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DIFFICULTIES

BETWEEN

MEXICO AND GUATEMALA.

PROPOSED MEDIATION OF THE UNITED STATES.

*SOME OFFICIAL DOCUMENTS.*

NEW YORK.

1882.



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## DOCUMENT No. I.

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*Mr. Blaine to Mr. Morgan.*

G. No. 138.

DEPARTMENT OF STATE, WASHINGTON, *June 16, 1881.*

PHILIP H. MORGAN, *Esquire, etc., etc., etc.*

SIR: In my instructions of the 1st instant and to-day, I have so clearly amplified the spirit of good-will which animates this government toward that of Mexico, that I am sure no room for doubt can remain as to the sincerity of our friendship. Believing that this friendship and the frankness which has always distinguished the policy of this country toward its neighbors warrant the tender of amicable counsel when occasion therefor shall appear, and deeming such counsel due to our recognized impartiality, and to the position of the United States as the founder and, in some sense, the guarantor and guardian of republican principles on the American continent, it seems proper now to instruct you touching a point upon which we feel some natural concern. I refer to the question of boundaries and territorial jurisdiction pending between Mexico and Guatemala.

In the time of the Empire the forces of Iturbide overran a large part of the territory of what now constitutes Central America, which had then recently

thrown off the Spanish domination. The changing fortunes of war resulted in the withdrawal of Mexican forces from most of that region, except the important provinces of Soconusco and Chiapas, which remained under their control. Since that time the boundaries between the two countries have never been adjusted upon a satisfactory basis. Mexico, become a republic, did not forego claims based on the imperial policy of conquest and absorption, while Guatemala, resisting further progress of Mexican arms, and disputing step by step the conquest already made, has never been able to come to a decision with her more powerful neighbor concerning the relative extension of their jurisdiction in the disputed strip of territory lying between the Gulf of Tehuantepec and the peninsula of Yucatan.

Under these circumstances the Government of Guatemala has made a formal application to the President of the United States to lend his good offices toward the restoration of a better state of feeling between the two republics. This application is made in frank and conciliatory terms, as to the natural protector of the rights and national integrity of the republican forms of government existing so near our shores, and to which we are bound by so many ties of history and of material interest.

This government can do no less than give friendly and considerate heed to the representations of Guatemala, even as it would be glad to do were the appeal made by Mexico in the interest of justice and a better understanding.

The events, fresh in the memory of the living generation of Mexicans, when the moral and material support of the United States, although then engaged

in a desperate domestic struggle, was freely lent to avert the danger with which a foreign empire threatened the national life of the Mexican Republic, afford a gratifying proof of the purity of motives and benevolence of disposition with which the United States regard all that concerns the welfare and existence of its sister republics of the continent.

It is alleged, on behalf of Guatemala, that diplomatic efforts to come to a better understanding with Mexico have proved unavailing; that under a partial and preliminary accord, looking to the ascertainment of the limits in dispute, the Guatemalan surveying parties sent out to study the land, with a view to proposing a basis of definitive settlement, have been imprisoned by the Mexican authorities; that Guatemalan agents for the taking of a census of the inhabitants of the territory in question have been dealt with in like summary manner; and, in fine, that the Government of Mexico has, slowly but steadily, encroached upon the bordering country heretofore held by Guatemala, substituting the local authorities of Mexico for those already in possession, and so widening the area in contention.

It is not the present province of the Government of the United States to express an opinion as to the extent of either the Guatemalan or the Mexican claim to this region.

It is not a self-constituted arbitrator of the destinies of either country, or of both, in this matter.

It is simply the impartial friend of both, ready to tender frank and earnest counsel touching anything which may menace the peace and prosperity of its neighbors. It is, above all, anxious to do any and everything which will tend to make stronger the



natural union of the republics of the continent in the face of the tendencies of other and distant forms of government to influence the internal affairs of Spanish America.

It is especially anxious, in the pursuance of this great policy, to see the Central American Republics more securely united than they have been in the past, in protection of their common interests, which interests are, in their outward relations, identical in principle with those of Mexico and of the United States. It feels that everything which may lessen the good will and harmony so much to be desired between the Spanish Republics of the Isthmus must in the end disastrously affect their mutual well-being.

The responsibility for the maintenance of this common attitude of united strength is, in the President's conception, shared by all, and rests no less upon the strong States than upon the weak.

