

Meanwhile, however, the British government, though on the verge of the Crimean War, had not been indifferent on its own account to the reports of contemplated attacks on Central America by American citizens. The interference of the American government in Mexico and the filibustering expeditions of William Walker into that state doubtless quickened British attention. As early as February 2, 1854, Clarendon wrote to Crampton about the matter, stating that such projects, if carried out without the knowledge of the United States government, would amount to buccaneering-acts; and that Great Britain could not believe that the United States would fail, on learning of such intentions, to put an immediate stop to them. Crampton was instructed to notify Marcy immediately of these views, and to inquire whether anything was known of the contemplated plans, and also whether means would be employed to prevent their execution.<sup>90</sup>

About a week later the Foreign Secretary again wrote, sending further information with reference to the proposed expeditions, and directed Crampton to communicate with Marcy regarding it. Should he fail to receive a satisfactory reply from the Secretary of State, he was to express the feelings of surprise and deep concern with which the knowledge of these manœuvres had been received by the British government, which hoped that they would not only be discountenanced, but prevented, by the United States; for it must be obvious that if attempts should be made to execute such schemes other governments might be forced to take measures for defeating them—a course which might lead to misunderstandings between Great

<sup>90</sup> F. O., Am., vol. 590, no. 20.

Britain and the United States.<sup>97</sup> The instructions were executed by Crampton, to whom Marcy declared himself ignorant of any such designs as were reported, but expressed the desire of the American government to keep on good terms with Great Britain.<sup>98</sup>

But Crampton had been preceded, in his representations to the American government, by Marcoleta, who persistently labored to prevent the departure of the Kinney expedition. Later in the year the Nicaraguan minister increased his efforts, for then the rumors took more definite shape and it was stated that the colonization association intended, if necessary, to use force in taking the land,<sup>99</sup> and that the expedition also planned to seize Greytown.<sup>100</sup> As many members of the colonization association were also affiliated with the Transit Company,<sup>101</sup> there seemed good foundation for the report. Consequently, Marcoleta again communicated with Marcy, declaring that the Mosquito king could not legally make land grants.<sup>102</sup> Marcy replied that the American government had no power to prevent its citizens from leaving the country when "engaged in business purposes", and added that the question of the validity of the grant would have to be settled between the company and the Nicaraguan government.<sup>103</sup>

Though it was more difficult to enforce the neutrality laws of the United States against the filibusters than most foreign powers realized, yet it is quite evident that the American government did not use its best efforts to do so, and that local officials were at times guilty of

<sup>97</sup> F. O., Am., vol. 590, no. 31.

<sup>98</sup> Crampton to Clarendon, Mar. 6, 1854, *ibid.*, vol. 594, no. 53.

<sup>99</sup> Crampton to Clarendon, Dec. 11, 1854, *ibid.*, vol. 600, no. 89.

<sup>100</sup> *Ibid.*      <sup>101</sup> *Ibid.*      <sup>102</sup> *Harper's Magazine*, X, 542.

<sup>103</sup> Crampton to Clarendon, Dec. 11, 1854, F. O., Am., vol. 600, no. 89.

gross neglect of duty in the execution of orders. Part of this neglect was undoubtedly due to the desire of the South for the extension of slave territory, but there seems good reason to believe that the failure of the British government to withdraw from Central America, as required by the Clayton-Bulwer treaty, also strongly contributed to this indifference to international obligations.

Marcoleta's persistence, however, was not in vain. Evidently as a direct consequence of his protests, a correspondence took place between Marcy and Kinney with reference to the proposed expedition. The latter declared that his object was to improve and occupy the land within the limits of his grant; everything was to be done peacefully, without invading the rights of either communities or states.<sup>104</sup> Marcy replied that if the expedition was merely a peaceful emigration, and if those connected with it chose to abandon all claim to protection from the United States and to submit themselves to the jurisdiction of some other country, the American government would not interfere with it.<sup>105</sup> He expressed the determination of the United States government, however, to preserve the neutrality laws of the nation,<sup>106</sup> which required that it prevent the departure of any expedition intended to disturb the peace of a friendly state.

This correspondence was published in the *Union* of February 7, 1855,<sup>107</sup> and gave much satisfaction to those concerned over the subject. A letter written by Crampton to Clarendon a few days later stated that Marcy's

<sup>104</sup> *Harper's Magazine*, X, 542.

<sup>105</sup> *Ibid.*; Crampton to Clarendon, Feb. 10, 1855, F. O., Am., vol. 619, no. 33.

<sup>106</sup> *Ibid.*

<sup>107</sup> *Ibid.*

determination to enforce the neutrality laws was generally considered fatal to the expedition, for it did not seem likely that Kinney would persist in his enterprise in face of the risk which must now attach to it.<sup>108</sup>

But all hope that the undertaking had been abandoned soon vanished, for in a few weeks a letter describing the proposed undertaking was published in the newspapers. It promised six hundred and forty acres of land to all colonists engaging to serve in a military capacity for twelve months.<sup>109</sup> This seemed to prove that, as had been reported, the land was to be taken by force, if necessary. A letter written by Kinney in January, 1855, to a prospective colonist reflects the same idea. After describing the country to be settled and stating that the colonists should be armed, Kinney wrote: "We do not suppose there will be much necessity for fighting, but we believe that the establishment of such a colony in that part of the world will result in a few years in the entire control of all Central America by the American people."<sup>110</sup> The aim was obviously to conquer Central America by colonization.

When the first-mentioned letter appeared in the newspapers, Marcoleta again addressed Marcy, asking that the United States government prevent the "perfidious schemes" from being carried out.<sup>111</sup> This effort led to investigation by the American government, and,

<sup>108</sup> Crampton to Clarendon, Feb. 10, 1855, F. O., Am., vol. 619, no. 33.

<sup>109</sup> Marcoleta to Marcy, Mar. 14, 1855, Dept. of State, Notes to Dept., Cen. Am. Legat., Nic., vol. 2.

<sup>110</sup> Inclosure in Ross to Clarendon, Nov. 30, 1855, F. O., Cen. Am., vol. 87.

<sup>111</sup> Marcoleta to Marcy, Mar. 1855, Dept. of State, Notes to Dept., Cen. Am. Legat., Nic., vol. 2.

as a result, on April 27, Kinney, and Fabens, who was apparently his most important colleague, were indicted on the charge of preparing a military expedition against Nicaragua.<sup>112</sup> However, when the case came up for trial the two were acquitted for want of sufficient evidence.<sup>113</sup> But the latter was deprived of his consular office, because of the part which he had taken in the affair.<sup>114</sup> Nevertheless, Marcoleta continued his complaints,<sup>115</sup> and consequently the American government gave orders for the detention of any vessel which Kinney might attempt to use for the purpose of his expedition.<sup>116</sup> But in spite of these precautions, Kinney and several of his associates escaped to Jamaica, where they waited a favorable opportunity for the execution of their designs.<sup>117</sup>

But before Kinney made his escape the attention of foreign diplomats at Washington had been attracted to a more formidable foe to Central American independence. This was William Walker.<sup>118</sup> On July 10, 1855, Crampton informed Clarendon of the aid given

<sup>112</sup> *U. S. Docs.*, ser. no. 822, doc. 68, pp. 8-9.

<sup>113</sup> Stout, *Nicaragua*, 176.

<sup>114</sup> Lumley to Clarendon, May 14, 1855, *F. O., Am.*, vol. 621, no. 10.

<sup>115</sup> Marcy to Marcoleta, May 15, 1855, Dept. of State, Notes from Dept., *Gen. Am. Legat.*, vol. 1.

<sup>116</sup> *Ibid.*, pp. 80-81.

<sup>117</sup> Crampton to Clarendon, June 18, 1855, *F. O., Am.*, vol. 621, no. 124. Kinney soon reached Greytown where he remained for a time. But he seemed to give up his plans for a colony and later wandered in different parts of Central America, where he occasionally aroused some uneasiness on the part of the British or Central Americans, but after June, 1855, his movements were no longer a subject of diplomatic correspondence. Seymour to Bell, June 17, 1857, and Seymour to Darling, Aug. 17, 1857, *F. O., Hond.*, vol. 3.

<sup>118</sup> For an account of Walker's career in Central America, see general histories of Central America, and also the following: Walker, *War in Nicaragua*; Lucas, *Nicaragua: War of the Filibusters*; Wells, *Walker's Expedition to Nicaragua*.

by Walker to the Central American Liberals, and expressed the belief that should a government be established in Nicaragua by either of the contending parties through the aid of American auxiliaries, the independent existence of Nicaragua might be regarded as in a very precarious condition.<sup>119</sup> When news of the fall of Granada reached the United States shortly afterwards, the concern of Crampton and of the Central American agents at the capital was much increased, for they felt that Walker could not have succeeded without aid from the Transit Company.<sup>120</sup> This state of affairs, in the opinion of Crampton, showed flagrant violation of international duty on the part of the American government, as well as an aim on the part of American citizens to bring about the annexation of Nicaragua to the United States.<sup>121</sup>

But though Crampton faithfully sent in his reports of the filibustering movement,<sup>122</sup> after the first half of the year 1854 he seems to have received but few instructions from his government regarding the matter. This neglect, however, was probably not due to indifference, but to a realization that the expeditions had a definite diplomatic significance which was at first not suspected. The determined stand of the United States government with reference to the interpretation of the Clayton-Bulwer treaty, as well as the bombardment of Greytown and the defense of the act by President Pierce, had

<sup>119</sup> F. O., Am., vol. 621, no. 134.

<sup>120</sup> For a good account of the part played by the Transit Company, see Scroggs, "William Walker and the Steamship Corporation in Nicaragua", in *Am. Hist. Rev.*, X, 792-812.

<sup>121</sup> Crampton to Clarendon, Nov. 13, 1855, F. O., Am., vol. 624, no. 242.

<sup>122</sup> Crampton to Clarendon, July 10, 1855, *ibid.*, vol. 621, no. 134; July 30, 1855, *ibid.*, vol. 622, no. 154; Nov. 13, 1855, *ibid.*, vol. 624, no. 242.

evidently convinced the British government that indifference to filibustering was part of American policy in dealing with the Central American question. In view of this, British protests might be even worse than useless.

Marcoleta, and Molina, however, and Irisarri, the newly-arrived representative of Salvador<sup>123</sup> and Guatemala, continued and increased the protests on behalf of Central America.<sup>124</sup> Perhaps partly in consequence of their efforts, the American government, near the close of 1855, displayed a stronger sense of international duty. Wheeler, Borland's successor, in spite of instructions, had recognized Walker's government, but his act was promptly disavowed by the United States and the assurance given that the American government had no intention of recognizing Walker.<sup>125</sup> The favorable impression made by this announcement was increased by the fact that almost simultaneously came the refusal of the Washington authorities to receive a representative sent by Walker.<sup>126</sup> But more effective still in allaying the suspicion that the American government was willing to connive at the proceedings of its citizens in Central America was the proclamation of President Pierce warning all Americans not to take part in any hostile operations in Nicaragua, carried on by Walker.<sup>127</sup>

<sup>123</sup> At about this time Salvador tried to form a treaty with England for protection against the filibusters. Wyke to Clarendon, Nov. 29, 1855, F. O., Cen. Am., vol. 85, no. 57.

<sup>124</sup> U. S. Docs., ser. no. 822, doc. 68, pp. 21, 42-43, 46-47, 48-49.

<sup>125</sup> Dept. of State, Notes from Dept., Cen. Am. Legat., vol. 1, pp. 99-101.

<sup>126</sup> Crampton to Clarendon, Dec. 17, 1855, F. O., Am., vol. 624, no. 266; Wells, *Walker's Expedition to Nicaragua*, 100.

<sup>127</sup> *Ibid.*

## CHAPTER VII.

### THE CRISIS, 1855-1856; SIGNS OF BRITISH RETREAT.

More than a year passed after Buchanan presented his second statement of American views on the Central American question before any serious attempt was again made to reconcile the differences between the two governments. Various reasons produced this seeming unconcern. The Foreign Secretary was deeply engrossed in the Crimean War; besides, he probably felt after receiving Buchanan's second paper, that the position which the British government had assumed could better be maintained by evasion than by discussion.<sup>1</sup> Marcy, too, had other demands on his attention; the Kansas-Nebraska struggle was on. Moreover, since the North believed that the Democratic interest in Central America originated largely in the desire for extending slave territory, it would have been most unwise to insist upon settlement of the Central American question, and thus risk complications with England, when the nation was facing a domestic crisis produced by an effort to introduce slavery into Kansas.

During this period, therefore, Buchanan was left practically to his own resources regarding Central American negotiations. But the completion of the reciprocity treaty,<sup>2</sup> and later the resignation from the

<sup>1</sup> Clarendon promised Buchanan an answer to his second paper, and later said that he had prepared one, but it was never presented. Buchanan, *Works*, IX, 278; *U. S. Docs.*, ser. no. 840, doc. 1, p. 76.

<sup>2</sup> *London Morning Post*, Dec. 5, 1854.



premiership of Aberdeen, who was friendly to the United States, and the accession of Palmerston,<sup>3</sup> under whose direction Greytown had been seized in the name of the Mosquitos, caused Buchanan to lose all hope of an early settlement of the Central American dispute. Furthermore, such casual and desultory conversations as he obtained with Clarendon<sup>4</sup> were not conducive to a revival of the hope.

But in August, 1855, the discussion was reopened by the United States. The approaching session of Congress made it desirable that the question be placed on a more satisfactory basis; and the fact that both of the parties concerned were less occupied with other matters than in the preceding year made the prospect of settlement better than it had been. Moreover, the determined policy displayed by the United States government was evidently now expected to produce favorable results. Consequently, Marcy directed Buchanan to secure a definite and final statement from the British government as to the position it proposed to maintain on the subject, especially regarding the Bay Islands. If the British government meant to avoid the operation of the Clayton-Bulwer treaty in reference to the Bay Islands, there was little use in asking it to respect any other of the obligations imposed by that act. Marcy's letter showed the same attitude as the year before, and declared that a fulfillment of treaty stipulations required that Great Britain withdraw from the Mosquito coast, the Bay Islands, and the Belize territory lying between the Sibun and the Sarstoon.<sup>5</sup>

<sup>3</sup> Buchanan, *Works*, IX, 297, 299, 300, 320, 339-342.

<sup>4</sup> *Ibid.*, 298, 337-343.

<sup>5</sup> *U. S. Docs.*, ser. no. 840, doc. 1, pp. 69-72.

Buchanan accordingly reopened the question,<sup>6</sup> but with small hopes of a satisfactory result.<sup>7</sup> Clarendon's response showed a determination consistently to maintain the former extreme position. The British government, he stated, adhered to the opinion which it had "uniformly held, that the convention of April 19, 1850, was merely prospective in its operation, and did not in any way interfere with the state of things existing at the time of its conclusion. If it had been intended to do so, . . . it would have contained, in specific terms, a renunciation, on the part of Great Britain, of the possessions and rights which, up to the conclusion of the convention, she had claimed to maintain, and such renunciation would not have been left as a mere matter of inference."<sup>8</sup>

In an unofficial reply to Buchanan's report of the result of his efforts, Marcy gave what may be considered the frank views of the United States government regarding the conduct of Great Britain. He wrote:

Notwithstanding the intimation before given by the British Govt., I was not prepared to believe that when pressed to a definite decision, it would dare to take the ground that the provisions of the Clayton and Bulwer treaty were only prospective in their operation . . . Her position in that respect raises a very serious question. The United States will never acquiesce in that interpretation of the Convention and Great Britain cannot, it seems to me, believe that this government will do so. That she is wrong, no reasonable, calm-judging man can doubt, and the judgment of this country, and, I should think, the reflecting portion of the English people, will look upon it as something more and worse than an error. . . . From the present course of the British government on the Central American controversy, . . . I am inclined to conclude that it

<sup>6</sup> Buchanan, *Works*, IX, 403-405.

<sup>7</sup> *Ibid.*, 394-395.

<sup>8</sup> *U. S. Docs.*, ser. no. 840, doc. 1, pp. 76-77.





