus, concedimus et assignamus, vosque et haeredes, ac subcessores," are the words of the granting clause.—(Navarrete, *Viages*, II, 32.)

<sup>2</sup> Navarrete, *Viages*, III, 64.

<sup>3</sup> Bancroft, *North Mexican States and Texas*, I, 60-67. And see "The Route of Cabeza de Vaca," by Judge Bethel Coopwood, in *Tex. Hist. Quar.*, III, 108, 177, 229; IV, 1.

<sup>4</sup> Bancroft, *North Mexican States and Texas*, I, 85, 381.

<sup>5</sup> For a good summary of the various expeditions, see Herbert E. Bolton's "Early Explorations of Texas," in *Southwestern Hist. Quar.*, XVI, 1-26.

of France and a resident of Canada, had been the first to descend the Mississippi to its mouth, a feat he accomplished in 1682; and it was easy for him, when he returned to France, to convince Louis XIV and his ministers of the advantages that might be drawn from the discovery. A colony on the shores of the Gulf of Mexico, directly connected with the north by navigable rivers which were only separated from the Great Lakes by short and easy portages, would at once convert the whole interior of the North American continent into French territory. The English colonies would be hemmed in and pressed back upon the sea. The Spanish possessions would be directly menaced. The Spanish monopoly of trade, that treasure which the Spaniard guarded as a vigilant dragon his golden fleece,<sup>1</sup> would be broken up. And accordingly, in 1684, an expedition was fitted out under La Salle which was to proceed from France directly to the Gulf of Mexico and seize a post near the mouth of the Mississippi, where forts were to be erected and Indians enlisted—all with the ultimate view of descending upon the rich silver mines of New Spain.

The attempt ended in tragic failure. The ships—probably by some error in navigation, which was conceivable enough in the days when longitude could only be guessed at—held their way into the Gulf of Mexico, but far to the westward of the mouth of the Mississippi. Instead of Louisiana they reached Texas. On the shores of what is now called Matagorda Bay, in February, 1685, a landing was effected, and upon one of the streams falling into the bay a rude stockade was built.<sup>2</sup> Misfortunes followed fast. One of the ships had been taken some months previously by the Spaniards, one was sent back to France, and the two remaining were stranded, and proved total wrecks. Bitter

<sup>1</sup> "The policy of Spain doth keep that Treasury of theirs under such lock and key, as both confederates, yea and subjects, are excluded of trade into those countries, . . . such a vigilant dragon is there that keepeth this golden fleece."—(Sir Francis Bacon in the House of Commons, June 27, 1607, quoted in Brown's *First Republic in America*, 17.)

<sup>2</sup> The French called the bay St. Bernard; the stockade was Fort St. Louis. For the precise location of the French fort, see *Tex. Hist. Quar.*, XV, 58.

quarrels broke out among the colonists. Some of the party were killed by the Indians, some were lost by drowning or other accidents, and many perished of disease. By the end of the year 1686 fully three-fourths were dead. No help had come from France, and there were no means of returning thither. The last desperate resource was an attempt to reach the Canadian settlements overland, and in January, 1687, a party, about twenty in number, headed by La Salle himself, set out on the northward journey.

In the autumn of that year six broken men reached the French post near the mouth of the Illinois. La Salle and three of his companions had been murdered by others of the party, one man had been drowned, and several had fallen into the hands of the Indians.<sup>1</sup>

The settlement on the Gulf held out until nearly the end of February, 1689, in spite of pestilence and famine; and then the Indians fell upon the feeble survivors, and the French attempt at a settlement in Texas was at an end. Of those who had landed four years before, almost all were dead. Besides the six men who had found their way to the Illinois River, four boys and a girl had been saved by Indian women from the massacre, and a few deserters had voluntarily taken up life among the Indian tribes.