Without, therefore, in any way, prejudging the contention between Mexico and Guatemala, but acting as the unbiased counselor of both, the President deems it is his duty to set before the Government of Mexico his conviction of the danger which would ensue to the principles which Mexico has so signally and successfully defended in the past should disrespect be shown to the boundaries which separate her from her weaker neighbors, or should the authority of force be resorted to in the establishment of rights over territory which they claim, without the conceded justification of her just title thereto. And especially would the President regard as an unfriendly act toward the cherished plan of upbuilding strong republican governments in Spanish America, if Mexico, whose power and generosity should be alike signal in



such a case, shall seek or permit any misunderstanding with Guatemala when the path toward a pacific avoidance of trouble is at once so easy and so imperative an international duty.

You are directed to seek an interview with Señor Mariscal, in which to possess him with the purport of this instruction. In doing so, your judgment and discretion may have full scope to avoid any misunderstanding on his part of the spirit of friendly counsel which prompts the President's course. Should Señor Mariscal evince a disposition to become more intimately acquainted with the President's views after your verbal exposition thereof, you are at liberty to read this dispatch to him, and, should he so desire, to give him a copy.

I am, sir, your obedient servant,

(Signed)

JAMES G. BLAINE.

DOCUMENT No. II.

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*Conference between Mr. P. H. Morgan and Sr. Don Ignacio Mariscal.*

MEMORANDUM.

(Translation.)

On the 9th instant, the Honorable Minister of the United States, after requesting a special interview with the undersigned Minister of Foreign Affairs in order to discuss an important subject, visited the Foreign Office, and began the interview by giving the undersigned full assurances of the friendly spirit cherished by his government respecting Mexico, alluding, among other matters, to the note of the Honorable Secretary of State, Mr. Blaine, of which he had a few days before given a copy to the undersigned, and in which a similar friendly spirit was manifest. He added that, in the subject which he was about to introduce, his government by no means pretended to intrude in an officious manner, nor had it any other interest than a desire for the peace and harmony which should prevail between neighboring and sister nations, for the credit and the advancement of the republican institutions they had both adopted—institutions of which the consolidation in this New World

could not but interest the United States as being their originators upon this continent; that they did not on that account assume to meddle in the internal government or in the mutual relations of the other American republics, whose prosperity they sincerely desired, without pretending to stimulate it by any other means than by their own example, or, when circumstances may seem to require it, by giving friendly counsel which it was hoped would be considered as disinterested as it really is, and not as having emanated from any selfish or interested motive.

When Mr. Morgan observed that the undersigned manifested his full conviction of the friendly sentiments which he had expressed in the name of his government, he added these words: "All that I have said to you will be found better expressed, in relation to the subject now to be presented, in the note which I will proceed to read by order of my government." He then read the note addressed to him by the Hon. Mr. Blaine, under date of the 16th of June last, informing him that the Government of Guatemala had formally applied to the President of the United States, soliciting his good offices in order to re-establish between the two republics the sentiments of friendship, which it was alleged had been interrupted in consequence of the question of boundary pending between them.

Having finished the reading of this note, Mr. Morgan, after offering a copy thereof to the undersigned, who expressed a desire to possess it, added that, if the Government of Mexico accepted the decision of the boundary question with Guatemala by means of arbitration, he thought that the Government of the United States would consent to become the arbitrator, and

that the decision it might pronounce in such case would certainly be impartial and just, since it had no other interest than to re-establish harmony and good understanding between Mexico and her southern neighbor. Entering upon various considerations concerning the evils of war, Mr. Morgan observed that, even if Mexico should be victorious in a war with Guatemala, as she could not fail to be, in view of the great superiority of her elements, she would nevertheless suffer grave injuries, and perchance experience a paralysis of the movement of internal improvements lately begun, besides affording the evil example of deciding, by force of arms, the discussions between two sister republics.

The undersigned replied that he was satisfied that the sentiment which guided the Government of the United States in the step then taken was friendly and loyal, but at once observed that it had not been correctly informed by the Government of Guatemala. He further said that he would waive, for the time being, the consideration of various inaccuracies, both upon matters of history and upon recent events, contained in the note of the Honorable Secretary of State, which were doubtless due to one-sided allegations on the part of the Government of Guatemala, and to the fact that, in general, the history of Mexico is not well known, reserving the privilege of preparing, within a few days, a memorandum in which, besides stating what had passed in the said interview, he would rectify the inaccuracies above mentioned, and could take more fully into consideration some of the ideas expressed by the Honorable Secretary of State.