MEXICO

BELIZE

GUATEMALA

HONDURAS

SALVADOR

PACIFIC OCEAN

# CENTRAL AMERICA

1850 - 1860

Showing British Encroachments.

use

AY ISLANDS

BONACUA  
Port Royal

anduras  
axillo  
Roman  
Cape Cameron

R. Black  
Cape Gracias á Dios  
R. Segovia or Wanks  
R. Hucor

MOSQUITO

SHORE

ARAGUA

Mandgua  
Bluefields  
R. Rama

Lake Nicaragua

Ft. San Carlos

Greytown (San Juan del Norte)

Pt. Arenas  
R. Colorado

Maclure's Rapids

COSTA

San Jose

RICA

NEW GRANADA

ATLANTIC OCEAN



cares very little about maintaining cordial relations with the United States. I can discover nothing in the present condition of Great Britain or her future prospects to justify her in holding her head so high. . . . With her, as with all others, this country desires to maintain the relations of friendship, but from her and them it claims a respect for our sovereign rights, and good faith in international compacts; and neither will be sacrificed for the sake of peace. The prospect, to my prevision, looks a little cloudy; but, as our old friend Mr. Ritchie was wont to say "*nous verrons*".<sup>9</sup>

The determination of Great Britain to maintain her unreasonable interpretation of the Clayton-Bulwer treaty caused a change in the United States towards that agreement. The members of the government took the attitude that the treaty obligations were in a way suspended;<sup>10</sup> and a portion of the press declared that Clarendon's reply to Buchanan amounted to an abrogation of the arrangement.<sup>11</sup> Had not the North condemned filibustering as a slavery extension measure, it is probable that, in consequence of the British stand, the American government would have at this time come out more strongly in favor of Walker. As it was, and especially in view of the feeling roused by the Kansas-Nebraska question, such a result was impossible. Indeed, as has already been noted, in the autumn of 1855<sup>12</sup> the American government displayed more vigor in its efforts to prevent aid from being sent to Walker. The reason for this, however, was most probably a desire to place the United States in a more advantageous position in the discussion rising from the discovery of Crampton's share in the British attempt

<sup>9</sup> Dept. of State, Inst., Gt. Brit., vol. 16, pp. 396-397.

<sup>10</sup> Napier to Clarendon, Oct. 22, 1857, F. O., Am., vol. 674, no. 220.

<sup>11</sup> *Daily Alta California*, Dec. 5, 1855; Wells, *Walker's Expedition to Nicaragua*, 135.

<sup>12</sup> See above, p. 195.

to recruit soldiers in the United States for the Crimean War.<sup>13</sup>

The appearance of the recruitment difficulty coincident with the more menacing attitude of the Central American question placed British-American relations in a much more serious light. Though it is evident that the irritation caused by the unreasonable British interpretation of the Clayton-Bulwer treaty produced much of the American indignation over the subject of British enlistment and determined the attitude of the government regarding the latter subject,<sup>14</sup> yet considerable ill-feeling was caused by the recruiting question itself; and the one difficulty so reacted upon the other as soon to put the relations of the two countries in a critical state.

Naturally, most of the sensitiveness and suspicion was found on the American side; and it was quickened by the belief that France and England meant to make use of the alliance which they had formed during the Crimean War for the purpose of interfering in American affairs.<sup>15</sup> This belief appeared well founded when, in the last part of October, the *Times* and other leading British newspapers announced that the government had sent several war vessels to reinforce its West Indian squadron.<sup>16</sup> This had been done, the *Times* stated, for the purpose of repressing the movements then in progress in various American cities for the invasion of countries with which the United States was at peace. Great Britain was determined to supply the ability

<sup>13</sup> Crampton to Clarendon, Dec. 31, 1855, F. O., Am., vol. 624, no. 281.

<sup>14</sup> Hansard, *Parl. Debates*, 3d ser., CXLII, 1511-1512; *Blackwood's Magazine*, LXXX, 122; *Daily Alta California*, Dec. 16, 1855.

<sup>15</sup> Buchanan, *Works*, IX, 434, 462-463.

<sup>16</sup> *Ibid.*, 433-436; *Harper's Magazine*, XII, 253.



which the American government lacked, to enforce its own laws.<sup>17</sup>

Such representations by journals believed to enjoy the confidence and reflect the views of the British ministry were certain to create excitement in America. Therefore, Buchanan, who described the outlook as "squally",<sup>18</sup> changed his plans for returning home and determined to await the arrival of his successor. As soon as possible<sup>19</sup> after reading the *Times* article, he secured an interview with Clarendon and asked the purpose of increasing the British naval armament so near to American coasts, giving as his reason the desire to prevent, if possible, the irritation in the United States which the appearance of such a fleet would naturally produce.<sup>20</sup> The Foreign Secretary emphatically condemned the statement of the press<sup>21</sup> and declared that the fleet had not been sent with the least unfriendly intention towards the United States. Its despatch, he said, had resulted from information secured by the British government that several privateers for Russian service were being built at New York.<sup>22</sup>

Buchanan was not convinced by this explanation,<sup>23</sup> but his anxiety was somewhat relieved by the attitude taken by the British people. Recent events had attracted the attention of the British public to the dispute, and had created a desire to learn the real facts of the controversy. Buchanan felt that this new alertness of the British public mind was a strong indication that Palmerston would not be sustained in raising difficulties with the United States.<sup>24</sup>

<sup>17</sup> *Harper's Magazine*, XII, 253.

<sup>18</sup> Buchanan, *Works*, IX, 436.

<sup>19</sup> *Ibid.*, 433-434.

<sup>20</sup> *Ibid.*, 438.

<sup>21</sup> *Ibid.*, 439-440.

<sup>22</sup> *Ibid.*, 438.

<sup>23</sup> *Ibid.*, 438-439.

<sup>24</sup> *Ibid.*, 446.

Later, after it had been proved that the report regarding the building of privateers in New York was false,<sup>25</sup> Buchanan called Clarendon's attention to the mistaken nature of the report and desired the withdrawal of the fleet.<sup>26</sup> The President's message, he stated, would undoubtedly present the unsatisfactory condition of the Central American question and as the news of the sending of the fleet would reach the United States but a short time before the message was issued, the two would be connected in public opinion, thus rendering the question more complicated.<sup>27</sup> Clarendon again declared that the despatch of the fleet was not intended as a menace to the United States, and promised to consider recalling the vessels.<sup>28</sup> Buchanan tried to emphasize the expediency of doing so. He showed how a withdrawal could allay public indignation in the United States, and pointed out the disastrous character of a possible war between the two nations.<sup>29</sup>

As time passed, Buchanan counted more and more on British public opinion to keep the peace; but he realized that an unfriendly press might bring the people to a willingness to fight America, especially if they could be induced to believe that national honor required war.<sup>30</sup> Therefore he was anxious that the whole Central American question be brought before them clearly and in a firm but temperate manner, for he believed that this would force Palmerston to adopt a more friendly policy, or to retire.<sup>31</sup> He counted on the President's message to effect this, and consequently looked forward

<sup>25</sup> Buchanan, *Works*, IX, 450.

<sup>26</sup> *Ibid.*    <sup>27</sup> *Ibid.*, 451.    <sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*, 452-453.    <sup>30</sup> *Ibid.*, 456, 461.    <sup>31</sup> *Ibid.*, 461, 479-480.

eagerly to the early appearance of that document.<sup>82</sup> However, the political confusion of the period delayed for some time the organization of the House of Representatives, and thus deferred the message, until, on December 31—probably in consequence of the urgings of Buchanan,<sup>83</sup> as well as of the general unsatisfactory relations with England<sup>84</sup>—it was finally sent to Congress even though the speaker of the House still remained unchosen.<sup>85</sup>

The message contained a detailed consideration of British relations. On the whole the language was temperate, but a hostile note was discernible and a determination not to yield on either the recruiting difficulty or the dispute over Central America.<sup>86</sup>

The President's stand was supported by the Senate. The speeches which followed the receipt of the message offer an interesting contrast to those produced three years before by Palmerston's declaration regarding Belize. Then there was distinct division on party lines;—now there was a complete acceptance of the view represented in the President's message, and a practically unanimous denunciation of Great Britain. Though a few advocated abrogation of the treaty, as a whole the Senate favored requiring Great Britain to fulfill her treaty obligations, even though such insistence result in war. Still, there was a strong feeling that there would be no war; but that England, when she saw that the United States was firm, would yield, for war over such questions as those in dispute would find little favor

<sup>82</sup> *Ibid.*, 479-480.

<sup>83</sup> *Ibid.*

<sup>84</sup> Rhodes, *History of the United States*, II, 120-121.

<sup>85</sup> Schouler, *History of the United States*, V, 339.

<sup>86</sup> Richardson, *Messages and Papers*, V, 328-331.

with the British nation.<sup>37</sup> The Senate in its attitude upon the question evidently reflected the feelings of the nation as a whole.<sup>38</sup>

The President's message had been accompanied by the Central American correspondence, and had been quickly followed by a definite stand on the part of the American Senate. All of this expression of opinion, as well as the exposition of the matter in controversy, had, as was expected, a marked influence in England. Expressions friendly to the United States appeared in the *London Times* and the *News*, which, Buchanan reported, seemed to indicate the general public opinion that the United States was right. He felt that now the Central American question might easily be settled with any other premier than Palmerston.<sup>39</sup>

Parliament met on January 31 and it soon became evident that British public opinion had wrought a change in British governmental attitude.<sup>v</sup> In the speeches in answer to the Queen's address Lord Derby criticised the British policy regarding America. There was no other nation on earth, he declared, with which war would be so mutually suicidal as with the United States. Clarendon, in reply to the attack, stated that as regarded the Central American question the only difference of opinion which could take place was as to the legal interpretation of the treaty; therefore, believing that when differences of this kind arose between two governments correspondence was generally useless as a means of settlement, he had lost no time in making

<sup>37</sup> *Cong. Globe*, 34 Cong., 1 sess., pt. 1, pp. 107-111, 283-286, 323, 468-471, *passim*; *ibid.*, Appendix, 70-84, 87, *passim*.

<sup>38</sup> *Harper's Magazine*, XII, 255; *New York Times*, Jan. 3, 19, 1856, Feb. 1, 23, 1856.

<sup>39</sup> Buchanan, *Works*, X, 21, 27.

the offer to the United States government to refer the whole question in dispute to any third power that might be willing to undertake the reference, both parties agreeing to be bound by the decision. This offer, he regretted to say, had not been accepted by that government; but he had since renewed it, and he thought it was so plain that this was the fairest and most rational mode of settling the difference that he earnestly hoped that the offer would be in the end accepted.<sup>40</sup>

The intention of Clarendon's remarks was obviously to disarm public criticism and parliamentary opposition by making it appear that the non-settlement of the long-standing and dangerous Central American question was due solely to the unreasonableness of the American government. But, notwithstanding the efforts of the ministry, Cobden in the House of Commons called almost immediately for the correspondence respecting American relations.<sup>41</sup> This call was made just at the time when it was expected that any mail would bring word that the refusal of the British ministry to recall Crampton had been answered by his prompt dismissal by the United States;<sup>42</sup> and it was evidently the aim of Cobden and his associates to forestall any retaliatory measures on the part of their government, should the dismissal take place.

Palmerston tried to avoid producing the correspondence by stating that it was not complete; but Cobden was insistent. He wished the correspondence laid before the House in order that it might discuss the Central American dispute: the causes of the quarrel should be made known and the question met fearlessly

<sup>40</sup> Hansard, *Parl. Debates*, 3d ser., CXL, 39-40.

<sup>41</sup> *Ibid.*, 462.

<sup>42</sup> Buchanan, *Works*, X, 30.

and honestly.<sup>43</sup> The subject of American relations, he declared, would be safer in the hands of the House than in the hands of the government or of the press. A hostile collision with the United States would be a most horrible calamity, and would find no favor with the British people. Yet the policy of the government was producing a deadlock which would make it impossible to escape war.<sup>44</sup>

Palmerston responded by emphasizing the view of the British government that the Clayton-Bulwer treaty was intended to be prospective in its operation,<sup>45</sup> and stated, as Clarendon had done, that the government had offered to submit the question to arbitration, but had received no reply from the United States.<sup>46</sup> He then admitted that, though the correspondence on the enlistment question was not yet complete, that regarding Central America, though perhaps not technically closed, was ready to be presented and would be laid on the table at once.<sup>47</sup> In conclusion he agreed with Cobden that a war with the United States would be most lamentable, and expressed his determination to do all possible to end the dispute peacefully.<sup>48</sup>

A week later the same subject was introduced in the House by Roebuck, who asked for Crampton's instructions. He denounced the action of the government on the recruiting question, declaring that the facts of the case had been so misrepresented as to make it appear that the British were in the right and had done all that honor demanded, while the Americans were in the wrong.<sup>49</sup> Roebuck's desire, like Cobden's, was to pro-

<sup>43</sup> Hansard, *Parl. Debates*, 3d ser., CXL, 467.

<sup>44</sup> *Ibid.*, 466-467.

<sup>45</sup> *Ibid.*, 467-468.

<sup>46</sup> *Ibid.*, 469.

<sup>47</sup> *Ibid.*

<sup>48</sup> *Ibid.*, 471-472.

<sup>49</sup> *Ibid.*, 837-844.

note a discussion which would show the friendly feelings of the British nation towards America. Palmerston's reply to Roebuck was similar to that made to Cobden; while defending the action of the government and declaring that the recruiting correspondence was not yet closed, he expressed the strong desire of the British nation to remain at peace with their American kindred.<sup>50</sup>

The announcement that an offer of arbitration on the Central American dispute had been made by Great Britain came as a complete surprise to Buchanan. In various conversations the Foreign Secretary had suggested referring the matter to a third power, but Buchanan had regarded such suggestions merely as informal and as originating entirely with Clarendon. Consequently, though he had carefully reported the conversations to Marcy, he had not taken them seriously and had simply expressed the opinion that there was nothing in the question to arbitrate, and that, besides, it would be difficult to find an impartial arbitrator.<sup>51</sup>

Upon learning of Clarendon's remarks in the House, however, Buchanan promptly called upon Clarendon and inquired whether the suggestions made to him had constituted the offers referred to. Clarendon replied in the affirmative, stating that the offer had been made in a most formal manner by direction of the Cabinet. The offer had been made thus orally as a preliminary to more formal consideration of it. On November 10, 1855, Clarendon added, he had reported the last offer

<sup>50</sup> *Ibid.*, 844-850.

<sup>51</sup> *Parl. Papers*, 1856, *Coms.*, LX, "Correspondence with the United States respecting Central America", 297-298; Buchanan, *Works*, IX, 456.

of arbitration made to Buchanan in a letter to Crampton, instructing him to communicate the contents of the letter to the American secretary of state.<sup>52</sup>

Immediately after this interview Buchanan wrote to Marcy reporting the matter,<sup>53</sup> and Clarendon also communicated it to Crampton,<sup>54</sup> and it soon appeared that there had been a general misapprehension of the Foreign Secretary's meaning. Not only had Buchanan, and, consequently, Marcy, gained a wrong impression of Clarendon's intention, but Crampton, believing that Buchanan was to have full charge of the Central American question, had simply considered what Clarendon had told him with reference to the offer of arbitration as for his own private information; consequently he had not read the letter carefully, and had entirely overlooked the instruction to communicate the offer to Marcy.<sup>55</sup> As soon, however, as the misunderstanding was cleared up, Crampton acquainted various members of the American government with the fact that arbitration had been offered by Great Britain.<sup>56</sup> Though some criticism followed because of what was called Crampton's negligence,<sup>57</sup> the information undoubtedly had a beneficial effect on American public feeling, especially as it was preceded by a conciliatory tone in the parliamentary debates and in the British press.

Still, an offer of arbitration was not a settlement of the question; and it appealed to the nation as a whole as little as it had appealed to Buchanan. Moreover,

<sup>52</sup> *Parl. Papers*, 1856, *Coms.*, LX, "Correspondence with the United States respecting Central America", 297.

<sup>53</sup> *Ibid.*; Buchanan, *Works*, X, 35.

<sup>54</sup> *Parl. Papers*, 1856, *Coms.*, LX, "Correspondence with the United States respecting Central America", 297-298.