In the meantime, while the poor wretches who had accompanied La Salle were slowly dying in the wilderness, the colonial authorities of New Spain were trying to discover them. The capture of one of the French ships had given warning of an attempt to form a settlement somewhere on the coast of the Gulf of Mexico; but though expeditions were sent out by sea and land, no French settlement could be found. At length, in April, 1689, a Spanish force from Coahuila came upon the wreck of the French fort, and picked up here and there among the Indian huts the miserable survivors of La Salle's fatal attempt. These men were all sent as prisoners to the city of Mexico.<sup>2</sup>

<sup>1</sup> Parkman's *La Salle and the Discovery of the Great West* gives a full account of the adventure.

<sup>2</sup> An interesting account, written by a member of this expedition, will be found in *Historia de Nuevo León*, 313-342 (García, *Documentos Inéditos*, XXV).

The Spanish authorities, however, were not content with merely ascertaining the fact of the destruction of the French settlement. They determined to explore and settle Texas themselves in order to forestall any future attempts by foreigners, and two missions were established as early as 1690. It seemed as though Texas was to be permanently occupied at last; but the Indians proved restless and thievish and not amenable to missionary influences; there was neither gold nor silver in the country; there was no monetary return for the expense of maintaining friars and soldiers, and the viceroy of New Spain decided that colonization should be postponed until the natives showed a better disposition. Accordingly, in 1693, the Texan missions were abandoned.

Other nations did not postpone pushing their colonies forward until the natives were ready to welcome them, and during the next twenty years, while the English colonies were slowly coming to maturity, France was busy laying the foundations of an empire at Mobile and New Orleans, and in improving the means of communication between Canada and the Gulf of Mexico.

Late in 1714 Lamothe-Cadillac, then governor of Louisiana, conceived the idea of attempting to import cattle from the Mexican settlers on the Rio Grande, and thus establishing a trade by land which was prohibited by sea. For this purpose he sent a certain Louis Juchereau de Saint-Denis, a Canadian by birth, from the Red River across Texas. With not more than about a dozen white men, Saint-Denis safely accomplished his journey, and in February, 1715, presented himself at the first Spanish post he found on the Rio Grande. The apparition of a foreigner on the soil of a remote Spanish colony was an unheard-of and disturbing event, and the astonished commander of the *presidio* at once put the whole party under arrest, and referred the case to his superior officers. Under their instructions the companions of Saint-Denis were sent back to the Red River, while he himself was carried to the city of Mexico. After he had been fully interrogated as to his purposes, the viceroy solemnly determined that it was essen-

tial to take active steps to check any further advance by the French, and that missions should be established along the frontier so as to win over the Indians, while keeping a close watch on the Louisiana settlements.

An adequate expedition was accordingly fitted out under the command of Captain Domingo Ramon, and Saint-Denis willingly agreed, for a suitable compensation, to serve as its chief guide. In April, 1716, the Rio Grande was crossed. The weather was fine; the country was an open prairie; the Indians seemed friendly; and, travelling by easy stages, the whole company by the latter part of June reached the valley of the Neches, in the extreme eastern part of what is now the state of Texas. In this neighborhood four missions were planted in the summer of 1716. Later in the year two more were established farther east—one of them, among the Adaes Indians, lying far within the present state of Louisiana, and not more than about twenty miles from the French frontier post at Natchitoches. The French made no protest; they only strengthened their Natchitoches "fort."

The original expedition of Saint-Denis had not been in any sense an attempt to plant the French flag south or west of the Red River. Its sole object, real as well as ostensible, was to try to open a trade with the Mexicans; and both Saint-Denis himself and his superiors acquiesced, as we have seen, in the Spanish occupation of the entire territory from the Rio Grande to a point between the Red and the Sabine rivers. Nor was any serious effort ever made afterward by the French to take permanent possession of any part of Texas.

The short war of 1719 certainly offered France a new and excellent opportunity of seizing Texas if she had wished to do so; but the opportunity was not availed of. A force from Natchitoches did indeed take possession of the mission of los Adaes, whereupon the Spaniards withdrew from all their eastern posts, and fell back to Béxar. The French followed perhaps as far as the Trinity River, and after they or their Indian allies had burned the Spanish missions, they withdrew to Natchitoches.