He would consequently limit himself at that time to the statement that force or conquest had never been the basis of the rights alleged by Mexico to a certain

portion of her territory claimed by Guatemala, as upon a future occasion he would demonstrate. The complaints of the Guatemalans, he added, are not sincere, and the government of General Barrios knew very well how different are the facts of the case from the statements made to the government at Washington. Even before consulting the President, he could assure Mr. Morgan that the good offices of his government were received with high esteem by the Government of Mexico. There is as yet, he added, no motive whatever for the fear that the latter will appeal to force to resolve the boundary question with Guatemala, which for many years has been under pacific and patient discussion, the Mexican Government having always been the promoter of the discussion, and of its solution by friendly measures.

The recent events of which the Guatemalan Government complained had been the subject of discussions in which the arguments of Mexico had not been answered, the last notes of the Mexican Government having usually been left without reply. The tactics of the Government of Guatemala had consisted in appealing, for lack of reasons, to delays and evasions. The present state of the question is, that the survey of the frontier by commissions of engineers appointed by the two governments is still pending. The appointment of these commissions was made by virtue of a convention promoted by Mexico, in which was stipulated the suspension of negotiations upon boundaries until the said frontier could be surveyed, and certain points which formed the basis of discussion could be astronomically determined.

The period fixed by the convention expired definitively before the scientific commissions had concluded



their labors, and Mexico, which has always wished to attain a truthful and conscientious decision, is laboring for the renewal of the said convention, in order to continue the boundary survey, without which it would seem that there is no possibility of rationally continuing the discussion, or of arriving at an agreement, or of an intelligent decision of the questions at issue, by a third party.

This will prove to Mr. Morgan two things: first, that the Mexican Government positively desires to bring the question of boundary to a just and pacific conclusion, and second, that it is not possible at present even to say whether this question, at least in part, may become a proper one for an arbitration.

As to the other part, i. e., the perfect title of Mexico to the state of Chiapas, including the department or district of Soconusco, of which it has been in possession for so many years, the Mexican Government has several times declared that it does not and can not decorously admit any question. What it has consented to discuss among the claims of Guatemala, and for which it has been surveying and mapping out the frontier, is the matter of the boundaries of Chiapas and Soconusco, on the Guatemala side. But it may readily be seen that this can not yet give occasion to an arbitration, since the data have not yet been obtained which have been thought indispensable for the decision of the points at issue.

Mexico is very far from absolutely refusing arbitration, but does not think it possible at present, for the reasons just mentioned, and reserves her decision as to accepting it in the future, concerning certain points on which it might be useful. If it were not for these reasons, she would be glad to take into consideration,

even before a formal proposition (which has not yet been made), the mediation of the United States with the character of an arbitration in her differences with Guatemala, for she would have the greatest confidence in the impartiality and justice of this mutual friend of both parties.

The interview was concluded by Mr. Morgan promising to send a copy of the note which he had read, and by the undersigned promising to prepare the present memorandum, which should contain, in addition to the foregoing, certain observations suggested by the contents of the said note.

Examining this important dispatch, of which a copy was sent to this Ministry the same day, attention is at once drawn, since it shows a strong desire to prove a just and friendly intention, to the paragraph drawn up in the following terms: "Events fresh in the memory of the present generation of Mexicans, which occurred at a time when the moral and material support of the United States, although engaged in a tremendous civil war, was amply afforded in order to avoid the danger with which a foreign empire menaced the life of the Mexican Republic, offer a satisfactory proof of the purity of motives and of the friendly disposition with which the United States regarded all that relates to the prosperity and the subsistence of the sister republics on this continent."

In fact, Mexico can never forget what was witnessed by the present generation of Mexicans as referred to by the Hon. Mr. Blaine, i. e., that the United States lent their generous moral support, when, being invaded by a foreign army, her people struggled alone and without resources from abroad against a European monarch and his instrument in this country, who



was supported by certain misguided elements at home. Nor will she forget that the sentiment of the American people during that crisis clearly showed that, if the United States had not been engaged in a civil war of vast proportions, the support given to Mexico would have been more than moral, and would have sufficed to terminate the struggle some years earlier.