<sup>55</sup> *Ibid.*, 298-299.    <sup>56</sup> *Ibid.*, 299.    <sup>57</sup> *Ibid.*



the horizon was again darkened by the persistently unsatisfactory attitude of the British government towards the enlistment dispute. On February 25 the Senate called for the correspondence on the subject,<sup>58</sup> and President Pierce promptly transmitted it.<sup>59</sup> The following day the President sent a message to both houses of Congress recommending to their favorable consideration a request from the secretary of war for a special appropriation of three million dollars for military equipment.<sup>60</sup> In the debates which followed, the question of war with Great Britain was freely discussed, and at this time, as earlier in the year, a determination was shown to insist upon the fulfillment of treaty terms even at the price of war; but there was also the conviction that if the American government stood firm Great Britain would avoid war by retreating from her position.<sup>61</sup>

For some weeks after this, the two matters in dispute remained in practically a state of deadlock. With regard to the Central American question, it was no easy matter to determine upon a course of action. Though throughout the country there were some who favored arbitration and others who advocated annulling the Clayton-Bulwer treaty, still there were strong objections to both. The other alternative was to force the British to fulfill treaty obligations, even at the risk of war, a course for which the majority of the nation seemed ready, but one which was not to be chosen lightly.<sup>62</sup> The enlistment question was in a graver state;

<sup>58</sup> *U. S. Docs.*, ser. no. 819, doc. 35, p. 1.

<sup>59</sup> *Ibid.*

<sup>60</sup> Richardson, *Messages and Papers*, V, 362.

<sup>61</sup> *Cong. Globe*, 34 Cong., 1 sess., pt. 1, pp. 618-627, Appendix, 175-177, 234-242, 300-306, 435-442.

<sup>62</sup> Dept. of State, *Inst.*, Gt. Brit., vol. 16, pp. 468-469.

the published correspondence had made it evident that the demand for Crampton's recall was justifiable, yet the order of recall had not been given, and no other adequate amends had been offered by Great Britain.<sup>63</sup>

During the month of May the situation became more tense. The dismissal of Crampton seemed certain and imminent, and it was felt by many that this step on the part of the American government would be the signal for an outbreak of hostilities between the two nations. Different causes had also increased feeling on the Central American question. Though Crampton had continued to call attention to the evil which the filibusters wrought in Central America, and though Marcy had denounced Walker and his methods,<sup>64</sup> still, by one means or another large numbers of American citizens with filibustering aims were able to leave the United States; and recently Marcy had tried to avoid discussion of the subject with foreign diplomats, and had displayed impatience and ill-humor when approached regarding it.<sup>65</sup> Moreover, Walker, by his high-handed proceedings, not only constantly endangered the lives and property of British subjects in Nicaragua,<sup>66</sup> but

<sup>63</sup> *Harper's Magazine*, XII, 689.

<sup>64</sup> Clarendon to Crampton, Jan. 17, and Feb. 19, 1856, F. O., Am., vol. 638, nos. 21, 46; Crampton to Clarendon, Mar. 31, 1856, *ibid.*, vol. 642, no. 75.

<sup>65</sup> Crampton to Clarendon, Mar. 4, 1856, *ibid.*, vol. 641, no. 53; April 29, 1856, *ibid.*, vol. 643, no. 11. Marcy's ill-humor was probably increased by the fact that he had consistently been opposed to Walker's schemes from the first, but had not been supported by the President. Marcy to Dallas, June 16, 1856, "Unofficial", Dept. of State, Inst., Gt. Brit., vol. 16, Walker, *War in Nicaragua*, 267.

<sup>66</sup> Clarendon to Crampton, Jan. 10, and Feb. 19, 1856, F. O., Am., vol. 638, nos. 14, 46; Wyke to Clarendon, June 24, 1856, F. O., Cen. Am., vol. 89, no. 37.

even levied exactions upon the British as well as upon other foreigners in the region.<sup>67</sup>

The seeming connivance on the part of the American government at a violation of the spirit of the Clayton-Bulwer treaty, while assuming an air of righteous indignation towards Great Britain for an alleged infraction of its letter, naturally produced a feeling of distrust and resentment in England. Moreover, the similarity between Crampton's offense, for which the American government indignantly demanded amends, and the shortcomings of local American officials—evidently winked at by the Washington authorities—which made possible the establishment and maintenance of Walker's government, did not escape British notice.<sup>68</sup> Consequently, when Costa Rica determined to open war upon Walker, the British government, while refusing all of her appeals for direct protection,<sup>69</sup> consented to sell Costa Rica two thousand muskets to aid her in the war against the filibuster.<sup>70</sup> Knowledge of this soon reached the United States through the Nicaraguan seizure, on the San Juan, of the mail for Costa Rica which contained the correspondence upon the subject which had passed between the Costa Rican minister and the British foreign secretary.<sup>71</sup> The usual charges of treaty violation were made against Great Britain, and

<sup>67</sup> Crampton to Clarendon, Mar. 3, 1856, F. O., Am., vol. 641, no. 52.

<sup>68</sup> Lumley to Clarendon, June 19, 1856, F. O., Am., vol. 643, no. 4; San Francisco *Evening Bulletin*, Aug. 1, 1856.

<sup>69</sup> Hansard, *Parl. Debates*, 3d ser., CXLII, 310-311.

<sup>70</sup> *Parl. Papers*, 1856, Coms., LX, "Correspondence with Wallerstein", 11-12, 15-17. The Costa Rican agent decided not to accept the terms of the British government, so the arms were never delivered. Hansard, *Parl. Debates*, 3d ser., CXLII, 311.

<sup>71</sup> Wells, *Walker's Expedition to Nicaragua*, 149.

much excitement was created.<sup>72</sup> Largely as a result of this act of Great Britain the President determined to receive Padre Vijil, a new representative from Walker's government.<sup>73</sup> American resentment was further increased by the news that Captain Tarleton of the British vessel *Eurydice* had boarded the American packet *Orizaba* for the purpose of examining the ship's papers in an effort to prevent recruits from reaching Walker.<sup>74</sup> So serious did the situation become that both nations found it desirable to increase their naval forces in the Gulf of Mexico.<sup>75</sup>

These hostile acts reported against Great Britain led Dallas, who had recently succeeded Buchanan, to take a very gloomy view of the future as well as of the situation in general. Recent British action in connection with Central America, he believed, showed the intention to dispose of the Clayton-Bulwer treaty and to bring the isthmus under British control, thus disjoining the American Union.<sup>76</sup> He felt that British disregard for American friendship would also appear in connection with the recruitment dispute, and expected that news of

<sup>72</sup> Crampton to Clarendon, May 5, 1856, F. O., Am., vol. 643, no. 113; *Cong. Globe*, 34 Cong., 1 sess., pt. 2, pp. 1069-1072.

<sup>73</sup> Dept. of State, Inst., Gt. Brit., vol. 16, p. 529. The presidential message announcing the reception of Vijil, stated that the establishment of diplomatic relations with Nicaragua was imperative because of the interruption of interoceanic communication across both Nicaragua and Panama. Richardson, *Messages and Papers*, V, 373-374.

<sup>74</sup> Crampton to Clarendon, May 12, 1856, F. O., Am., vol. 643, no. 118. Captain Tarleton's act was taken up by Dallas with the British government, but it soon became evident that no insult had been intended against the American flag; consequently the matter was dropped. Dallas to Marcy, July 11, 1856, Dept. of State, Des., Eng., vol. 69, no. 19; cf. Wells, *Walker's Expedition to Nicaragua*, 203-224.

<sup>75</sup> Keasbey, *Nicaragua Canal*, 236; Hansard, *Parl. Debates*, 3d ser., CXLII, 1508.

<sup>76</sup> Dept. of State, Des., Eng., vol. 69, no. 11. Most of the despatch is printed in *U. S. Docs.*, ser. no. 3853, doc. 161, p. 28.

Crampton's dismissal would be followed by the notice that his own passports were at his disposal.<sup>77</sup>

A letter of June 16, 1856, from Marcy to Dallas shows that Dallas's belief in British bad faith was shared by his government. The President, Marcy wrote, had recognized Walker's government because of the aid furnished Costa Rica by Great Britain. The intercepted documents, he stated, had satisfied the American people that Great Britain was aiding Costa Rica and other Central American governments to "crush out" the only existing authority in Nicaragua; and the object of her policy was not considered questionable. "This government could not remain entirely inactive and see Great Britain obtain complete ascendancy in all the states of Central America."<sup>78</sup> The unreasonable interpretation which the British government had placed upon the Clayton-Bulwer treaty, as well as its colonization of the Bay Islands, certainly gave strong support to the conviction of British perfidy.\*

On May 28, 1856, the American government discontinued diplomatic relations with Crampton in consequence of his having aided in violating American neutrality laws by recruiting soldiers for the Crimean War within the territory of the United States.<sup>79</sup> But before the fact of Crampton's dismissal was known in England, it became very evident that Dallas and his government were mistaken in their analysis of the situation, and in their predictions regarding the future. The news that Walker's agent had been received at

<sup>77</sup> Dept. of State, Des., Eng., vol. 69, no. 13.

<sup>78</sup> Dept. of State, Inst., Gt. Brit., vol. 16, p. 529. Cf. Wells, *Walker's Expedition to Nicaragua*, 226-236.

<sup>79</sup> *Dic. Nat. Biog.*, XII, 6-7.

Washington<sup>80</sup> reached London a few days before the report of Crampton's dismissal.<sup>81</sup> It was this American recognition of the filibuster government which caused the British nation to reveal its real feelings and intentions. The *Times*, which, earlier in the year, had blustered and threatened, in the face of the real crisis quickly assumed a conciliatory tone. After remarking about the low state of political morality in America which made Vijil's reception possible, it added:

/ But it is no case of war, it is not even necessarily a ground of diplomatic complaint. The Clayton-Bulwer treaty has not been in terms violated, and it may probably be expedient in the present critical state of the relations between the two countries, rather to pass this matter by in silence than to incur the risk of introducing fresh difficulties into a discussion already sufficiently perilous, or give an excuse to those who are even now only too ready to seek an occasion of quarrel. If war does come we must meet it as we may. Let us, at any rate, have the satisfaction of reflecting that this greatest of human calamities has not been precipitated by any undue sensitiveness or any avoidable interference on our part.<sup>82</sup>

The *Times* now also advocated a policy of peace in reference to the recruiting question. Though the dismissal of Dallas must immediately succeed the receipt of notice that Crampton had been dismissed, such an act, the *Times* declared, by no means implied a state of war. "We may be at peace with America", it added, "though without any diplomatic representative; and,

<sup>80</sup> *U. S. Docs.*, ser. no. 3853, doc. 161, p. 30. Disgusted at the studied coldness of the diplomatic body at Washington, Vijil soon returned to Nicaragua. Lumley to Clarendon, June 30, 1856, *F. O., Am.*, vol. 644, no. 26; *Dublin Review*, XL, 376-377. His successor was not received by the American government. Marcy to Wheeler, Sept. 18, 1856, *Dept. of State, Inst., Am. States*, vol. 15, p. 279.

<sup>81</sup> Crampton to Clarendon, May 28, 1856, *F. O., Am.*, vol. 643, no. 134.

<sup>82</sup> *London Times*, June 2, 1856, quoted in *Littell's Living Age*, 2nd ser., XIV, 113-114.

perhaps, at the point at which matters have arrived, the absence of an Ambassador may in some degree diminish the apprehension of danger.”<sup>83</sup>

The other leading newspapers took a similar attitude. The *Examiner*<sup>84</sup> and the *Press*<sup>85</sup> were even more strongly for peace than the *Times*. The *News* expressed the hope that the British cabinet might think twice before sending away Dallas;<sup>86</sup> while the *Telegraph*, less friendly to the government, seized the occasion to denounce its policy while pointing out the folly of war with America. A war with the United States, because of the American navy, would be a much more serious contest than the Crimean War. “Surely”, it said, “the war just terminated by a disgraceful peace, which we were obliged to accept, ought to be a lesson to curb the overweening pride of our countrymen.”<sup>87</sup>

That the attitude of the country thus reflected in the press was quite in harmony with the views of the British government Dallas learned in an interview with the foreign secretary early in June. At this time he read to Clarendon two letters from Marcy upon the subjects in dispute. In the letter on recruiting, which was written in a conciliatory tone, Marcy stated that the American government gladly accepted the assurance of Great Britain that no violation of the law had been authorized

<sup>83</sup> London *Times*, June 3, 1856, quoted in *Littell's Living Age*, 2nd ser., XIV, 114.

<sup>84</sup> London *Examiner*, June 7, 1856, quoted in *Littell's Living Age*, 2nd ser., XIV, 242.

<sup>85</sup> London *Press*, June 2, 1856, quoted in *Littell's Living Age*, 2nd ser., XIV, 122.

<sup>86</sup> London *News*, June 4, 1856, quoted in *Littell's Living Age*, 2nd ser., XIV, 118.

<sup>87</sup> London *Telegraph*, June 2, 1856, quoted in *Littell's Living Age*, 2nd ser., XIV, 118-119.

or countenanced, and explained that the withdrawal of Crampton had been requested because of his personal acts; however, the United States was anxious to continue diplomatic relations with Great Britain.<sup>88</sup>

The second letter, written May 24, reviewed in a temperate manner the history of the Central American question, and added that, while the United States government could not consent to arbitration on the *meaning* of the Clayton-Bulwer treaty, which seemed to it beyond doubt, yet it would not object to the submission of some of the *questions of fact* connected with it to arbitration, such as the question of the sovereignty over the Bay Islands, and of the boundaries of Belize and Mosquito territory. But Dallas was instructed first to communicate with the foreign secretary in order to determine whether the differences could not be promptly terminated by direct negotiation; and if they could not, to discuss the conditions to govern the arbitration of the points of difference.<sup>89</sup>

Dallas reported to Marcy that Clarendon had shown himself much gratified at the tone and import of the communication regarding Central America, and had remarked that "it would be disreputable to both governments, if, upon a platform written with so much clearness, and in a spirit so candid and conciliatory, they failed to reach an adjustment of the whole difficulty." The United States, Clarendon declared emphatically, did not seem to realize the immense change which had taken place in British public opinion and policy regarding colonial establishments; "while Great Britain could not submit to be pushed out of a place

<sup>88</sup> *Brit. and For. State Papers*, XLVIII, 256-270.

<sup>89</sup> *U. S. Docs.*, ser. no. 3853, doc. 161, pp. 2-10.



she actually occupied, he would not give three coppers to retain any post on the Central American territory or coast from which she could honorably retire".<sup>90</sup>

Dallas was much encouraged by the interview, and informed Marcy that he felt that there now existed in Great Britain a real disposition to close all difficulty over the Central American question. "Indeed, I was agreeably surprised," he wrote, "though I forebore to manifest it, at the apparent warmth of welcome given to your paper, and augur beneficial results."<sup>91</sup>

The same conciliatory attitude was displayed three days later in the House of Commons when Lord Russell tried to forestall any governmental retaliation upon Dallas in consequence of Crampton's dismissal.<sup>92</sup> It seemed particularly desirable, he said, that Dallas be retained, since a discussion of the Central American question had been reopened by him in such a manner as to give hopes of a settlement.<sup>93</sup> Russell also called attention to the danger of a collision between the British and American naval forces on the coast of America in consequence of Crampton's dismissal, and inquired whether suitable precautions had been taken to prevent it, dwelling strongly upon the misfortunes which would result from war between the two countries.<sup>94</sup> In reply Palmerston gave the assurance that Dallas would not be dismissed, and expressed a readiness on the part of the government to enter into communication with him for a settlement of the Central American question.<sup>95</sup> "It would be lamentable in the extreme", he stated, "if

<sup>90</sup> Dallas to Marcy, June 13, 1856, Dept. of State, Des., Eng., vol. 69, no. 15. Extracts from the despatch are given in *U. S. Docs.*, ser. no. 3853, no. 161, pp. 33-35.

<sup>91</sup> *U. S. Docs.*, ser. no. 3853, no. 161, p. 35.

<sup>92</sup> Hansard, *Parl. Debates*, 3d ser., CXLII, 1502-1503.