They also sent an exploring expedition up the Red River and established a post among the Nassonite Indians at a point which, the Spanish authorities asserted, was within the jurisdiction of New Mexico. But except this, and the short raid above referred to, the French made no attempts on Texas during the continuance of that war.<sup>1</sup>

At the end of the war an occasion arose for a diplomatic settlement of the questions at issue; but again it was not availed of. When the terms of a treaty of peace were under discussion, the French envoys were instructed to ask for a definition of the boundaries of Louisiana. On the west, the Rio Grande was to be suggested; but if, as was likely, the Spaniards would not consent to this, then the Bay of St. Bernard might be accepted as a compromise. This bay, it was pointed out, was that at which La Salle had landed, "*ce qui prouve qu'il nous appartient de droit.*" The Spanish King, however, flatly refused to discuss the subject. His chief desire was that Pensacola, which the French had taken during the war, should be restored, and in the end the question of boundaries was dropped, the French government being too desirous of securing the Spanish alliance to haggle over details. The treaty of March 27, 1721, therefore, contained only a clause providing for the restitution to the King of Spain of all the territories, coasts, and bays situated in America which had been occupied by the French during the war. A similar provision was inserted in the first of the secret articles of the treaty of alliance of June 13, 1721, between Spain, France, and Great Britain.<sup>2</sup>

These treaties, by their failure to define the boundaries of the Spanish possessions, still left open the question as to the ownership of Matagorda Bay, the scene of La Salle's misfortunes, to which the French diplomatists had asserted an "irrevocable" right. As the colonial authorities of Louisiana were eager to extend their jurisdiction, upon a con-

<sup>1</sup> Heinrich, *La Louisiane sous la Compagnie des Indes*, 104-108.

<sup>2</sup> *Ibid.*, 79. The despatches of the French ambassador in Madrid showing the course of the negotiations are very fully quoted (*ibid.*, 72-80).

venient rumor that the English were desirous of taking possession of the bay, a small expedition was sent there by sea, under the command of Bénard de la Harpe. On August 27, 1721, he landed with a few men somewhere on the Texan coast—probably near Galveston. He found the country extraordinarily fine and fertile, and he heard of no Spaniards in the neighborhood. The Indians, however, were too hostile to justify La Harpe in running the risk of settling among them with his little force; and after a sojourn of only ten days, he set sail again for Louisiana.<sup>1</sup>

Although he had not felt strong enough to carry out his attempt at re-establishing La Salle's colony, La Harpe himself remained more than ever convinced of its importance; but notwithstanding his urgent representations of the "infinite consequence" of taking possession of the Bay of St. Bernard, the authorities in France remained sceptical. It was doubtless, they said, a fine country, and easy to cultivate, but they were in no condition to support so distant a post, and at the close of 1721 positive orders were sent directing that the enterprise should be abandoned.<sup>2</sup>

Meanwhile the Spaniards, on their side, were not idle. In the autumn of 1720 an expedition on a considerable scale, under the command of the Marquis de Aguayo, was sent out with instructions to take possession of Matagorda Bay and to re-establish the missions which had been abandoned during the war. The plan was to send married soldiers and settlers, the latter to include a proportion of mechanics and craftsmen. But although the settlers were to be paid wages for two years in advance, and were to receive grants of land in Texas, only seven families volunteered, and the rest of the expedition, exclusive of the friars who were to serve the missions, was chiefly recruited from the jails of the different Mexican cities.

In the spring of 1721 the expedition was divided, a small detachment being sent to take military possession of the

<sup>1</sup> *Ibid.*, 116-118; Margry, *Découvertes et Etablissements des Français dans l'Amérique Septentrionale*, VI, 320-347.