In the same note it is stated that the forces of the Emperor Iturbide having occupied a large portion of the territory of Central America, the fortune of war forced them to abandon all that territory except Soconusco and Chiapas, and that Mexico, after becoming a republic, did not desist from reclamations founded upon the imperial policy of absorption and conquest. In this there are some historical errors, and especially one which is due, as already stated, to one-sided allegations or to the fact that, unfortunately, the history of Mexico is not well known. Even during the empire of Iturbide it was not conquest but the free-will of the inhabitants of Chiapas and Soconusco which determined their annexation to Mexico, as well as that of all the provinces of Central America except Salvador. In the use of the same liberty, they afterward separated from this country and formed with Guatemala a republic; always excepting Chiapas and Soconusco, which, after Mexico became a republic, renewed their determination to remain incorporated therewith.

As it is not possible here to recount the history of what occurred, it will suffice to mention that, on account of the ever-renewed claims of Guatemala, there have been published very serious and carefully studied treatises with the object of proving the right which Mexico originally acquired to this portion of her pres-

ent territory, basing it, not upon conquest, but upon the will of the inhabitants, the proofs of which may be found in unquestionable documents which have been published. Among these publications are those respectively made by Don Manuel Larrainzar and Don Matías Romero, persons well acquainted with the facts concerning Chiapas and Soconusco, since the former is a native of that state and the latter has resided in Soconusco, where he had to abandon his property, which was devastated by Guatemalan invaders. But, without alluding to the contents of the said publications, it will be understood how inaccurate are the attacks made upon the right of Mexico to these regions which form a state of the Union, by simply examining the long and weighty note which Señor Lafragua, as Minister of Foreign Affairs, addressed to the Minister of Guatemala in this capital, under date of October 9, 1875, adjoining to it several documents of a conclusive tenor.

This note, which has been circulated in a printed form, and in which the original rights of Mexico to Soconusco and Chiapas, now placed beyond doubt by a possession of more than thirty and fifty years respectively, are victoriously illustrated and proved; this note, which should have given rise to a serious discussion, has remained up to the present time unanswered, as the Government of Guatemala habitually leaves those which it can not answer.

The brief summary of that extended note will show by itself that the titles of Mexico have not consisted of absorption and conquest, as the Hon. Mr. Blaine has been led to believe by means of calumnies against this republic. The closing words of that document are as follows: "Summing up the argument

of the present note, the following points have been demonstrated: First. Chiapas was a province similar to the others which formed the captaincy-general of Guatemala. Second. Chiapas, on the 3d day of September, 1821, freely separated from Guatemala and united with Mexico. Third. Chiapas, on the 12th day of September, 1824, again joined the United States of Mexico by the free choice of a majority of her inhabitants (it having been previously shown that the voting took place without the presence of Mexican forces in any part of the State, and that there was a large majority in favor of Mexico). Fourth. Soconusco, in 1821, was a *partido* of the Intendency of Chiapas, and as such united with the Mexican Empire. Fifth. Soconusco, in 1821, voted freely in favor of union with Mexico on the 3d day of May. Sixth. The Act drawn up at Tapachula on the 24th day of July, 1824, was a revolutionary and illegal procedure. Seventh. Central America recognized the Supreme Junta of Chiapas, and agreed to respect its decision," etc. Without copying the entire summary, the preceding will convince the reader that the Mexican Government has never based its original rights to Chiapas and Soconusco upon conquest.

As to recent events, the points of complaint against Mexico presented by the Government of Guatemala to the Government of the United States are four in number:

First. That the diplomatic efforts made to reach a settlement with Mexico have been fruitless.

Second. That there exists a preliminary and partial agreement for the purpose of ascertaining what are the true limits; and that the Guatemalan commissions of exploration sent to survey the region in order to pre-

pare the basis for a definitive settlement were imprisoned by the Mexican authorities.

Third. That the agents of Guatemala charged to take a census of the territory in question were treated in the same manner.

Fourth. That the Mexican Government has cautiously but constantly invaded the frontier district which had heretofore been in the possession of Guatemala, replacing the local authorities which were there existing by those of Mexico, thus augmenting the area of the disputed territory.

It will be convenient to reply to these points in the same order.