<sup>93</sup> *Ibid.*, 1503. <sup>94</sup> *Ibid.*, 1504-1505. <sup>95</sup> *Ibid.*, 1508.

two countries which have so many interests in common should, through the perverseness of any man, be brought into a state of hostility with each other.”<sup>96</sup>

The attitude here displayed by Palmerston put an end to the recruiting dispute<sup>97</sup> and really opened a new and more friendly era in the relations between the two countries. It gave Dallas high hopes of an agreement on the Central American question.<sup>98</sup> In the opinion of Dallas and of the English public, the favorable turn in the relations between the two governments was due exclusively to the “equally able, firm, and conciliatory despatches last sent to be laid before Lord Clarendon”.<sup>99</sup> That the increased friendliness of the American government, probably produced in part by the unexpected close of the Crimean War, gave the British government an opportunity to adopt a more moderate attitude without loss of dignity, and that it also made possible a reopening of the Central American negotiations under more favorable conditions, is quite obvious; but this increased friendliness did not avert any real danger of war, for in the questions in dispute no such danger had existed. During this whole period war could have been produced only by some rash act on the part of the Americans which would have forced the British to fight in order to vindicate their honor; and in such a case it would have been necessary that the grievance against the United States be a very real one. ↘

<sup>96</sup> Hansard, *Parl. Debates*, 3d ser., CXLII, 1509.

<sup>97</sup> The only display of resentment on the part of the British government in consequence of Crampton's dismissal was several months' delay in appointing his successor.

<sup>98</sup> Dept. of State, Des., Eng., vol. 69, no. 16. Part of the despatch is given in *U. S. Docs.*, ser. no. 3853, doc. 161, pp. 35-37.

<sup>99</sup> *U. S. Docs.*, ser. no. 3853, doc. 161, p. 36.

Reasons various and of varying importance determined the British attitude. The enlistment question needs scarcely to be considered here, since the feeling produced in connection with it was largely due to irritation over British conduct regarding the Clayton-Bulwer treaty and Central America.<sup>100</sup> Besides, soon after the facts came to light, the conviction seems to have become general in England that the fault lay largely with the British. The two matters which caused practically all of the feeling in the Central American dispute were the retention of the Mosquito protectorate and the colonization of the Bay Islands. Though consistency led the American government to demand the withdrawal of British settlers from the territory between the Sibun and the Sarstoon, that government realized that a compliance with the demand was not likely to result, and that it was, under the circumstances, rather too much to expect.<sup>101</sup>

Of the other two matters, the simpler was that of the protectorate. It has been shown that the British government was sincere in its desire to rid itself of this, and had only been prevented from so doing by a false sense of honor, and by the political confusion in Central America. Moreover, war between Great Britain and the United States could not have been produced by the Mosquito question in itself. Since the British government considered the Mosquito kingdom a farce and a joke, it had no intention of making the nation ridiculous in the eyes of the world by going to war to defend such a make-believe. Besides, no support could have

<sup>100</sup> See above, pp. 199-200.

<sup>101</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 99.

been secured from the British people for the pursuit of such a war.

With the Bay Islands the case was somewhat different; the British government had seized these to prevent their occupation by any other power, and had organized them into a colony to protect British subjects settled there. Like the assertion of the British protectorate, the colonization of the Bay Islands had not met with popular favor; furthermore, it was a clear violation of the Clayton-Bulwer treaty. The British government had realized this for some time, and the British public had also come to question the action of the government.<sup>102</sup>

In June, 1854, while searching for data with which to refute the statements of the American government,<sup>103</sup> the foreign secretary had learned, through evidence from the Colonial Office, that in the period between 1830 and 1840 the British government had more than once acknowledged the sovereignty of Central America over Ruatan.<sup>104</sup> This fact might have been kept concealed from the United States; but there was evidence still more damaging to the position taken by the British government. This was in the form of a letter written in 1836 by the Colonial Office itself to one S. Coxe, who had inquired in behalf of a colonization company regarding the boundaries claimed by the British government for Belize. The reply from the Colonial Office, after naming the boundaries on the north, south, and west, added, "The British Crown claims also the

<sup>102</sup> *London Daily News*, Jan. 31, 1853; *London Economist*, XIV, 560; Wodehouse to Labouchere, Mar. 28, 1857, F. O., Hond., vol. 3.

<sup>103</sup> Hammond to Merivale, May 30, 1854, C. O., Hond., vol. 89.

<sup>104</sup> Merivale to Hammond, June 12, 1854, C. O., Hond., vol. 89.

waters, islands, and cays lying between the coast defined and the meridian of the easternmost point of Lighthouse Reef." <sup>105</sup> Unfortunately for the claims of the British government—that the Bay Islands were dependencies of Belize—these islands were situated sixty miles to the *east* of the meridian described. <sup>106</sup> More unfortunately still, from the British point of view, a copy of the letter had fallen into the hands of a member of Kinney's colonization association who had recently made a public statement as to its contents. <sup>107</sup> —

In view of these facts, the British government had no resort but to retreat as gracefully as possible. The stubborn policy of the Pierce administration, shown as clearly by the defense of Hollins's destruction of Greytown and the indifference to filibustering, as in the correspondence over the meaning of the Clayton-Bulwer treaty, undoubtedly emphasized the necessity for a prompt and definite concession. <sup>108</sup> —

But, all question of justice of British claims aside, the British government and people, for commercial reasons, were strongly averse to war with the United

<sup>105</sup> *Parl. Papers*, 1856, *Coms.*, XLIV, "Belize", 1. What appears to be the original draft of this letter, found in the Public Record Office, gives the boundaries as above, states that claim is made to the islands along the coast, and then adds, "as well as any other islands and keys in the Bay of Honduras which G. Britain may have heretofore occupied or been entitled to occupy", but the lines quoted were struck out. Glenelg to Coxe, Nov. 23, 1836, *C. O.*, Hond., vol. 49. The idea of making known the British claim to the Bay Islands was, apparently, after more careful consideration, abandoned.

<sup>106</sup> *De Bow's Review*, XXVII, 558.

<sup>107</sup> Hansard, *Parl. Debates*, 3d ser., CXLIII, 645.

<sup>108</sup> The bombardment of Greytown was declared by the British government to be an obstacle in the way of settling the Central American dispute, but the actions of the government indicate that this was merely an excuse offered in the vain hope of delaying the retreat insisted upon by the United States. Buchanan, *Works*, IX, 250, 298, 300.

States; though willing to evade and, if possible, to delay the issue to save their pride, they intended cautiously to avoid having war thrust upon them. During the preceding few years, trade with America, especially in cotton and cotton products, had increased tremendously. Consequently, when the Central American dispute began to look serious the members of Parliament from the manufacturing districts became concerned<sup>109</sup> and promptly after the meeting of Parliament began to bring pressure to bear upon the government.<sup>110</sup> Later, at the time of Crampton's dismissal, the British press in general took alarm and emphatically called attention to the disaster to British trade which would result from war with America.<sup>111</sup> But the same consideration had secured the attention of the British government;<sup>112</sup> and, as is shown by a Foreign Office "departmental

<sup>109</sup> Buchanan, *Works*, IX, 365.

<sup>110</sup> Cobden represented Manchester, and Roebuck, Sheffield.

<sup>111</sup> The London *Examiner* for June 7, 1856 called attention to the tremendous amount of trade carried on between the two countries. In 1854, it stated, the total value of imports from the United States was £29,795,590, and of this the value of the raw cotton alone amounted to £17,274,677. In the same year the value of British exports to the United States was £21,410,369. Such were the British commercial interests in time of peace. Great would be the scandal to humanity if two countries which so served to enrich each other should turn their powers to injuring each other. Quoted in *Littell's Living Age*, 2nd ser., XIV, 242.

The London *Telegraph* for June 2, 1856, pointed out that a war with the United States would be a guerilla war on the ocean, which would end in the destruction of British commerce. The mills in the north would stop and hundreds of thousands of people would be thrown out of work. Quoted in *Littell's Living Age*, 2nd ser., XIV, 119.

<sup>112</sup> The fact that great damage to American commerce would result in consequence of war with England was early realized in the United States, but the Americans, who had the grievance on their side, were willing to risk war and face its consequences. Besides, there was the strong probability that if the American government put on a bold front the British would concede the points in dispute. *New York Times*, Mar. 6, 1856; *Philadelphia Evening Journal*, June 25, 1856, quoted in the *London Times*, July 15, 1856; *Cong. Globe*, 34 Cong., 1 sess., 79-80, 84, 241.

minute" of 1856, that government decided that the trade in cotton with the United States was of far more value than any interests possessed in Central America; consequently, it could not afford to risk war by further offending the United States. This decision shaped the whole British policy towards America during the years immediately preceding the Civil War.<sup>118</sup>

<sup>118</sup> See below, p. 230, note 25.

## CHAPTER VIII.

### ADJUSTMENT IN ACCORDANCE WITH AMERICAN VIEW, 1856-1860.

The war cloud past, conditions were more favorable than ever before to a final and satisfactory settlement of the dispute. For the first time in the history of the Central American question, the differences of opinion which produced it had been thoroughly discussed by the British and American governments and were so well known that little chance remained for misunderstanding or evasion. Moreover, England was willing to meet any reasonable demands of the United States. Consequently much might have been expected from the last attempt at direct settlement between the two governments, made in 1856 and 1857.

On June 26, 1856, Clarendon wrote Dallas a reply to Marcy's instruction communicated to him on June 11. The Foreign Secretary's letter was cordial in tone, and, while still maintaining that the Clayton-Bulwer treaty was prospective in intention, it declared the British government to be as anxious as the President to preserve the friendly relations between the two countries, and expressed a readiness to resume negotiations with a sincere desire to bring them to a speedy and satisfactory conclusion. Attention was again called to the wish of the British government to retire from the Mosquito protectorate. As to Belize, Clarendon added, the only question to be settled regarding it, which concerned Central America, was that of boundaries be-



tween the two; and no insurmountable difficulties need be expected in this regard. Since the United States government held that under any interpretation of the treaty the Bay Islands were no part of British dominions previous to 1852, this question might be arbitrated, should it not respond to direct negotiation.<sup>1</sup>

With the elements of the problem thus laid before them, Dallas and Clarendon began discussion. An interview held on June 30 made it clear that the Mosquito protectorate would give but little trouble; Belize and the Bay Islands were the subjects over which difficulties were likely to arise. But Dallas expressed the hope that the British government would let the islands return to Honduras; and Clarendon, on the other hand, was anxious that the United States would not even in appearance "be ingenious to make difficulties" regarding Belize.<sup>2</sup> Thus was indicated the general basis on which a settlement would be possible, and from the first the negotiators seem to have tacitly adopted it.

During the preliminary discussion, however, little was said about the Bay Islands, for Herran, an agent from Honduras, had arrived in London to negotiate for their restoration.<sup>3</sup> Since the British press, including even the *Times*, regarded the return of the islands as required by justice as well as consistent with British honor,<sup>4</sup> Dallas had little doubt of Herran's success; but he anxiously watched the negotiations between Clarendon and Herran and cautioned the latter not to yield to the British desire to make Ruatan a free port but to insist upon its unconditional surrender.<sup>5</sup> After

<sup>1</sup> *Parl. Papers*, 1856, *Coms.*, LX, "Further correspondence with the United States respecting Central America", 7-9.

<sup>2</sup> *U. S. Docs.*, ser. no. 3853, doc. 161, pp. 40-43.

<sup>3</sup> *Ibid.*, p. 46.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, p. 51.

the Bay Islands treaty was complete, Dallas learned that it made the islands a free state under the sovereignty of Honduras.<sup>6</sup> This arrangement was obviously intended as a protection to the British subjects settled on the islands. While feeling that the terms of Great Britain were not very magnanimous, Dallas believed that if Honduras was willing there was no cause for opposition from the United States;<sup>7</sup> consequently, he raised no objection, and the treaty was transmitted to the Honduran government for ratification.

When the arrangement between England and Honduras seemed on a fair way to satisfactory conclusion, the negotiations between Dallas and Clarendon progressed more rapidly. The draft of a treaty was drawn up, and after certain changes in detail by the United States government, it was signed by the negotiators on October 17.<sup>8</sup> This document, like the Webster-Crampton project, was a set of proposals for adjustment to be offered Nicaragua and Costa Rica, but it was first to be ratified by the British and American governments.<sup>9</sup> Like that project also, the new arrangement established boundary limits for the Mosquito Indians, within which they were to be permitted to govern themselves. By voluntary compact, however, they might become incorporated with the republic of Nicaragua. All of the Mosquito territory south of the Wanx River, not included within the reservation, should, without prejudice to the rights of the republic of Honduras or to any question of boundary of the

<sup>6</sup> *U. S. Docs.*, ser. no. 3853, doc. 161, p. 55.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 24-29.

<sup>9</sup> *Ibid.*, 27.

latter and Nicaragua, be regarded as within the limits and under the sovereignty of Nicaragua. Greytown also came under this last stipulation, but as a free city with a free port. In return for its privileges, the town should pay an indemnity to the Mosquitos for a limited period. The treaty gave Costa Rica free use of San Juan harbor and certain rights of navigation on the river. Her boundary dispute with Nicaragua was to be arbitrated by the British and American governments.<sup>10</sup>

The questions concerning Belize and the Bay Islands were adjusted by separate articles. These called for definition of the Belize boundary limits as they existed April 19, 1850, by treaty between Great Britain and Guatemala; and stated that, in consideration of the agreement negotiated by Herran and Clarendon, the two contracting parties engaged to recognize the free territory of the Bay Islands as part of the republic of Honduras.<sup>11</sup>

President Pierce approved the treaty and mentioned it favorably in his annual message of December, 1856.<sup>12</sup> That such a compromise arrangement should have been satisfactory to the President is a matter of some surprise, in view of his former demand that Great Britain completely withdraw from Central America; and it leads to the conclusion that Pierce's early aggressiveness was assumed partially for political purposes. After he had failed of renomination by the Democratic convention, his demands on the British became much more modest. But the Dallas-Clarendon treaty did not receive congressional attention until Pierce

<sup>10</sup> *Ibid.*, 24-28.      <sup>11</sup> *Ibid.*, 28-29.

<sup>12</sup> Richardson, *Messages and Papers*, V, 410-411.

went out of office; and when it did come up for consideration it met with little favor from Buchanan, the new President, or from the Senate. Particular objection was made to the article relating to the Bay Islands. As the islands were considered Honduran territory, there was strong feeling against any mention, in an agreement made with England, of the treaty for their restoration.<sup>13</sup> Furthermore, though the Senate had not yet seen a copy of the Herran-Clarendon treaty, it had learned that that treaty contained a clause prohibiting the introduction of slavery into the Bay Islands.<sup>14</sup> Such a stipulation was offensive to southern members.<sup>15</sup>

Finally, after various changes the Dallas-Clarendon arrangement was ratified on March 12, 1857,<sup>16</sup> by a majority of but one vote.<sup>17</sup> The chief change in the treaty was in connection with the article regarding the Bay Islands. This was struck out and replaced by a simple engagement on the part of the contracting parties to recognize and respect those islands, as under the sovereignty and as part of the republic of Honduras.<sup>18</sup>

The treaty thus modified was returned to Dallas by Cass, Buchanan's secretary of state, accompanied by a note explaining that the amendments had made the pact more acceptable to the President than before, but not entirely satisfactory. However, in order to remove the

<sup>13</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 40-41.

<sup>14</sup> *Ibid.*, 23.

<sup>15</sup> *Ibid.*, 39-40, 41. *London Morning Post*, Dec. 22, 1857; Napier to Clarendon, May 3, 1857, *F. O., Am.*, vol. 671, no. 64.

<sup>16</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 31-32.

<sup>17</sup> *Ibid.*, 40.

<sup>18</sup> *Ibid.*, 31-32. Cf. above, p. 227.

only remaining cause for misunderstanding, he had thought it best to ratify the agreement.<sup>19</sup>

As soon as the British cabinet had examined the amended treaty, Clarendon reported that since the treaty with Honduras was not yet ratified, the change in the article relating to the Bay Islands had raised an insurmountable difficulty. The adoption by the British government of the Senate amendment would tempt Honduras to reject the arrangement negotiated by Herran, and thus the Bay Islands would be resigned without satisfactory guarantees for protecting the British settlers.<sup>20</sup> But as he was very loath to see the negotiations again fail,<sup>21</sup> Clarendon immediately revised the treaty amended by the Senate, adding to the article by which the contracting parties recognized the Bay Islands as under the sovereignty of Honduras, the clause: "whenever and so soon as the Republic of Honduras shall have concluded and ratified a treaty with Great Britain by which Great Britain shall have ceded and the Republic of Honduras shall have accepted, the said islands, subject to the provisions and conditions contained in such Treaty."<sup>22</sup>

Thus modified, the treaty was again returned to the United States and presented to Cass by Napier, the

<sup>19</sup> *Ibid.*, 32-33.