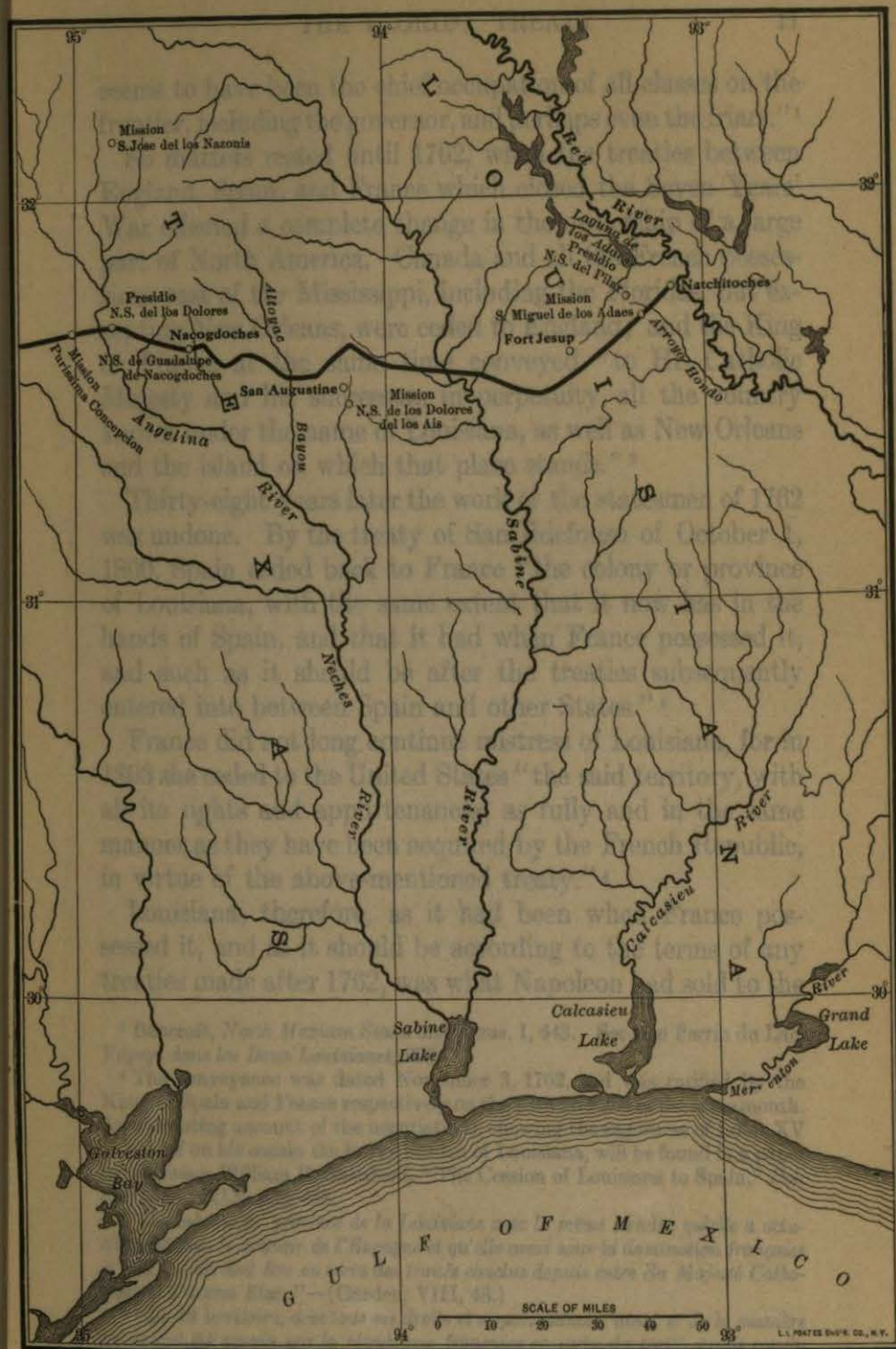
<sup>2</sup> Heinrich, 119.