I. Diplomatic efforts for the settlement of limits with Guatemala have always and exclusively been initiated by Mexico. In 1832 the Mexican Government sent Don Manuel Diez de Bonilla as Envoy and Minister Plenipotentiary, and in 1853 Don Juan N. de Pereda with the same character, without obtaining any result. Señor Pereda remained in Guatemala until the year 1858. In the various interviews which he had with Don Manuel Pavon, Minister of Foreign Affairs of that republic, that gentleman constantly refused to celebrate a treaty of limits, and said that Guatemala proposed, in the pending negotiations with Mexico, to simply recognize the *statu quo* of the frontier between the two countries without any alteration.

Señor Pereda had to suspend his official relations with the Government of Guatemala on account of the refusal of the latter to treat concerning limits, and because the said government, in a discourteous and offensive manner, refused to grant the internment of several *emigrados* from Mexico, who were conspiring against the peace of this republic.

The question of limits was not again discussed until October, 1873, when Señor Lafragua, Minister of Foreign Affairs, addressed a note to Señor Garcia Granados, Chargé d'Affaires of Guatemala, indicating the necessity that the question should be concluded. For that purpose he invited the Government of Guatemala to appoint a plenipotentiary to open the negotiations in this capital.

Señor Uriarte, the new Minister of Guatemala, replied after some months, in July, 1874, after Señor Lafragua had asked him by note whether the said invitation was accepted, that he was provided with a full power to enter upon negotiations.

On the 21st of August, Señor Uriarte presented a memorandum to serve as a basis for discussion. After various conferences, Señor Lafragua replied to the memorandum, by a note dated October 9, 1875, with which he inclosed a draft of a treaty of limits between the two republics.

This important note, already alluded to, has remained without reply, as has also been previously remarked.

In July, 1877, negotiations were resumed between Señor Vallarta, as Plenipotentiary of Mexico, and Señor Uriarte, Minister of Guatemala. The result was the convention of December 7th of that year.

II. The note of Mr. Blaine alludes to this convention. By it, as already indicated, there was created a mixed commission of Mexican and Guatemalan engineers, charged with making a survey, forming plans, and fixing astronomically certain points in order to advance the knowledge of the question at issue, and afterward continue the discussion upon the limits of the two republics.



In Article X it was stipulated that, during the suspension of negotiations upon limits, the high contracting powers would religiously respect and cause to be respected the actual possession, not raising or allowing to be raised any question relative to boundary-marks, and preventing every act of hostility on the part either of the authorities or citizens of the two republics.

The commissioners met at Tapachula, November 18, 1878, and began their operations.

On the 26th of January, 1880, three engineers of the Guatemalan commission appeared in the vicinity of Cuilco Viejo, a village of Soconusco, accompanied by a number of Indians, and placed there a cross. The local authorities believed that this act was intended to advance the boundary-post of Pinabete, recognized as the limit between the two republics and situated eight leagues farther north, as had been done years before by the inhabitants of Tacaná, a village belonging to Guatemala. Under this belief they questioned the said engineers, and not receiving satisfactory explanations of the act, nor being shown any document proving their character as commissioners, the said authorities arrested them and sent them to Tapachula. There they were immediately set at liberty by the political chief, who gave them the fullest reparations. This is the only case of imprisonment of engineers which Guatemala can cite, and as to this incident that Government appeared to be satisfied. The Mexican Government then believed that the local authorities had acted erroneously, but later acts of the Government of Guatemala show that it had really been intended to change the landmarks.

III. A motive similar to the foregoing occasioned the arrest of the agents of Guatemala, to which allu-

sion has been made. In December, 1880, a commission, composed of the *alcalde* of Tacaná and four other persons, proceeded to register the inhabitants of some *rancherías*, which, although a league distant from the Mexican village of Cuilco Viejo, form an integral part thereof. They went—not, as alleged, to take a census in disputed territory—but to exercise acts of jurisdiction in the place, in order afterward to adduce them as a proof of possession by Guatemala. It is to be noted that the inhabitants of Tacaná, whose *alcalde* is the present subject of discussion, were the same who at a former time advanced the boundary-post of Pinabete, and that the *rancherías* in question would have been on Guatemalan territory if the said landmark had remained where it was then placed, on which spot the cross was afterward raised by the Guatemalan engineers. The said commissioners, who thus violated the convention binding them to respect the actual possession, were therefore justly arrested, and turned over to the District Judge, in order that he might act in accordance with the laws of Mexico.