<sup>20</sup> In a letter to Cass of April 16, 1857, Dallas stated that the Senate amendment would not have constituted an impediment to ratification had it not been for Palmerston's remarkable success in the recent elections. Dept. of State, Des., Eng., vol. 70, no. 49.

<sup>21</sup> The opposition earlier shown by Buchanan to the Sarstoon as the southern boundary of Belize had caused the British government to fear that, as president, he would refuse his consent to any such arrangement. In appreciation of his concession on this point, the British government was anxious to save the treaty. Foreign office memorandum, April 8, 1857, F. O., Cen. Am., vol. 94.

<sup>22</sup> *Parl. Papers*, 1860, Coms., LXVIII, "Correspondence respecting Central America", 39.

recently-appointed British minister.<sup>23</sup> After it had been examined by the President, Napier was promptly notified that the proposition, though changed in form, was the same in substance as that recently rejected by the Senate; therefore it could not be considered. Believing as he did that the Bay Islands belonged to Honduras, the President could not possibly sanction any arrangement by which their restoration should be made dependent upon conditions either already prescribed or left to be prescribed. Moreover, there was another obstacle to American acceptance of the arrangement. Napier had supplied Cass with a copy of the Herran-Clarendon treaty, the conditions of which the American government found highly unsatisfactory. Should Honduras ratify this treaty, Cass declared, she would ratify the establishment of an independent state within her own limits—a state at all times liable to foreign influence and control. On the other hand, should this treaty or a similar one be rejected by Honduras, Great Britain would retain possession of the islands with the implied concurrence of the United States, and these islands might eventually become a permanent portion of the British empire. The American government could not become a party to such an arrangement.<sup>24</sup> But before Cass's letter was received by Napier, a despatch from Wyke had reached Clarendon, reporting the failure of the Honduran assembly to ratify the treaty negotiated by Herran.<sup>25</sup> Consequently, the many months of negotiation had again brought no result.

<sup>23</sup> *Parl. Papers, 1860, Coms., LXVIII, "Correspondence respecting Central America", 42-43.*

<sup>24</sup> *Ibid., 44-46.*

<sup>25</sup> *Ibid., 40.* The other Central American states were influential in securing the rejection of the treaty. They feared that under the terms of surrender Honduras would be unable to protect the islands from

Following this last failure, the American government revealed a strong inclination towards the abrogations of the Clayton-Bulwer treaty. In conversation with Napier, Cass clearly intimated that this would be the best solution of the difficulty,<sup>26</sup> and Buchanan showed the same attitude.<sup>27</sup> Senator Douglas, of Illinois, Cass informed Napier, had contemplated nullifying the treaty by a vote of the Senate declaring it not to be binding; if the motion were made, he declared, it would be based on the alleged violation or non-execution of the treaty by Great Britain. Upon inquiry from Napier whether the American constitution contained any provision for such action, Cass replied that such a course had been taken before—about 1798—and it might be again.<sup>28</sup> This attitude on the part of the President and Secretary of State convinced Napier that unless the discussion was closed before the next meeting of Congress, an attempt would be made to set aside the treaty.<sup>29</sup> Therefore, on June 7, he wrote to Clarendon reporting the unsatisfactory state of affairs. The Clayton-Bulwer treaty, he said, could not long be maintained on the British interpretation of it. If the British government wished to stand upon the treaty, it would be necessary to reconcile it to the views of the United

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filihusters. Wyke to Clarendon, April 16, 1857, F. O., Gnat., vol. 95, no. 32. On July 28, 1857, Wyke wrote to Hammond with reference to the fears of the Guatemala government, "they are now inclined to believe that for the sake of our Cotton market we would sacrifice them on the shrine of American Ambition and allow these countries to be overrun and conquered by American Adventurers sooner than risk a quarrel with the Northern Union." F. O., Gnat., vol. 95.

<sup>26</sup> Napier to Clarendon, May 3, 1857, F. O., Am., vol. 671, no. 64; June 7, 1857, *ibid.*, vol. 672, no. 90; June 7, 1857, *ibid.*, vol. 673, no. 96.

<sup>27</sup> *Ibid.*

<sup>28</sup> Napier to Clarendon, May 3, 1857, *ibid.*, vol. 671, no. 64. The reference was evidently to the treaty of alliance with France, made in 1778.

<sup>29</sup> *Ibid.*

States by concessions to Central America. This perhaps could not be accomplished before Congress met, but if the intentions of the British government were of a liberal and conciliatory character, and were frankly made known to the American government, the danger of a violent explosion in Congress might be averted. Hence, in order to expedite matters, Napier suggested that an able commissioner be sent to Central America for the purpose of settling the Belize boundaries, and the Mosquito question, and for arranging the surrender of the Bay Islands on fair terms. It would be well, he believed, for the commissioner to make a preliminary visit to Washington as a public mark of friendly feelings as well as for invoking the unofficial aid of the United States in the matter. Though the arrangement would be a virtual execution of the American interpretation of the treaty, it would be attained by an independent and benevolent course of action on the part of the British government. Moreover, this plan would avoid direct negotiation at Washington, and the consequent intervention of the Senate.<sup>30</sup>

Two weeks later Napier again wrote, expressing greater certainty that Congress would attempt to abrogate the Clayton-Bulwer treaty. Even if the President did not recommend abrogation in his message, he would be likely to use language such as would arouse bad feeling between the two countries. Therefore, Napier stated, he was convinced that the best way to secure the Clayton-Bulwer treaty would be by promptly and frankly conforming the British position to the American construction of it; accordingly he once more urged

<sup>30</sup> F. O., Am., vol. 672, no. 90.



that a commissioner be sent to Central America to make suitable arrangements.<sup>31</sup>

Recent events connected with the Panama Railroad, an American line opened in 1855,<sup>32</sup> increased British fears for the Clayton-Bulwer treaty. In April, 1856, the train on this route was attacked by Panamanian outlaws, who killed several of the passengers and stole a large quantity of goods.<sup>33</sup> In consequence, American newspapers reported that the United States intended to obtain a strip of territory across Panama in order to secure the safety of the route.<sup>34</sup> This immediately aroused British suspicion,<sup>35</sup> which was increased by the fact that the President's message, appearing shortly after these reports, had referred to the neutralization features of the Clayton-Bulwer treaty as applicable to any transit line across the isthmus of Panama, "within the limits of Central America".<sup>36</sup> An article from the *Panama Herald*, copied in the *Union*, seemed to put an ominous interpretation upon this part of the message. Panama was not in Central America, it declared, and, as the eighth article of the Clayton-Bulwer treaty was merely provisional,<sup>37</sup> it was a mistake to suppose that Great Britain had promised or guaranteed any protection to the Panama Railroad.<sup>38</sup>

In consequence of these suspicions, and of reports of proposals made by American commissioners to the

<sup>31</sup> *Ibid.*, no. 109.

<sup>32</sup> Edwards, *Panama*, 426.

<sup>33</sup> *U. S. Docs.*, ser. no. 3853, doc. 237, p. 26.

<sup>34</sup> Lumley to Clarendon, Nov. 19, 1856, "Confidential", F. O., Am., vol. 647, no. 110.

<sup>35</sup> Foreign Office to Lumley, Nov. 19, 1856, *ibid.*, vol. 639, no. 32.

<sup>36</sup> Richardson, *Messages and Papers*, V, 411.

<sup>37</sup> See above, p. 98.

<sup>38</sup> Lumley to Clarendon, Dec. 9, 1856, "Confidential", F. O., Am., vol. 647, no. 122.

New Granada government,<sup>39</sup> Clarendon had instructed Napier to observe to Cass that the British government did not doubt that the United States would admit that for either of the two powers to exercise exclusive control over the Panama route would be contrary to the spirit and intention of the eighth article of the Clayton-Bulwer treaty.<sup>40</sup>

In reply to Napier's representations, Cass denied any intention on the part of the United States to occupy or acquire any part of New Granada or to obtain possession of the railroad route.<sup>41</sup> Cass's letter, however, was not entirely reassuring, for the Secretary of State failed to commit himself to any acknowledgment that the eighth article of the Clayton-Bulwer treaty contemplated a joint protection by the United States and Great Britain over the Panama Railroad.<sup>42</sup> This omission attracted Napier's attention, and led him to fear that if the pending claims for damages against New Granada were not settled before Congress met, hostile measures might be passed by the American government causing New Granada to forfeit to the United States her right to Panama, or, at least, her rights over the railway.<sup>43</sup> These views were also communicated by Napier to his government,<sup>44</sup> and they most probably had weight in aiding it to reach a decision regarding his suggestions for settling the Central American dispute.

<sup>39</sup> These commissioners were empowered to form a treaty with New Granada for transferring the control of the Panama Railroad to the United States and for securing to the United States in full sovereignty five islands in the harbor of Panama. *U. S. Docs.*, ser. no. 3853, doc. 237, pp. 25-34. The treaty was not ratified.

<sup>40</sup> Clarendon to Napier, April 10, 1857, *F. O., Am.*, vol. 667, no. 50.

<sup>41</sup> The commissioners had been appointed by the Pierce administration.

<sup>42</sup> Napier to Clarendon, April 28, 1857, *F. O., Am.*, vol. 670, no. 55.

<sup>43</sup> Napier to Clarendon, June 24, 1857, *ibid.*, vol. 672, no. 114.

<sup>44</sup> *Ibid.*

The situation in Central America made Napier's plan for settlement by a special mission seem particularly feasible at this time. The experience of the Central American states with the filibusters, as well as the greater friendliness of the British government and its agents towards Central America, had produced a confidence which augured well for the success of direct negotiation. Therefore, the British government decided to carry out Napier's suggestions to the letter. Sir William Gore Ouseley, who had filled various diplomatic offices<sup>45</sup> and was intimately known to Buchanan,<sup>46</sup> was selected as special commissioner.

As the time for the opening of Congress approached, however, the American government had grown more impatient over the delay in the settlement of the Central American question.<sup>47</sup> Napier realized this, and on October 19, as soon as he learned that his suggestions had been adopted, he obtained an interview with Buchanan and informed him of the intentions of his government. The decision had been made some time past, he explained, but delay had been occasioned by the difficulty of selecting a competent person for the mission and also by recent reports from India, which had absorbed the attention of the British government. Though he could not say what would be the exact nature of Ouseley's instructions, Napier stated that he believed the British government intended to execute the Clayton-Bulwer treaty according to the general tenor of the interpretation put upon it by the United States, but to do so by separate negotiation with the Central American republics.<sup>48</sup>

<sup>45</sup> *Dic. Nat. Biog.*, XLII, 364.

<sup>46</sup> *U. S. Docs.*, ser. no. 3853, doc. 194, p. 114.

<sup>47</sup> *Ibid.*, pp. 112-114.      <sup>48</sup> *Ibid.*, p. 115.

The British minister later referred to the contingency which he aimed to prevent, remarking that if, in consequence of the language in the President's message, a resolution should be proposed in Congress for abrogating the Clayton-Bulwer treaty such a step would not only frustrate the purposes of the special mission but "would have a calamitous influence on the future relations of England and America". It would therefore be very gratifying to him, he stated, to be able to inform his government that, pending Ouseley's negotiations, no proposal to annul the treaty would be sanctioned or encouraged by the President or the members of his government.<sup>49</sup>

Buchanan replied that he intended to give an account of the Dallas-Clarendon negotiations in his message, and admitted that this part of the message was already prepared; yet, notwithstanding this, he asserted, if the British government really intended to execute the Clayton-Bulwer treaty according to the American interpretation and would, before Congress met, make some communication to him in that sense, such as he could use, he would cancel what he had written and insert another passage referring to the special mission to be sent by the British. Moreover, under the circumstances, no attempt in Congress against the Clayton-Bulwer treaty would receive any support from him.<sup>50</sup>

Subsequent conversations with Buchanan, however, revealed the fact that he expected the unequivocal restoration of the Bay Islands, the abandonment of the Mosquito protectorate, and the restriction of Belize to its boundaries of 1786.<sup>51</sup> Napier felt that his govern-

<sup>49</sup> *U. S. Docs.*, ser. no. 3853, doc. 194, p. 116.

<sup>50</sup> *Ibid.*, pp. 116-117.

<sup>51</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 60-62.

ment would not yield to the last demand; hence he seriously questioned whether such a statement as the British government would be willing to make with reference to Ouseley's mission would be sufficient to restrain Buchanan from inserting in his message language such as would cause difficulties between the two governments.<sup>62</sup> Consequently, he suggested to Clarendon that the formal proposal to arbitrate the question be renewed. Such a proposal, connected with the mission of Ouseley, would, he believed, place the policy of the British government in a very favorable light.<sup>63</sup>

Though Clarendon instructed Napier to renew the offer of arbitration,<sup>64</sup> his suspicions as to Buchanan's intentions were roused, and he doubted the efficacy of the measures suggested to save the Clayton-Bulwer treaty from a hostile attack. Therefore, after Ouseley's departure for the United States, he wrote him that in consequence of the probability that the Clayton-Bulwer treaty would be abrogated by the American Congress, it was necessary to proceed with great caution; that he must not commit the British government in any way as regarded the Bay Islands until the intentions of the American Congress with reference to the Clayton-Bulwer treaty were fully ascertained.<sup>65</sup>

Clarendon's distrust of the American government had probably been increased not only by what Napier had told him of Buchanan's expectations in connection with the Ouseley mission, but also by further developments in reference to Panama. Though Napier's fears of difficulty in connection with the American collection of damages against New Granada had evidently been averted by the appointment of a joint American and

<sup>62</sup> *Ibid.*, 63.

<sup>63</sup> *Ibid.*

<sup>64</sup> *Ibid.*

<sup>65</sup> *Ibid.*, 64.

New Granadian commission for the adjustment of the claims,<sup>56</sup> the British government was still uneasy over the matter. Consequently it had proposed a tripartite guarantee of the Panama route on the part of Great Britain, France, and the United States. The United States, however, had promptly refused, on the ground that she had already made such an agreement with New Granada in the treaty of 1846; moreover, it was against the policy of the United States to enter into such engagements as that suggested.<sup>57</sup> Somewhat later still, a report reached England of a movement in Panama to separate that state from New Granada and secure annexation to the United States.<sup>58</sup> As a result, Clarendon instructed Napier to inquire unofficially what course the American government would pursue in case such annexation should be offered.<sup>59</sup> There seems to be no record that such inquiry was made by Napier; but Clarendon's letter contains the last indication of suspicion against the United States during this period, in connection with Panama.

On November 18, Ouseley arrived in Washington, and two days later was presented to Cass, by Napier, who stated that he would in a few days make a written

<sup>56</sup> Napier to Clarendon, Aug. 3, 1857, *F. O., Am.*, vol. 673, no. 155.

<sup>57</sup> Clarendon to Napier, Oct. 15, 1857, *ibid.*, vol. 669, no. 278.

<sup>58</sup> Clarendon to Napier, Nov. 27, 1857, *ibid.*, no. 322. It was evidently upon the suspicions of the British government and the proposals of the American commissioners (see above, pp. 225-226) that Barral-Montferrat, *De Monroë à Roosevelt*, 81-82, based his statement that President Buchanan, through Marcy, proposed to the British government that the two nations divide their influence on the American isthmus, England carrying out her own plans in Nicaragua and Honduras, and the United States doing the same in Panama. This statement is both confused and erroneous. Cass, and not Marcy, was Buchanan's secretary of state. Moreover, while neither the British nor American archives contain any evidence that such proposal was made by the American government, the data found and given above clearly disprove it.