shores of the bay; and a year later a presidio having, we are told, four bastions and a tower was erected on the precise site of La Salle's fort. The main body of the expedition, marching east from Béxar (San Antonio) and refounding missions as it went, crossed the Sabine late in August of the same year. Not only was the mission of San Miguel de los Adaes re-established, but on a neighboring hill the spacious presidio of Nuestra Señora del Pilar, mounting six field-pieces and manned by a garrison of a hundred men, was constructed. The mission and fort lay seven leagues from Natchitoches and about one league from the Laguna de los Adaes (Spanish Lake); and although the precise spot is not now exactly ascertainable, it was certainly many miles east of the Sabine River.

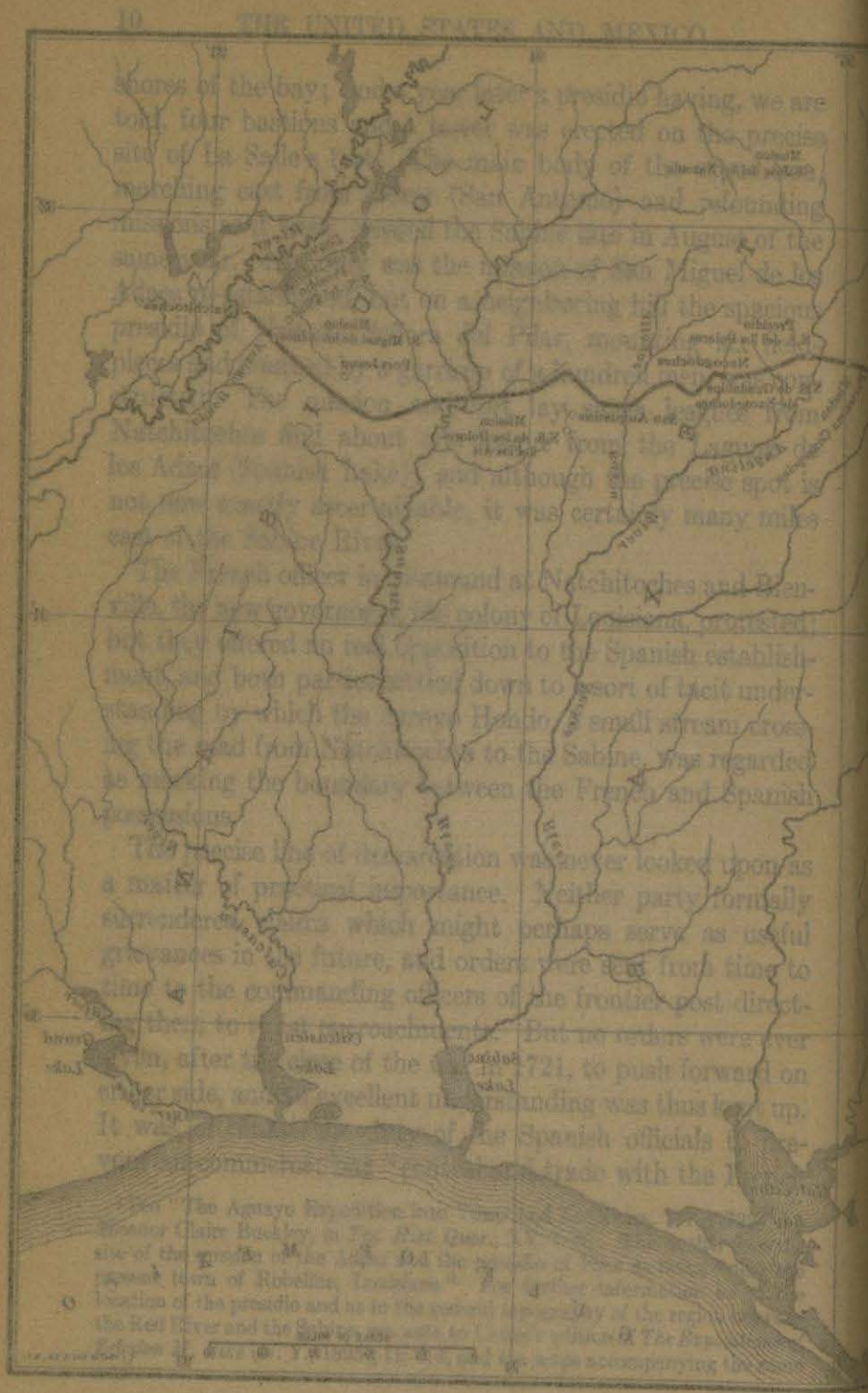
The French officer in command at Natchitoches and Bienville, the new governor of the colony of Louisiana, protested; but they offered no real opposition to the Spanish establishment, and both parties settled down to a sort of tacit understanding by which the Arroyo Hondo, a small stream crossing the road from Natchitoches to the Sabine, was regarded as marking the boundary between the French and Spanish possessions.<sup>1</sup>