The Minister of Guatemala complained of this act, alleging that those *rancherías* belonged and had always belonged to his country. In the reply made to him, under date of the 27th of January last, the inaccuracy of his assertions was proved by showing that those *rancherías* were within the provisional limits of Mexico, and that they belong to this republic, even according to the official map of Guatemala. In refuting the charges made by Señor Herrera in his note, against the Mexican authorities, it was shown by recent facts that the abuses have been on the part of the Guatemalan authorities.

As Señor Herrera based the title of his country to



the said points on the fact that there were certain assistant alcaldes appointed by the authority at Sibinal, a village of Guatemala, the undersigned showed that the appointment had been first made after the signature of the Convention which bound the two countries to respect the *statu quo* in regard to limits, and that consequently it only proved that Guatemala had violated her engagement. Señor Herrera confined himself to stating that he would inform his government of this note, and it has thus far remained without reply.

IV. The accusations against Mexico under this fourth heading, i. e., a general charge of continual Mexican invasions of Guatemalan territory, are not only entirely false, but inconceivably audacious. There exists a plan of Soconusco made by Don José E. Ibarra, carefully formed, as is shown by the geographical and statistical notices of that department given in the margin. On it are marked in red ink the ancient limits, and in green those which seem to be recognized in recent times. The space between the two lines marks the advances made by Guatemala, and at the end of the marginal notices the dates are specified when they were effected. These invasions have been continued recently; the archives of the Department of Foreign Affairs are full of data upon those which have occurred since 1870.

Without being, perhaps, among the most notable, one of these invasions was for the purpose of destroying the property of Don Matías Romero, as already indicated. Señor Romero, who is well known in Washington, where he represented Mexico for several years, could not, with all his characteristic moderation and prudence, prevent Guatemalan Indians, by:

order of a prefect of that nation, from invading his lands within the Mexican territory, destroying his property, carrying away prisoner one of his employees, and maltreating others. In November, 1875, a complaint was presented to the Government of Guatemala for this act, but hitherto no reply has been made. On the other hand, that government has imputed to Señor Romero conflagrations and other crimes within the territory of Guatemala—charges entirely improbable, and which that gentleman has, moreover, refuted at length.

In the same month and year the engineer Don Alejandro Prieto, secretary of the Mexican legation in Guatemala, made a survey of the frontier by direction of Señor Garza, then Mexican minister to that government. He made the journey and the survey in company with General Barrios, President of Guatemala, as was stated by Señor Garza in a letter addressed to Señor Lafragua, and by the Government of Chiapas in a dispatch dated November 26, 1875. From this visit originated the sketch-map drawn up by Prieto, which may be found in this ministry, and which, as well from having been prepared under the inspection of President Barrios as for other reasons, can not be an object of suspicion to Guatemala. Upon it is marked the line which is the boundary in fact, and on it are also marked the points in dispute. To this line, then, must be referred the *statu quo* stipulated in the Convention of 1877. Now, the very notes of the Minister of Guatemala prove that his Government, far from having respected it, has violated it at Tonintaná, at Las Chicharras, Cuilco Viejo, and other points.

That Government has gone so far as to defend the misdeeds of the Alcalde Meoño, who attempted to

assassinate a Mexican surveyor, and burned ranchos within the territory of Mexico.

It has done more. In December of last year it sent, or permitted to be sent, a force under the orders of the prefect of San Márcos (a department of Guatemala), which invaded our territory and destroyed the landmark of Pinabete, the same which was demolished by the residents of Tacaná, and which was reconstructed shortly afterward. The said prefect then hoisted the flag of Guatemala precisely upon the cross so mysteriously erected by the Guatemalan engineers near Cuilco Viejo.

Complaint being made at Guatemala of these acts, that government refused to give explanations to our minister, under the pretext that the subject had to be treated in Mexico, because Señor Loaeza had no instructions to receive them. The Minister of Foreign Affairs, Señor Montúfar, being pressed by our representative, who sent him a copy of a note from the undersigned manifesting surprise at such conduct, replied that the ground where these events took place belonged to Guatemala, without giving any reasons for such allegation, and overlooking the fact that the undersigned, in his note of the 27th of January last, to which no reply has been given, had demonstrated the contrary.