<sup>59</sup> Clarendon to Napier, Nov. 27, 1857, *F. O., Am.*, vol. 669, no. 322.

communication to the American government respecting the special mission. This communication was made on November 30. The specific objects of the mission, Napier wrote, would be the cession of the Bay Islands to Honduras, the localization of the Mosquito Indians under Nicaraguan sovereignty, and the definition of the boundaries of British Honduras. The transfer of the islands would not be unconditional, but it would be unambiguous; the government of Honduras would obtain not only a titular, but a virtual and useful possession under provisions necessary for the security of the settlers and favorable to the expansion of commerce. In arranging for the settlement of the Mosquito question, Ouseley would be guided by the provisions of the Dallas-Clarendon treaty. Modifications might be made in the boundaries mentioned in that document, but they would not be less favorable to Nicaragua and Honduras; nor would they trespass on the territory applicable to transit purposes. In arranging details the aim would be to grant an indulgent consideration to the wishes and necessities of the Central American governments, when they were compatible with the safety and welfare of the Indians. The boundary limits of Belize would be arranged by negotiation with Guatemala. The British government trusted to obtain a recognition of limits for Belize, which, judging from previous communications on the subject, might be accepted in a spirit of conciliation, if not with absolute approval by the President. Though the proposed arrangement, Ouseley concluded, might not strictly coincide with the interpretation of the Clayton-Bulwer treaty adopted by the United States, it nevertheless involved no slight relaxation of the sense in which the

engagements of 1850 were contracted by Great Britain. Consequently, it was hoped that the concessions of the British government would be met in a similar temper by the United States, and that, if successfully accomplished, its results would be regarded as an honorable compromise of contending opinions, and as a definite settlement of the Central American dispute.<sup>60</sup>

No formal expression of opinion upon this communication seems to have been made by the American government before the appearance of the President's message—which made mention of it—on December 8. The message first called attention to the Dallas-Clarendon negotiations and to the objectionable treaty made by Great Britain with Honduras, and then continued:

The fact is that when two nations like Great Britain and the United States, mutually desirous, as they are, and I trust ever may be, of maintaining the most friendly relations with each other, have unfortunately concluded a treaty which they understand in senses directly opposite, the wisest course is to abrogate such a treaty by mutual consent and to commence anew. . . . Whilst entertaining these sentiments, I shall, nevertheless, not refuse to contribute to any reasonable adjustment of the Central American questions which is not practically inconsistent with the American interpretation of the treaty. Overtures for this purpose have been recently made by the British government in a friendly spirit, which I cordially reciprocate, but whether this renewed effort will result in success I am not yet prepared to express an opinion. A brief period will determine.<sup>61</sup>

The message was hardly as conciliatory as might have been expected from the assurances given Napier by Buchanan, but in view of the President's deep dislike for the Clayton-Bulwer treaty, the language is not

<sup>60</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 70-72.

<sup>61</sup> Richardson, *Messages and Papers*, V, 442-445.



to be wondered at. Moreover, it was undoubtedly influenced by a conviction, gained since Napier's first communication regarding the special mission, that, in negotiating with Central America, Great Britain did not intend to follow the American interpretation of the treaty as closely as was at first expected.

Though Napier felt that the language of the President might afford some cause for exception on the part of the British government, he reported to Clarendon on the day the message appeared, that in the United States it would be considered conciliatory.<sup>62</sup>

A few days later, Napier again wrote to Clarendon in reference to the message, stating that it now remained for the British government to decide whether to arrange for the abrogation of the treaty by mutual consent, which Buchanan had favored, or to pursue the earlier plan to send a commissioner to Central America. Should the cabinet decide on either course, he suggested that its decision be made known to the United States and be carried out immediately.<sup>63</sup>

The British government, however, had been disappointed in the lack of American cordiality shown towards its overtures for the settlement of the dispute,<sup>64</sup> and by the equivocal character of the President's message. It felt that it had gone far enough in the display of a conciliatory spirit. Consequently, Clarendon replied that the government was decidedly of opinion that it would neither be consistent with British dignity nor interest to make any proposal to the United States government until it had received a formal answer to the

<sup>62</sup> F. O., Am., vol. 675, no. 277.

<sup>63</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 75.

<sup>64</sup> *Ibid.*, 73; Clarendon to Napier, Nov. 20, 1857, F. O., Am., vol. 669, no. 314.

offer of arbitration,<sup>65</sup> which had been made by Napier on November 30.<sup>66</sup>

This decision of Great Britain produced a triple deadlock which lasted for several weeks. The American government had agreed not to make any move towards abrogating the treaty until it could be seen what interpretation of its provisions would result from Ouseley's mission. Moreover, as appeared later, Cass was waiting for further details regarding Ouseley's instructions, which Napier had intimated that he would receive;<sup>67</sup> Ouseley could not proceed until instructed to do so; and, finally, Napier was prohibited from taking any action until the American government made reply to the formal offer of arbitration.

The existing situation, however, seemed particularly favorable to a settlement of the Central American dispute. Presumably in consequence of Walker's announcement that he intended to maintain Nicaragua as an independent sovereignty,<sup>68</sup> as well as because of the more reasonable attitude shown by Great Britain towards the matter in dispute, the American government had for some time displayed unusual energy against the filibuster, and Nicaragua was at least temporarily freed from Walker.<sup>69</sup> Furthermore, a good

<sup>65</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 78.

<sup>66</sup> *Ibid.*, 74. <sup>67</sup> *Ibid.*, 78, 79, 89, 90.

<sup>68</sup> Walker, *War in Nicaragua*, 265-269; *Blackwood's Magazine*, LXXXI, 552; Napier to Clarendon, June 1, 1857, *F. O., Am.*, vol. 672, no. 87; *Cong. Globe*, 35 Cong., 1 sess., pt. 1, p. 295.

<sup>69</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 78, 80. In the autumn of 1857 Napier reported to Clarendon that he believed both Buchanan and Cass now to be honestly opposed to the filibustering attempts against Nicaragua; but that this attitude was not shared by other members of the American cabinet. Napier to Clarendon, Sept. 22, 1857, "Private and unofficial", *F. O., Am.*, vol. 673; Napier to Clarendon, Nov. 16, 1857, *ibid.*, vol. 674, no. 248.

understanding existed between the United States and Great Britain regarding a transit treaty negotiated by the former with Nicaragua, to take the place of the Squier treaty, which had never been ratified by the American Senate. This later arrangement, the Cass-Yrissari treaty, provided for an open and neutral transit through Nicaragua, and granted to the United States the power to land troops, if necessary, to protect the route.<sup>70</sup> Such an arrangement was hardly in strict conformity with the letter of the Clayton-Bulwer treaty; but the British government learned indirectly that should it oppose this measure as a treaty violation, a movement would be initiated for the purpose of annulling the Clayton-Bulwer agreement by act of Congress.<sup>71</sup> Probably in consequence of this, the British government had made no objection, and finally Napier had frankly announced to Cass that none would be made.<sup>72</sup>

Napier was anxious that advantage be taken of these favorable conditions for the adjustment of difficulties.<sup>73</sup> Consequently, on February 17, 1858, he addressed Cass, informing him that the British government wished to know the decision of the United States upon the offer of arbitration, and remarking that should the United States be opposed to this mode of settlement his government would give a friendly consideration to any observations which Cass might choose to make on the objects of the special mission.<sup>74</sup>

<sup>70</sup> *Ibid.*, 69-70. The obstruction of the route by the conflict in Nicaragua made this stipulation seem necessary.

<sup>71</sup> Napier to Clarendon, Nov. 30, 1857, *ibid.*, vol. 675, no. 266.

<sup>72</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 78.

<sup>73</sup> *Ibid.*, 78, 80.

<sup>74</sup> *Ibid.*, 80-81.

But since the Kansas question was again absorbing the attention of the American government, there was further delay.<sup>75</sup> Meanwhile, desultory conversations upon the Clayton-Bulwer treaty took place between Napier and Cass. Napier, upon Clarendon's authorization,<sup>76</sup> unofficially notified Cass that the British government would not object to abrogation of the treaty by mutual consent,<sup>77</sup> and suggested that, should the United States favor such action, a proposal to that effect be inserted in the reply to the offer of arbitration. The treaty of abrogation, Napier thought, should contain a self-denying engagement with reference to the inter-oceanic route, and he mentioned this to Cass, adding that the abrogation of the treaty would throw Central America open to territorial acquisition by the United States. The British government, however, would retain British Honduras and the Bay Islands.<sup>78</sup> Later, Napier was instructed by Malmesbury, who had succeeded Clarendon in February, 1858, to inform Cass that the British government was willing to consent to unconditional abrogation. Such stipulation as Napier had suggested regarding the canal, the Foreign Secretary feared, might perpetuate the entanglement with the United States. Should the British government be so fortunate as to extricate itself from the difficulties resulting from the treaty, it wished to guard itself against any similar difficulties in the future. Napier,

<sup>75</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 86-87.

<sup>76</sup> *Ibid.*, 83.

<sup>77</sup> On January 22, 1858, Clarendon wrote to Napier: "The more I consider the matter, the more I incline to the belief that throwing over the C.-B. Treaty will be our best way out." *F. O., Am.*, vol. 695.

<sup>78</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 83-84.

however, was to show no eagerness for settlement by either abrogation or arbitration.<sup>79</sup>

The statement of the British government regarding the conditions under which it would consent to abrogation undoubtedly influenced the United States to make a definite choice of the three alternatives offered by the British for settling the dispute. Its views were expressed in a letter written by Cass to Napier on April 6. After reviewing the recent history of the question, Cass complained of not receiving the further details promised regarding Ouseley's mission. Since the President was asked to co-operate in the arrangements, it was necessary that he know the nature of these arrangements. This information was the more important in consequence of the idea which seemed to prevail that the American interpretation of the Clayton-Bulwer treaty was found in the provisions of the Dallas-Clarendon treaty, for such an idea was entirely erroneous. Yet the President trusted that the more complete information which he hoped to receive concerning the mission of Ouseley might justify him in anticipating from it a substantial execution of the Clayton-Bulwer treaty according to the general tenor of the American interpretation. In that event he would be happy to give his cordial co-operation, and to direct the ministers of the United States in Central America to render any assistance in their power towards promoting its success.<sup>80</sup>

<sup>79</sup> *Ibid.*, 85-86. In conversation with Dallas upon the subject, Malmesbury said, "we do not offer to ahrogate the Clayton-Bulwer Treaty, but if such be the disposition of the President, we shall make no difficulty whatever." Dallas to Cass, April 13, 1858, Dept. of State, Des., Eng., vol. 71, no. 99.

<sup>80</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 87-90.

The prosecution of the plan to adjust the difficulty by special mission, Cass continued, must naturally exclude the adoption of any other alternative. Therefore he had been much surprised upon receiving an offer of arbitration, after the President had been notified of the mission of Ouseley and had expressed his concurrence in it; and he had regarded the offer as sufficiently answered by the President's express agreement to the mode of adjustment contemplated by the mission, even if it had not been twice rejected before. But, Cass added, in order to avoid misunderstanding, he was instructed to state that the same reasons which caused the rejection of the first offer of arbitration still existed, and for these reasons it was still declined.<sup>81</sup>

Should Ouseley's mission prove successful, there would, of course, be no need to consider the question of abrogation; but it appeared that, should the treaty be abrogated, the British government would relinquish none of its pretensions in Central America, and that the Bay Islands in particular "would remain attached to the British Crown". Since it was well known that the views of the United States were wholly inconsistent with these pretensions and that it, therefore, could never willingly acquiesce in their maintenance by Great Britain, Napier must readily perceive what serious consequences might follow a dissolution of the treaty, if no provisions should be made at the same time for adjusting the questions which led to it. If, therefore, the President did not hasten to consider the alternative of repealing the treaty of 1850, it was because he did not wish prematurely to anticipate the failure of Ouseley's mission, and was disposed to give a new

<sup>81</sup> *Parl. Papers, 1860, Coms., LXVIII, "Correspondence respecting Central America", 90-91.*

proof to the British government of his sincere wish to preserve the amicable relations which now subsisted between the two governments.<sup>82</sup>

This decision of the United States in favor of arranging the dispute through the proposed Ouseley mission would seem on first appearance to have been a diplomatic victory for Great Britain; but the victory was more apparent than real, as soon became evident. American dislike for the Clayton-Bulwer treaty was still as intense as ever. In May a joint resolution for its abrogation was reported from the Committee on Foreign Relations;<sup>83</sup> and though neither Cass nor Buchanan encouraged congressional action, abrogation had evidently been the course which they favored for disposing of the dispute,<sup>84</sup> until it became clear that in such case the British government would retain the Bay Islands. The aim of both men was evidently to dispose of the Clayton-Bulwer treaty, which was opposed to the expansionist policy of the administration, and also to drive the British out of Central America. The latter consummation was the most immediately desired; hence after it became clear that the British would retain the Bay Islands if the treaty were set aside, choice was made of the plan to settle the dispute by a special commissioner.

Yet, after this decision had been imparted to the British government, Cass, with surprising frankness, expressed to Napier a desire for the dissolution of the treaty after the arrangements contemplated by the

<sup>82</sup> *Ibid.*, 91.

<sup>83</sup> *Cong. Globe*, 35 Cong., 1 sess., pt. 2, pp. 1944-1945.

<sup>84</sup> Napier to Clarendon, May 3, 1857, F. O., Am., vol. 671, no. 64; June 7, 1857, *ibid.*, vol. 672, no. 90; Ouseley to Malmesbury, July 6, 1858, F. O., Gnat., vol. 98, no. 55.

Ouseley mission should have been made. The treaty, he said, was obnoxious to the American people, and an impediment to cordial understanding between the two countries.<sup>85</sup> Napier, however, pointed out that the concessions committed to the Ouseley mission "were based on the supposition that the stipulations of the Clayton-Bulwer Treaty were to remain, and be the future rule of the relations of the two countries in Central America." If the British government gave up its possessions, he said, it would keep the treaty; it could not be expected that both possessions and treaty would be abandoned.<sup>86</sup>

Since the American government had made known its choice as to methods of settling the dispute, it was decided by the British government that Ouseley should proceed at once to Central America. On July 15 Malmesbury notified him of this decision, but stated that his business would be confined to making treaties with Nicaragua and Honduras with reference to the Mosquitos, and with Guatemala defining the Belize boundaries. He was to have no commission to negotiate regarding the Bay Islands.<sup>87</sup> This deviation from the instructions of the previous administration was evidently due to suspicion, roused by Cass's remarks to Napier, that the United States still had secret designs against the Clayton-Bulwer treaty. The Bay Islands, the possession which the government was most reluctant to give up, were not to be relinquished until it was certain that the American government meant to abide by the treaty. Before Ouseley's definite powers were sent, the British plan was further changed and the com-

<sup>85</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 99-100.

<sup>86</sup> *Ibid.*      <sup>87</sup> *Ibid.*, 99.



missioner was simply instructed to form commercial treaties with Nicaragua and Costa Rica and an additional treaty with the former with reference to the Mosquitos.<sup>88</sup> No authority was given for the settlement of the Belize boundaries.

On August 18 Malmesbury replied to Cass's letter of April 6. A tone of resentment at the attitude of the American government is discernible in the reply. Napier was instructed to inform the American secretary of state that the British government had nothing further to add to the explanations already given with reference to Ouseley's mission. Offers of arbitration and abrogation had been refused by the United States; therefore Great Britain appeared completely to have exhausted the means of arrangement at her disposal. Consequently there was no alternative but to leave it to the American government to originate any further overtures for an adjustment of the controversies.<sup>89</sup>

A little later Napier was instructed with reference to his relations with the United States government. At a convenient season he should inform that government of the intentions and objects of the British cabinet relating to Ouseley's errand, but in doing so he must not ask either advice or assistance from the United States; such requests would be, under existing circumstances, derogatory to the dignity of the Crown. The United States government had successively refused every solution of the controversies which had been offered; hence Great Britain and Nicaragua were now about to treat as independent states, and the United States government was to be informed of this merely as an act of friendship and courtesy.<sup>90</sup>

<sup>88</sup> *Ibid.*, 100-120.

<sup>89</sup> *Ibid.*, 123-124.

<sup>90</sup> *Ibid.*, 124.

The perversity of the United States, however, had by no means made Great Britain indifferent to American friendship. The situation was a delicate one. Though the British government was willing to abrogate the Clayton-Bulwer treaty if the first move for the purpose were made by the American government,<sup>91</sup> British honor could not endure its abolition by the American Congress. Such action must require a reckoning between the two governments, and this would be certain to produce strained relations, disastrous to commerce, if not even war itself. Both results were to be avoided, if possible, and the latter was not to be thought of at this time, as there was possibility of war with France.<sup>92</sup> Hence, it was highly desirable to preserve the treaty against congressional action; and efforts were made to keep in close touch with the American government and to convince it of British good intentions.

Malmesbury now showed considerable anxiety lest nothing be accomplished towards settlement of the Central American dispute before the meeting of Congress, and he urged Ouseley to execute his instructions as quickly as possible and arrange to have the negotiations terminated not later than the last of November. Any delay in commencing the negotiations, he said, would frustrate the objects which the government had in view and render the continuance of his mission unnecessary.<sup>93</sup>

For some weeks after Ouseley's departure, the American government remained silent upon the general

<sup>91</sup> Clarendon to Napier, Jan. 22, 1858, F. O., Am., vol. 695.