The precise line of demarcation was never looked upon as a matter of practical importance. Neither party formally surrendered claims which might perhaps serve as useful grievances in the future, and orders were sent from time to time to the commanding officers of the frontier post directing them to resist encroachments. But no orders were ever given, after the close of the war in 1721, to push forward on either side, and an excellent understanding was thus kept up. It was, of course, the duty of the Spanish officials to prevent all commerce; but "contraband trade with the French

<sup>1</sup> See "The Aguayo Expedition into Texas and Louisiana, 1719-1722," by Eleanor Claire Buckley, in *Tex. Hist. Quar.*, XV, 1-65. This author fixes the site of the mission of the Adaes and the presidio of Pilar as being "near the present town of Robeline, Louisiana." For further information as to the location of the presidio and as to the general topography of the region between the Red River and the Sabine, see note to Coues's edition of *The Expeditions of Zebulon M. Pike* (N. Y., 1895), II, 713, and the maps accompanying the same work.



THE SABINE RIVER



THE SABINE RIVER

seems to have been the chief occupation of all classes on the frontier, including the governor, and perhaps even the friars."<sup>1</sup>

So matters rested until 1762, when the treaties between England, Spain, and France which closed the Seven Years' War effected a complete change in the ownership of a large part of North America. Canada and all the French possessions east of the Mississippi, including the Floridas, but excepting New Orleans, were ceded to England; and the King of France at the same time conveyed "to His Catholic Majesty and his successors in perpetuity, all the country known under the name of Louisiana, as well as New Orleans and the island on which that place stands."<sup>2</sup>

Thirty-eight years later the work of the statesmen of 1762 was undone. By the treaty of San Ildefonso of October 1, 1800, Spain ceded back to France "the colony or province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it, and such as it should be after the treaties subsequently entered into between Spain and other States."<sup>3</sup>

France did not long continue mistress of Louisiana, for in 1803 she ceded to the United States "the said territory, with all its rights and appurtenances, as fully and in the same manner as they have been acquired by the French Republic, in virtue of the above-mentioned treaty."<sup>4</sup>

Louisiana, therefore, as it had been when France possessed it, and as it should be according to the terms of any treaties made after 1762, was what Napoleon had sold to the

<sup>1</sup> Bancroft, *North Mexican States and Texas*, I, 643. See also Perrin du Lac, *Voyage dans les Deux Louisianes*, 375.

<sup>2</sup> The conveyance was dated November 3, 1762, and was ratified by the Kings of Spain and France respectively on the 13th and 23d of the same month. An interesting account of the negotiations, showing the eagerness of Louis XV to put off on his cousin the heavy burden of Louisiana, will be found in a paper by Professor William R. Shepherd, "The Cession of Louisiana to Spain," *Pol. Sci. Quar.*, XIX, 439-458.