Meanwhile the term of the Convention of December 7, 1877, had expired on December 31, 1879, without the scientific commissions having concluded their labors. The Mexican Government proposed to that of Guatemala that the said Convention should be renewed for a term long enough to attain the object desired, and ordered its engineers to remain on the frontier, as in fact they have remained, notwithstanding that the

Guatemalan engineers were withdrawn by their government without the formality of advising that of Mexico. The President of Guatemala personally informed our minister that he was willing to renew the Convention, and that instructions to that end had been sent to Señor Herrera, Minister of Guatemala in Mexico. Señor Herrera, however, considered himself for several months without sufficient instructions to negotiate, alleging that those received were not sufficiently explicit. It was only recently (July 11) that Señor Herrera, having come to speak with the undersigned about the friendly step taken by the Government of the United States, and the observation having been made to him that the Government of Guatemala had not yet sent him the instructions offered, made known that he had received them in the desired form.

This conduct of his government, not at all sincere, and seemingly incomprehensible, is now explained by the step which the President of Guatemala, through his representative, has taken toward the Government of the United States. President Barrios wished, as may be inferred from the facts, to gain time while he applied to a friendly government complaining of injuries supposed to have been committed by the Government of Mexico, whose conduct he depicted with false colors while soliciting the interposition of good offices. In this application, he apparently omitted, however, to state that, at the request of Mexico, the renewal of the Convention for the survey of the frontier was under advisement, a survey absolutely necessary, as declared by both governments, in order to fix the international limits, whether by diplomatic negotiations or other pacific means.

The omissions and inexactitudes of the government of General Barrios, in its statements to the President of the United States, as well as its other acts concerning the question of limits with Mexico, show its policy upon this subject to be entirely lacking in sincerity and frankness.

The facts briefly noted in this memorandum, and others which can not here be mentioned, authorize the suspicion that the said government, in addressing the President of the United States, has not really desired, as was pretended, to obtain the decision of an arbitrator upon the question of limits. It is very certain that it can not be ignorant of the impossibility for Mexico to admit any discussion of the rights she has to Chiapas and Soconusco, forming as they have done for many years a State of the Union, an integral part of the republic, and that it also understands how impossible it is to fix the limits between this State and Guatemala, before surveying the region in dispute, whoever may be the arbitrator charged to render such decision.

The object, then, in pretending to promote an arbitration, can not be other than to gain time, as on former occasions, to continue the partial invasions and enervate the action of the Mexican Government in the simple defense of the national territory.

The undersigned, in order to place upon record the facts of the interview with the Honorable Minister Morgan, and the observations to which the note of the Hon. Mr. Blaine give occasion, has drawn up the present memorandum, which he signs for due evidence thereof.

(Signed)

IGNACIO MARISCAL.

MEXICO, *July 25, 1881.*



## DOCUMENT No. III.

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### THE QUESTION OF LIMITS BETWEEN MEXICO AND GUATEMALA.

*Extracts from a Pamphlet containing the correspondence exchanged in 1874 between the Minister of Guatemala in Mexico, Mr. Ramon Uriarte, and the Mexican Minister of Foreign Affairs, Mr. José María Lafragua.*

(Translation.)

LEGATION OF GUATEMALA, MEXICO, August 21, 1874.

SIR: AS was agreed in our last conference, I do myself the honor to send Your Excellency the inclosed memorandum, hoping you will be pleased to appoint a day and hour when I may present myself at your office to continue the discussion of the project of bases for a preliminary convention upon the boundaries between Guatemala and Mexico.

This occasion affords me the pleasure of renewing to Your Excellency the assurances of my distinguished consideration.

(Signed)

R. URIARTE.

*To His Excellency, MR. JOSÉ MARÍA LAFRAGUA, Minister of Foreign Affairs of the Mexican Republic.*

LEGATION OF GUATEMALA, MEXICO, August 21, 1874.

*Memorandum presented by the undersigned, Envoy Extraordinary and Minister Plenipotentiary of Guatemala, to His Excellency Mr. José María Lafragua, Minister of Foreign Affairs of the Mexican Republic.*

After examining with the greatest care all the documents found in the archives of the Legation in my charge concerning the various questions pending between Guatemala and Mexico, I now fulfill the duty of submitting to the enlightened consideration of Your Excellency the present memorandum as a basis for the conferences begun on the 22d of last July.