<sup>92</sup> Napier to Malmesbury, April 12, 1858, *ibid.*, vol. 691, no. 85; Napier to Malmesbury, April 13, 1858, *ibid.*, nos. 89 and 90.

<sup>93</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 125, 134.

subject of his mission, but on November 8 Cass wrote Napier a reply to Malmesbury's communication of August 18. Though Cass's letter displayed a slight tone of resentment at some of the statements made by Malmesbury, it was, on the whole, frankly conciliatory. The American government had evidently come fully to realize that in trying to grasp all it might lose all—that if the British were to be driven from Central America, the Clayton-Bulwer treaty, which also barred the isthmus to the Americans, must be preserved. Hence the change in tone. In his letter Cass considered the elements of the dispute and called attention to the fact that there was no apparent disagreement except as to the conditions governing the surrender of the Bay Islands, and as to the limits to be set for Belize. Was it possible that these differences, if approached in a spirit of conciliation and good feeling, could not be adjusted in a friendly manner? To believe this would be to underestimate the importance of the adjustment and the intelligent appreciation of this importance, which must be entertained by both nations. What the United States wanted in Central America, next to the happiness of its people, was the security and neutrality of the inter-oceanic routes leading through it. This was equally the desire of the whole commercial world. Such an object would be accomplished if the principles and policy of the Clayton-Bulwer treaty were carried into effect. An adjustment of the Central American question according to the general tenor of the American interpretation of the Clayton-Bulwer treaty was all that the President had ever desired, and instead of having rejected the proposal for such a settlement he had expressed his cordial acceptance of it, so far as he understood it, and

had anticipated from it the most gratifying consequences. Nothing now remained but to inquire whether the good results expected in the beginning from Ouseley's mission might not yet be happily accomplished.<sup>94</sup>

Malmesbury quickly responded to the cordial tone in this letter, and in his reply to Napier expressed his "lively satisfaction" with it. The friendly character of the letter and the high appreciation it displayed of the importance of ending the irritating discussion, he believed, could not but tend to bring the dispute to a speedy and permanent conclusion. The existing administration, Malmesbury informed Napier, considered itself morally obliged to carry out the political views of its successors, as embodied in Napier's note to Cass of November 30, 1857, in respect to the Bay Islands. Consequently, it was the intention of the British government, as soon as Ouseley should have settled the question of the Mosquito territory, to instruct him to enter immediately into negotiations with Honduras regarding the Bay Islands. As soon as Ouseley's present task should be accomplished, the details of this second mission would be made known to the American government. The British government, Malmesbury concluded, interpreted Cass's note of the 8th of November as meaning that if the principles of the Mosquito territory were arranged, the Bay Islands ceded to Honduras, and the boundaries of British Honduras established, the Clayton-Bulwer treaty would remain as the acceptable and practical rule for the relations of England and the United States in Central America and would thereafter

<sup>94</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 147-154.

be recognized and respected as such by the United States. It was the wish of the British government as it was also the wish of the United States that the good results expected in the beginning from the Ouseley mission might yet be effected.<sup>95</sup>

A copy of this letter, furnished by Napier and read at a meeting of the President's cabinet, gave much satisfaction.<sup>96</sup> But before Malmesbury's letter was received the American government had fully settled upon a conciliatory course. Though no report of progress had come from Ouseley, on December 6, the President's message appeared containing a clause in reference to British relations quite in harmony with the friendly tone of Cass's letter written a month before. An earnest desire was expressed in the message for the settlement of every misunderstanding with Great Britain, as any serious interruption of the commerce between the two countries would be equally injurious to both. In fact, no two nations had ever existed which could do each other so much good or so much harm as these two. Though gratified that he could announce that the controversy over visitation and search had been settled, the President was truly sorry not to be able to say the same for the controversy over the Clayton-Bulwer treaty. As the purposed negotiations mentioned in the last message were still pending, their present conditions could not be reported. A final settlement of the question was greatly to be desired, as it would wipe out the last subject of dispute between the two countries.<sup>97</sup>

The increase in cordiality on the part of the United States produced a greater briskness in the British gov-

<sup>95</sup> *Ibid.*, 155-157.      <sup>96</sup> *Ibid.*, 165.

<sup>97</sup> Richardson, *Messages and Papers*, V, 507-508.

ernment with reference to the Central American negotiations. Ouseley had not made as much progress as had been hoped for, hence, in order to avoid unnecessary delay, on December 16 Malmesbury authorized Wyke to resume and complete the negotiations, should Ouseley be incapacitated by illness.<sup>98</sup> On the same date Malmesbury notified Ouseley that he could not exert himself too much to conclude the treaties for the negotiation of which he had been empowered.<sup>99</sup>

Yet in spite of the Foreign Secretary's efforts, the Central American negotiations failed to make satisfactory progress. This was partly caused by new difficulties which had arisen in Central America, but more through the inefficiency of Ouseley himself. The new difficulties were largely due to the intrusion of Félix Belly, the agent of a French company desirous of constructing an isthmian canal. The Cass-Yrissari treaty had not been ratified by the Nicaraguan government when Belly arrived, and he at once proceeded to work against its ratification in order to secure for his own company exclusive control of the route.<sup>100</sup> The American government, he declared, supported the filibusters, and should the treaty go into effect the whole of Central America would be dominated by the United States.<sup>101</sup> Nicaragua, as a result of Belly's efforts, set aside the Cass-Yrissari treaty, and settled her boundary dispute

<sup>98</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 160-161.

<sup>99</sup> *Ibid.*, 161. British interest in the removal of all obstacles to the formation of a neutral transisthmian highway had probably been stimulated by the recent organization of British Columbia, a colony resulting from the discovery of gold on Fraser River. Dallas to Cass, Nov. 26, 1858, Dept. of State, Des., Eng., vol. 72, no. 138.

<sup>100</sup> Scroggs, "William Walker and the Steamship Corporation in Nicaragua", in *Am. Hist. Rev.*, X, 810.

<sup>101</sup> *Ibid.*, Lamar to Cass, June 26, 1858, Dept. of State, Des., Nic. and Costa Rica, vol. 3.

with Costa Rica,<sup>102</sup> after which the two states granted Belly a joint canal concession.<sup>103</sup> It had been the aim of the British government to introduce into the commercial treaty with Nicaragua terms for the neutralization of the transit similar to those contained in the Cass-Yrissari treaty; Belly's manipulation made the Nicaraguans unreasonable in their demands, and caused delay.<sup>104</sup>

Belly's representations regarding American support of filibustering movements also proved a handicap to Ouseley, for they increased Central American fears of attack from Walker, who was at this time in the United States preparing a new expedition. There was little danger of trouble from the filibusters, however, for the British government had ordered an extra war vessel to the Central American coast to protect it pending negotiations. The commander was instructed to prevent any descent upon Greytown or Mosquito, but if the filibusters attempted to go up the San Juan he was not to act except in conjunction with the forces of Nicaragua and Costa Rica, and then only upon written request from the commanders.<sup>105</sup> As France was plan-

<sup>102</sup> In consideration of aid in case of the return of the filibusters, Nicaragua made a large cession of territory to Costa Rica, Scroggs, *op. cit.*

In the summer of 1857 the American government had sent Carey Jones as special agent to Central America to investigate the quarrel between Costa Rica and Nicaragua, with a view to effecting a settlement; but Jones was inefficient and his efforts vain. Napier to Clarendon, July 6, 1857, F. O., Am., vol. 672, no. 133; Oct. 31, 1857, *ibid.*, vol. 674, no. 228.

<sup>103</sup> Scroggs, *op. cit.*; Johnson, *Four Centuries of the Panama Canal*, 65. The efforts of Belly came to nothing as far as forming an open route in Nicaragua was concerned. American attempts in this direction also resulted in failure, and interest was diverted to the Panama railway.

<sup>104</sup> Lamar to Cass, April 28, 1859, Dept. of State, Des., Nic. and Costa Rica, vol. 4, no. 50.

<sup>105</sup> The American government objected to these instructions and declared that the landing of troops to protect Ouseley's negotiations would

ning to negotiate a commercial treaty with Nicaragua, by friendly understanding the same instructions were given the French naval commanders.<sup>106</sup>

The most serious obstacle, however, to a prompt and satisfactory settlement of the Central American difficulty, was Ouseley's lack of ability for his task, which was quickly shown. At the very outset he made a blunder by first negotiating the commercial treaty for which Nicaragua was very anxious, and which was little likely to cause difficulty, and neglecting the Mosquito arrangement, the terms of which might have been expected to give trouble.<sup>107</sup> He was rebuked by his government for this lack of judgment and again told that the Mosquito treaty was the important one. No general commercial treaty with Nicaragua would be approved by the British government, Malmesbury informed him, until the convention for the adjustment of the Mosquito question

be a direct violation of the Clayton-Bulwer treaty. The British government replied that such an act would be the same in principle as the landing of American troops to protect the transit route, as contemplated by the Cass-Yrissari treaty, and insisted that it intended to protect the negotiations. No occasion for landing British troops arose, however, and with the accession of Russell to the Foreign Office the instructions were changed and permission withdrawn from the British naval commanders for operations against the filibusters on Central American soil. *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 137-138, 139-141, 280.

<sup>106</sup> *Ibid.*, 159, 161, 231. The American government had refused to co-operate with the British naval forces in protecting Central America. Napier to Clarendon, Oct. 22, 1857, *F. O., Am.*, vol. 674, no. 220.

<sup>107</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 170-171, 185. The British government attributed Ouseley's inefficiency to his constant illness while in Central America. Dallas to Cass, May 2, 1859, *Dept. of State, Des., Eng.*, vol. 73, no. 181. He was also handicapped by conflicting instructions. Before leaving England he was told that the cession of Mosquito to Nicaragua should be treated as a concession for which Central America was to thank England's moderation and good will. It was to be his duty to try to save the dignity and honor of Great Britain even at the expense of material interests, and he was not to show anxiety for a settlement. Ouseley to Malmesbury, Mar. 31, 1859, *F. O., Guat.*, vol. 103, no. 40.



had been signed. The aim was to settle the latter point and thus to obviate any further discussion with the United States regarding it.<sup>108</sup>

But the difficulty of communicating with him prevented the interruption of Ouseley's mistaken course,<sup>109</sup> and, consequently, the commercial treaty was signed and awaiting the ratification of the Nicaragua assembly<sup>110</sup> before any headway could be made on the other treaty. Moreover, when the draft of the former was received by the British government it was disclosed that, in violation of instructions,<sup>111</sup> Ouseley had introduced important alterations in the original which had been furnished him.<sup>112</sup>

Ouseley's unsatisfactory progress decided the British government to entrust to Wyke the settlement of the Belize boundary. Accordingly, on February 16, 1859, Malmesbury sent him instructions, enclosing a draft of a convention. The proposed line of boundary at the south was to be the Sarstoon River; but in view of the claim of the United States that the territory between the Sibun and the Sarstoon belonged to Central America, the instructions stated that it was necessary that the line to be established by the proposed convention should be described therein, "not as involving any cession or new acquisition from the Republic of Guatemala, but as it is in fact, simply as the definition of a boundary long existing, but not hitherto ascertained."<sup>113</sup> Consequently, the first paragraph of the convention read:

It is agreed between Her Britannic Majesty and the Republic of Guatemala, that the boundary between the British

<sup>108</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 170-171.

<sup>109</sup> Ouseley to Malmesbury, Mar. 30, 1859, *F. O., Guat.*, vol. 103, no. 38,

<sup>110</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 186.

<sup>111</sup> *Ibid.*, 120, 197.

<sup>112</sup> *Ibid.*, 186-195.

<sup>113</sup> *Ibid.*, 172

Settlement and Possessions in the Bay of Honduras, as they existed previous to and on the 1st day of January, 1850, and have continued to exist up to the present time, was, and is as follows.<sup>114</sup>

Two years before, a basis had been laid for the contemplated treaty by the superintendent of Belize.<sup>115</sup> This, with the fact that Wyke was well acquainted with the Central American character and also possessed considerable diplomatic ability, prompted a quick and easy accomplishment of the task assigned. As soon as he received his full powers, Wyke set to work. At first he found the Guatemalan government opposed to the terms stipulated by the draft,<sup>116</sup> but he devised a plan which, while it made the arrangement satisfactory to the Guatemalans, would tend to aid the British commercially.<sup>117</sup> Owing to better communications between Guatemala and the Port of San José on the Pacific and to the competition of the United States, for the past few years the commerce of Guatemala with Belize, as well as the British carrying trade with Guatemala, had been on the decline. Hence a route of transport to some point on the Atlantic was very desirable.<sup>118</sup> By an additional article to the treaty, Wyke pledged the British government to aid Guatemala in establishing such a line of transport,<sup>119</sup> and thereby induced the republic to accept the remainder of the draft just as it stood.<sup>120</sup> The convention was signed by the negotiators and ratified by the Guatemalan assembly on April 30.<sup>121</sup> The arrangement received the approval of the British government, and ratifications were exchanged in the early part of September.<sup>122</sup> Thus one element of contention

<sup>114</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 172, 174.

<sup>115</sup> *Ibid.*, 171.

<sup>116</sup> *Ibid.*, 250.

<sup>117</sup> *Ibid.*, 251.

<sup>118</sup> *Ibid.*

<sup>119</sup> *Ibid.*, 254.

<sup>120</sup> *Ibid.*, 251-255.

<sup>121</sup> *Ibid.*, 251.

<sup>122</sup> *Ibid.*, 300.

between the British and American governments appeared to be removed.

Notwithstanding the slow progress of the Central American negotiations, the cordial relations which had been established between Great Britain and the United States remained, on the whole, uninterrupted during the remainder of the period considered in this chapter. Though Cass did not fail to call Napier's attention to the delay in the Mosquito negotiations and to the unsatisfactory quality of the commercial treaty formed by Ouseley with Nicaragua,<sup>123</sup> by a policy of perfect frankness the British government retained the confidence of the United States.<sup>124</sup> However, as the year advanced and it became known that the Belize boundary question, regarding which Great Britain had had her wishes, was settled, but that the other matters in dispute, which it was expected would be arranged according to American views, were not,<sup>125</sup> the American press began to show some impatience and irritation.<sup>126</sup> This state of affairs roused Cass to remind Lyons, who had succeeded Napier, that it would be necessary for the President to treat the Central American question in his message. If, at the opening of Congress, Great Britain should still be in possession of Mosquito and the Bay Islands, a strong effort would most probably be made by certain

<sup>123</sup> *Ibid.*, 214, 215-217, 224-225, 234. Ouseley had admitted into the commercial treaty a clause regarding the landing of armed expeditions, indirectly aimed at American filibusters. *Ibid.*, 193-194, 224-225.

<sup>124</sup> *Ibid.*, 213, 216-217, 224-225, 239-246, 247, 250. On May 31, 1859, Ouseley himself wrote to Buchanan explaining and excusing his delay in making the settlement regarding Mosquito. Buchanan, *Works*, X, 322-323.

<sup>125</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 267.

<sup>126</sup> *Ibid.*, 234.

young and ardent politicians of the "manifest destiny" school, to abrogate the Clayton-Bulwer treaty. He had no doubt, Cass assured Lyons, but that the British government would execute with the most scrupulous good faith the arrangements regarding which the two governments had come to an understanding; but the essential point was to do this in time. It was impossible, he declared, to overrate the importance of enabling the President to announce the conclusion of the whole affair in his message in December; he therefore begged Lyons to omit no effort to impress this fact upon the British government.<sup>127</sup>

About a month later, on August 11, the President himself spoke in the same strain, but with more emphasis, and complained that the Belize boundary question only, of the whole dispute, had been settled. Should things be in the existing condition when Congress met, he warned Lyons, there would be an outburst of feeling in the country with which it might be impossible to contend. "It would indeed be lamentable", he added, "if two countries whose interests were more deeply involved in a mutual good understanding than those of any other two nations in the world, should be kept asunder by questions which might be settled so easily."<sup>128</sup>

But before the American government began to complain, the fact that Ouseley had been in Central America for several months without having accomplished anything towards settling the dispute, as well as the conviction of his inefficiency, had determined the British

<sup>127</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 264-266.