<sup>3</sup> "La colonie ou province de la Louisiane avec la même étendue qu'elle a actuellement sous le pouvoir de l'Espagne et qu'elle avait sous la domination française et telle qu'elle doit être en vertu des traités conclus depuis entre Sa Majesté Catholique et d'autres Etats."—(Garden, VIII, 48.)

<sup>4</sup> "Le dit territoire, avec tous ses droits et appartenances, ainsi et de la manière qu'ils ont été acquis par la république française en vertu du traité susdit conclu avec Sa Majesté Catholique."—(Martens, *Recueil de Traités*, VII, 708.)

United States; but Livingston and Monroe, before they signed the treaty, had asked in vain for some intelligible and precise definition of this great territory. They were told in effect that they had made a noble bargain and that they would doubtless make the best of it; and with that reply they had to be content. The fact was, of course, that the American agents had asked a question to which no definite answer was possible. No doubt some statement could easily have been made setting out the results of treaties affecting the eastern boundaries of the old French possessions; but there were no treaties that affected their southern or western boundaries, and no man could undertake to declare what was the extent of the colony or province of Louisiana when France possessed it. Every spot to which a French trapper had wandered or on which a French colonist had built a hut was, or might be claimed to be, French territory.

Nevertheless the French government, though it did not choose to take Livingston and Monroe into its confidence, had previously formulated for its own eventual and exclusive use a tolerably precise declaration as to the starting-points which it meant to claim for the boundary west of the Mississippi. In secret instructions issued to the French commander in Louisiana the pretensions he was to assert were clearly and concisely stated.

"The extent of Louisiana," he was told, "is well determined on the south by the Gulf of Mexico. But bounded on the west by the river called Rio Bravo from its mouth to about the 30° parallel, the line of demarcation stops after reaching this point, and there seems never to have been any agreement in regard to this part of the frontier. The farther we go northward, the more undecided is the boundary. This part of America contains little more than uninhabited forests or Indian tribes, and the necessity of fixing a boundary has never yet been felt there."<sup>1</sup>

In the light of our present knowledge of the facts, it is perfectly apparent that the French pretensions were ridiculous

<sup>1</sup> *Instructions Secrètes pour le Capitaine-Général de la Louisiane*, 5 frimaire, an XI (November 26, 1802); quoted in Adams's *History of the U. S.*, II, 6. A literal translation of the entire letter is printed in Robertson's *Louisiana*, I, 356-358.

and unwarranted. Except as a prisoner, no Frenchman had ever even seen the Rio Bravo, or been within two hundred miles of it; and except for the brief and surreptitious occupation by La Salle's colony and the short-lived raids in 1719 and 1721, no Frenchman had ever been in possession of any post within four hundred miles of that river. Moreover, the above instructions clearly implied that there had been some agreement as to a boundary along the Rio Grande from its mouth to "about the 30° parallel." This was a deliberate *suggestio falsi*. There was never any agreement of the kind.

When Jefferson's administration learned that the boundaries of their new purchase were left so vague, their course seemed plain. The straightforward mode of dealing was evidently a proposal to Spain to fix the line by agreement; and instructions were accordingly sent to Monroe to proceed from Paris to Madrid and to join with Charles Pinckney, the American minister in Spain, in an effort to adjust the matter.<sup>1</sup> These instructions were dated July 29, 1803, but when they reached Paris, the irritation of Spain over the palpable bad faith of France in the business of Louisiana was so great as to make any overtures at that time obviously useless.