<sup>128</sup> *Ibid.*, 287-288. To allay the existing irritation the government published articles in the *Washington Union*, explaining the purpose of Ouseley's mission. Napier to Malmesbury, April 4, 1859, *F. O.*, *Am.*, vol. 712, no. 108.

government to place the negotiations for the transfer of the Bay Islands in other hands. But, unfortunately, Wyke, who had demonstrated his fitness for the task, had been forced by ill health to return to England.<sup>129</sup> However, he was soon able to resume his duties, and, on August 15, Russell, who had succeeded Malmesbury in June, instructed Ouseley to return home, as his mission had been conducted in an unsatisfactory manner,<sup>130</sup> and commissioned Wyke to complete the negotiations,<sup>131</sup> as well as to treat for the disposal of the Bay Islands.<sup>132</sup> Since the latter was the most pressing point in dispute, this was to be settled first. In connection with it, arrangement was to be made for the transfer to Honduras of the part of Mosquito territory which lay within the Honduras frontier.<sup>133</sup> These arrangements being accomplished, Wyke should proceed to Nicaragua and complete the commercial and Mosquito treaties, if

<sup>129</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 255-256.

<sup>130</sup> *Ibid.*, 281-282. The Nicaraguans according to Ouseley, were afraid that the filihusters might snatch Mosquito from them as soon as the British protectorate was abandoned, so in their perplexity, they seemed to wish to delay the transfer of the territory. Believing that this would seriously affect the negotiations of the treaty regarding the Mosquitos, Ouseley dropped the Mosquito negotiations and went to Costa Rica where he negotiated a commercial treaty. After his return to Nicaragua no further progress was made; hence, when Ouseley finally received notice of his recall a year after his arrival in Central America, the Mosquito question was as far from settlement as it had been when he came, though much discussion had taken place. *Ibid.*, 205, 206-207, 225-233, 238-239, 241-248, 256, 259-263, 283-286, 294, 297-298.

<sup>131</sup> *Ibid.*, 268.

<sup>132</sup> On August 2, 1858, Russell had written: "I believe our occupation of the Bay Islands to be a violation of the Clayton-Bulwer Treaty and the sooner we settle that matter the better." Note on draft of treaty with Nicaragua, F. O., Supplement, Guat., vol. 91.

<sup>133</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 269-272.

Ouseley had not already done so before he arrived.<sup>134</sup> Drafts for all of the treaties were enclosed.<sup>135</sup>

Meanwhile Lyons, at the direction of Russell,<sup>136</sup> expressed to Cass regret at the unfortunate delays which had prevented the settlement of the dispute. The British government, he said, could make no promise that the matter would be settled before the President's message was issued, but it would use its utmost efforts to accomplish that object, and if it failed it would be made clear that such failure was not due to any fault of the British government. A fresh mission was about to be sent to Central America with a view to finishing the negotiations.<sup>137</sup> Both the President and the Secretary of State, Lyons reported to Russell, expressed their pleasure and satisfaction at the announcement.<sup>138</sup>

This continued display of British frankness and good faith now finally produced in the American government a willingness to aid actively in facilitating the proposed arrangements.<sup>139</sup> Accordingly, Dimitry, the newly-appointed minister to Nicaragua and Costa Rica, was instructed to use every effort to form the most frank and friendly relations with the British negotiator, and to co-operate with him in any manner which he might

<sup>134</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 269, 272-275. Later, in order to insure the prompt success of the negotiations, instructions were sent Wyke to permit certain modifications calculated to make the treaties more satisfactory to the Central American governments concerned. Russell to Wyke, Aug. 16, 1859, "Confidential", F. O., Guat., vol. 102, no. 9; Nov. 29, 1859, *ibid.*, no. 15.

<sup>135</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 270-272, 275-280.

<sup>136</sup> *Ibid.*, 266. <sup>137</sup> *Ibid.*, 289. <sup>138</sup> *Ibid.*

<sup>139</sup> On Ouseley's departure for Central America, the American government had, after reflection, refused even to notify its agent in Central America that the government had no desire to impede the negotiations. Napier to Malmesbury, Oct. 25, 1858, F. O., Am., vol. 694, no. 245; Nov. 8, 1858, *ibid.*, no. 251; Nov. 9, 1858, *ibid.*, no. 257.

desire. Dimitry was also to urge the Nicaraguan government to come to an agreement with Great Britain regarding the Mosquito protectorate without further delay.<sup>140</sup> Clarke, the United States minister at Guatemala, was directed to go to Honduras for the purpose of forwarding to the best of his ability the success of Wyke's mission.<sup>141</sup>

But the presence of the two American agents proved a hindrance instead of a help to Wyke; for Clarke failed to learn of the altered policy of his government in time,<sup>142</sup> and Dimitry did not interpret his instructions with sufficient broadness;<sup>143</sup> consequently, during practically the remainder of the negotiations the two followed the policy of their predecessors and tried to hinder British action.<sup>144</sup>

Notwithstanding the demonstrations of friendship on the part of the United States, the British government anxiously watched lest something rise to provoke a note of hostility in the President's message on the Central American question. But the good feeling remained undisturbed, and before the message was issued its substance on the matter in dispute was made known, in a spirit of friendliness, to Lyons, who found it of an entirely satisfactory nature.<sup>145</sup> It merely stated that as a result of unexpected obstacles the British govern-

<sup>140</sup> *U. S. Docs.*, ser. no. 3853, doc. 237, pp. 164-166.

<sup>141</sup> Lyons to Russell, Sept. 19, 1859, *F. O., Am.*, vol. 715, no. 196.

<sup>142</sup> Wyke to Russell, Nov. 29, 1859, *F. O., Guat.*, vol. 102, no. 8; Jan. 10, 1860, *ibid.*, vol. 108, no. 1; Inclosure in Lyons to Russell, Feb. 28, 1860, *F. O., Am.*, vol. 735, no. 75.

<sup>143</sup> Wyke to Russell, Jan. 28, 1860, *F. O., Guat.*, vol. 108, no. 2.

<sup>144</sup> Hall to Russell, Feb. 29, 1860, *ibid.*, vol. 109; Hall to Russell, April 30, 1860, *ibid.*, no. 25.

<sup>145</sup> Inclosure in Lyons to Russell, Nov. 30, 1859, *F. O., Am.*, vol. 716, no. 275; Lyons to Russell, Dec. 1, 1859, *ibid.*, no. 276; Jan. 17, 1860, *ibid.*, vol. 734, no. 23.

ment had not been able to complete treaty arrangements with Honduras and Nicaragua; consequently the President could not announce, as he had earlier believed that he would be able to, that the Central American question had been satisfactorily settled; but it was confidently expected that the final adjustment of the difficulty would soon be effected.<sup>146</sup>

The confidence of the American government in British good faith prevented support in Congress for movements against the treaty. Both a joint resolution for abrogation<sup>147</sup> and a call for the correspondence upon the subject<sup>148</sup> failed to endanger the agreement.

Meanwhile, negotiations in Central America were progressing rapidly and in an entirely satisfactory manner. On November 28, Wyke signed a treaty with the Honduras government regarding the Bay Islands and the Mosquito Indians. The opening paragraph of the first article of this treaty was so worded as to save British pride while it satisfied Honduras.<sup>149</sup> It read:

Taking into consideration the peculiar geographical position of Honduras, and in order to secure the neutrality of the islands adjacent thereto, with reference to any railway or other line of interoceanic communication which may be constructed across the territory of Honduras on the mainland, Her Britannic Majesty agrees to recognize the Islands of Ruatan, Guanaca, Elena, Utile, Barbarete, and Morat, known as the Bay Islands, and situated in the Bay of Honduras, as a part of the Republic of Honduras.<sup>150</sup>

The terms governing the restoration were simple and reasonable; the Honduras government engaged

<sup>146</sup> Richardson, *Messages and Papers*, V, 561.

<sup>147</sup> *Cong. Globe*, 35 Cong., 2 sess., pt. 1, pp. 9, 104-106.

<sup>148</sup> *Ibid.*, pp. 45-47.

<sup>149</sup> *Cf. Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 22.

<sup>150</sup> *Ibid.*, 308.



not to transfer the islands to any other state, and to permit the British inhabitants freedom of religion and the right to property previously held, as well as the right to emigrate from the islands.<sup>151</sup> The treaty further recognized the Mosquito territory lying within the frontier of Honduras as part of the republic, and the Indians residing thereon as under Honduran sovereignty.<sup>152</sup> A new clause, added by Wyke<sup>153</sup> to the original draft, pledged the government of Honduras to pay to the Indians semi-annually for ten years the sum of two thousand, five hundred dollars.<sup>154</sup>

After six weeks of work, Wyke was equally successful in his negotiations with Nicaragua, and signed a treaty with that government on January 28, 1860. By this Great Britain agreed to recognize as under the sovereignty of Nicaragua the part of Mosquito territory lying within Nicaraguan frontiers. The British protectorate over the Indians should cease three months after the ratification of the treaty. A definitely bounded reservation was to be set aside for the Mosquitos, within which they should be permitted to govern themselves under any regulations which they might adopt not inconsistent with the sovereign rights of Nicaragua; but nothing in the treaty should be construed to prevent the Mosquitos from later incorporating themselves into the Nicaraguan republic. All *bona fide* land grants made by the Indians subsequent to January 1, 1848, lying within the territorial reserve, with certain exceptions, should be confirmed. Like Honduras, Nicaragua agreed to pay to the Indians two thousand, five hundred dollars semi-annually for ten years. Greytown, under Nicaraguan sovereignty, was to be a free port.<sup>155</sup>

<sup>151</sup> *Ibid.*

<sup>152</sup> *Ibid.*, 309.

<sup>153</sup> *Ibid.*, 307, 309.

<sup>154</sup> *Ibid.*

<sup>155</sup> *Ibid.*, 315-318.

Wyke's manner of executing his instructions received the hearty approval of his government.<sup>156</sup> After some slight changes both treaties were ratified and in due time carried into effect.<sup>157</sup> On August 4, Russell transmitted copies of the treaties to Lyons, with instructions to communicate them to Cass. "These Treaties", Russell wrote, "as you will perceive, provide for the relinquishment of the Protectorate of the Mosquito Indians by Great Britain, and for the cession of the Bay Islands to Honduras; and thus, it may be hoped, finally set at rest the questions respecting the interpretation of the Clayton-Bulwer Treaty which have been the subject of so much controversy between this country and the United States."<sup>158</sup>

The belief that this long-desired consummation had been effected was voiced in President Buchanan's message of December, 1860. With reference to the Central American controversy he wrote:

Our relations with Great Britain are of the most friendly character . . . The discordant constructions of the Clayton and Bulwer treaty between the two Governments, which at different periods of the discussion bore a threatening aspect, have resulted in a final settlement entirely satisfactory to this government.<sup>159</sup>

<sup>156</sup> Cf. *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 311, 324.

<sup>157</sup> Fear of Walker caused Honduras to request that the transfer of the Bay Islands be postponed for a time. This request was granted by the British government, and the delay was acquiesced in by the United States. Russell to Lyons, Sept. 22, 1860, *F. O., Am.*, vol. 733, no. 213; Irwine to Russell, Oct. 9, 1860, *ibid.*, vol. 739, no. 44.

<sup>158</sup> *Parl. Papers*, 1860, *Coms.*, LXVIII, "Correspondence respecting Central America", 329.

<sup>159</sup> Richardson, *Messages and Papers*, V, 639-640. In a letter to Russell, Lyons, the British minister at Washington, stated that this passage probably contained the most cordial mention of Great Britain which had appeared in any presidential message. *F. O., Am.*, vol. 740, no. 311.

Lyons had been fearful that the part played by a British man-of-war in Walker's defeat and death might cause an outcry against Great

Through the negotiations of Wyke, the Clayton-Bulwer treaty was restored to its original authority as the rule governing future British and American relations in Central America; and by the President's message it was virtually recognized by the United States government as being so restored. This rehabilitation of the treaty was brought about not through a complete victory of one government over the other, but through a compromise, though an unequal one, for Great Britain conceded the more. In 1853 Great Britain maintained that the Clayton-Bulwer treaty applied only to the future, and that her existing possessions in Central America were untouched by it; the United States, on the contrary, held that the treaty was retrospective as well as prospective, and that, consequently, the British were bound by it to withdraw from the whole of Central America. By Wyke's treaties the British gave up their occupation of Mosquito and relinquished the Bay Islands, but, contrary to the earlier demands of the United States, retained the Belize territory south of the Sibun. The arrangement corresponded almost exactly with the Dallas-Clarendon treaty as amended by the American Senate; the concession which the British government could not make directly to American demands in 1857, was accomplished indirectly two years later by the negotiation of a new treaty with Honduras.

In the decade since the negotiation of the Clayton-Bulwer treaty, however, the attitude of the contracting

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Britain; but no such demonstration took place. Its non-appearance was perhaps partly due to the fact that the news of Walker's end arrived during the Prince of Wales' tour. Lyons to Russell, Nov. 6, 1860, *ibid.*, vol. 739, no. 278. However, Walker's selfishness and cruelty had before this turned the majority of Americans against him.

parties had changed very materially towards Central America, and the shifting of viewpoints was not without its influence in promoting a settlement of the dispute. Though in 1850 Great Britain had not the interest in territorial expansion on the isthmus of which the United States suspected her, yet for commercial reasons she was not indifferent to it, and was keenly jealous of the United States; on the other hand, the American government, under a Whig administration, was little inclined to territorial acquisition for itself, in Central America, but was much opposed to British control there. During the three or four years preceding Wyke's negotiations British interests in the region had decreased while American interests had increased; Great Britain, as it were, resigned in favor of the United States. British interests in the region had become almost wholly commercial, and were directed not so much towards the establishment of an inter-oceanic transit route as to the development of the resources of Central America itself. 'The British government had become convinced that that region, exploited by American enterprise, protected by a stable Anglo-Saxon government, would contribute much more to British commercial wealth than would be possible in a state of political independence attended by confusion and unrest which paralyzed all industrial development. With this new viewpoint died all British jealousy of the United States in connection with Central America, and England began to hope as well as to expect that the Central American states would eventually become a part of the American Union.<sup>100</sup>

<sup>100</sup> Hansard, *Parl. Debates*, 3d ser., CXLII, 1511-1512; *London Times*, Dec. 4, 1856, Dec. 20, 1858; *Blackwood's Magazine*, LXXIX, 742; *Littell's*

In the United States, meanwhile, attention to Central America for transit purposes was somewhat subordinated to interest in the territory itself—partly with the view to increasing slave soil, and a strong belief had developed that in spite of opposition, even in spite of treaties, sooner or later Central America would be Americanized and absorbed into the Union.<sup>161</sup> Had Democratic control of the government continued a few years longer, and with it the demand for extension of slavery, it seems more than likely that such expectations would have been realized; but with a Republican victory came the War for Secession, one great reason for territorial expansion was swept aside, and American interests and energies were diverted into other channels.

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*Living Age*, 2nd ser., XIV, 312; San Francisco *Evening Bulletin*, July 18, 1856, Aug. 14, 1856; Buchanan, *Works*, X, 114-116.

On July 31, 1858, Napier wrote confidentially to Malmesbury suggesting that it be made known to the United States government that the mission of the United States in the regeneration of the Spanish colonies was recognized by the British government, which would view with satisfaction the extension of United States authority southward in a peaceful and legitimate manner, in so far as the rights of others were not intrenched upon. F. O., Am., vol. 693, no. 193.

A few weeks before, these sentiments had been expressed by Malmesbury to Dallas, with the request that the latter make them known to his government. Malmesbury said, Dallas reported to Cass, "that he was one of that class of statesmen who believed that all the Southern part of North America must ultimately come under the government of the United States: that he had no objection to what seemed the inevitable course of things: that on the contrary, he thought it would be beneficial as well to the population occupying the countries referred to as to the United States, and the rest of the world." Dept. of State, Des., Eng., vol. 71, no. 99.

<sup>161</sup> Lunley to Clarendon, Sept. 9, 1856, F. O., Am., vol. 646, no. 69; U. S. Docs., ser. no. 964, doc. 74, p. 7; Schouler, *History of the United States*, V, 416; *Cong. Globe*, 34 Cong., 1 sess., pt. 1, p. 395, Appendix, pp. 87, 306; *Daily Alta California*, Jan. 22, 1857.