However, in April, 1804, renewed instructions were sent to Monroe, directing him to take up the Spanish negotiation, after first ascertaining the views of the French government. The main objects were stated to be the acquisition of the Floridas (which Great Britain had ceded to Spain in 1783) and the settlement of spoliation claims; but the boundary west of the Mississippi was also to be adjusted. As to this, Monroe was informed that "in one of the papers herewith transmitted, you will see the grounds on which our claim may be extended even to Rio Bravo," but that line was not to be insisted on. As a concession to Spain, a proposition for a neutral zone might be made, under which American settlements would be prohibited for a term of years west of the Sabine. In later instructions, of July 8, 1804, greater

<sup>1</sup> *Amer. St. Papers, For. Rel.*, II, 623.



stress was laid on the Texan boundary. The President, so the envoys were informed, was "not a little averse to the occlusion, for a very long period, of a very wide space of territory westward of the Mississippi, and equally so to a perpetual relinquishment of any territory whatever eastward of the Rio Bravo." Nevertheless, the degree to which the envoys were to insist on these points was to be regulated by what they learned "of the temper and policy of Spain."<sup>1</sup>

Monroe and Pinckney were not long left in doubt as to either the temper or the policy of the Spanish government. Talleyrand made no secret of his opposition to any further extension of the territory of the United States; and Godoy, who was still for a few months to remain the real ruler of Spain, was wholly subservient to France and immovable in the face of any threats which the American diplomatists were in a position to put forward. Monroe reached Madrid on January 2, 1805. He left it on May 26 of the same year, having failed in every branch of the negotiation with which he was charged.

The relations between the United States and Spain were now at the breaking point. War seemed impossible to avoid, and on both sides such preparations were made along the frontier as were possible in a remote and unsettled country. Early in February, 1806, a small body of American troops from Natchitoches pushed back across the Sabine a Spanish party who were encamped near the old Adaes mission; but in July the Spaniards were back in much greater force. Meanwhile the American War Department had ordered the reinforcement of the post at Natchitoches, and in September General Wilkinson, then commanding in the Mississippi valley, arrived there in person. An exchange of letters with the Spanish officers followed, the result of which was that it was agreed that the American troops were to remain east of the Arroyo Hondo, and the Spanish troops were to remain west of the Sabine. For the next fifteen years this arrangement remained in force, the neutral ground between the

<sup>1</sup> *Ibid.*, 628-630.

two streams becoming a place of refuge for bandits and desperadoes of every kind.<sup>1</sup>

Such were, in outline, the facts of the case. It is of interest to turn now to the arguments advanced with great fulness on each side when the subject was under discussion in Madrid in the year 1805.

The Spanish argument rested upon the theory that the decision ought to be based upon the actual possession enjoyed by France and Spain respectively in 1762, and that the boundary must be so traced as to throw on one side of the line all establishments made and maintained by the French, and on the other side all establishments made and maintained by the Spaniards. The Spanish province of Texas, said Cevallos, the Minister of Foreign Relations, extended to the presidio of the Adaes; it had been occupied since 1689, and the Spanish possession had been acknowledged and respected by the French while they owned Louisiana. He concluded that the boundary ought to pass between Natchitoches and the presidio of the Adaes, and should therefore run northward to the Red River from a point on the Gulf between the rivers Mermentau and Calcasieu. From this point, the limits being little known, he proposed that a joint commission should be appointed to investigate the facts.<sup>2</sup> The line as thus suggested started more than forty miles east of the easterly boundary of the present state of Texas.

This view of the case was strikingly opposite to that which the French government had been secretly preparing to assert on its own behalf after the treaty of San Ildefonso. Napoleon's government, however, was never much troubled by

<sup>1</sup> See McCaleb's *Aaron Burr Conspiracy*, 105-157. The correspondence between Wilkinson and the Spanish officers was transmitted to Congress with the President's annual message, December 2, 1806, and referred to in that document. Congress, therefore, was fully informed of the arrangement.

<sup>2</sup> Cevallos to Pinckney and Monroe, April 13, 1805, *Amer. St. Papers, For. Rel.*, II, 660-662; Robertson's *Louisiana*, II, 199-211. A later statement of the Spanish position is very clearly presented in a pamphlet prepared for and published by the Spanish minister in the United States, Don Luis de Onis, entitled *Observations on the Existing Differences between the Government of Spain and the United States, No. III, by Verus* (Philadelphia, 1817).