I would waive all mention of the obstacles hitherto encountered in bringing to a happy conclusion the treaties proposed between the two republics, and especially that concerning territorial limits, if it were not for the fact that in official documents Guatemala has been charged with unwillingness to conclude such treaties. This appears from the Memoir presented by Your Excellency to the Congress of the Union last year, and more explicitly from the documents concerning measures proposed for the development of the agricultural wealth of Soconusco presented by the Finance Department to the Congress of 1871. In this latter document it is stated that Mexico has always been ready to enter into friendly and equitable treaties with Guatemala, but that the latter power has refused to sign them under the belief, or at least the hope, of some time recovering the state of Chiapas. This is inexact. A rapid glance at the protocols of the conferences held at different periods between the commissioners of the two countries will demonstrate that Guatemala has not only been ever ready to negotiate treaties with Mexico, but that she has carried her condescension as



far as is possible for a nation desirous of the closest harmony with her neighbors, without prejudice to her own dignity.

With respect to the question of limits, for example, Guatemala proposed in 1832 the arbitration of a friendly nation, which was declined by Mexico. Some years later, in 1854, Guatemala went to the extreme of renouncing her indisputable rights to Chiapas and Soconusco, without demanding any indemnification, and, if the negotiation was not carried out, it was because Mexico declined to recognize and pay the debt of those states to the ancient "Kingdom of Guatemala."

Nearly the same thing took place respecting the treaties of commerce and extradition of criminals, two of which were successively negotiated in 1831 and 1850, without having been ratified by the Mexican Government.

Guatemala has just given the latest proof of her sincere desire to terminate a question which has been pending for half a century between the two countries by sending the undersigned to this city. If on the part of Mexico, then, there exists the same desire, as Your Excellency has been pleased to intimate to me, nothing will be easier than to draw closer, by means of equitable conventions, the ties of friendship and fraternity which ought always to bind together two neighboring republics which have the same origin and identical interests.

As the first thing to be done is to agree upon a preliminary convention to fix the bases according to which should be traced the dividing line from the coasts of the Pacific to those of the Northern Sea, the undersigned sees no objection, respecting the question.

of Chiapas, to take as a starting-point the project discussed in Guatemala between Messrs. Pavon and Pareda in 1854. That is to say, that Guatemala will recognize the incorporation of that State into the Mexican territory on condition that Mexico will proceed to settle the debt which that province had contracted with what was formerly the "Captaincy-General of Guatemala."

The case is not the same respecting Soconusco. I waive for the present the narration of the acts by virtue of which that former district of Guatemala now forms a part of the United States of Mexico. Force does not constitute a title, and if with respect to Chiapas no one can doubt the justice with which Guatemala might demand its restitution, in regard to Soconusco it is abundantly evident that the violation of the neutrality in which it had been agreed to maintain that province can never be for Mexico a title of domain, but rather strengthens, in the eyes of international law, the titles which Guatemala has ever had for considering it an integral part of her territory. But, as I have already said, it is not my intention to record the history of those unjustifiable acts, and I will only call Your Excellency's attention to the difficulties presented by the tracing of any dividing line segregating Soconusco from the territory of Guatemala.

The clearer the demarkation of frontiers between adjacent countries, the fewer disputes will there be between frontier authorities, and all questions originating in the lack of precision of the dividing lines will be completely obviated. For this reason it has latterly become the custom among civilized nations to adopt, as such boundaries, degrees of longitude or latitude. Since this is not possible in the present case

of the limits between Guatemala and Mexico, the line should be drawn as straight as possible, in view of the broken character of the region through which it must pass. The Department of Soconusco, on the southern coast, forms an angle entering the territory of Guatemala, of which the base is the river Ciutalapa, proceeding from the Bay of Zacapulco as far as the towns of Motocinta and Mazapan, and the vertex being formed by the mouth of the river Tilapa, in the Bay of Ocós. Consequently the base for the demarkation of the line from the Pacific Ocean should be the Bay of Zacapulco, tracing thence a straight line to the river Dolores, the recognized limit of the state of Chiapas. Guatemala could not accept the imperfection of a line starting from the Bay of Ocós, going thence north to Tajomulco, then receding eastward along the mountain chain of Tajomulco, and finally descending the river Blanco to Mazapan.

From the river Dolores to the Northern Sea, the undersigned proposes for basis for the tracing of a line the actual possession, with the understanding that a scientific commission should be appointed by agreement of both governments, in order to make the necessary surveys, and mark the definitive limits between Guatemala and Mexico in accordance with the bases above suggested.

Respecting treaties of friendship, commerce, and extradition and a postal convention, the undersigned abstains from speaking of them in the present memorandum, so as to proceed with order, making due separation between the subjects which have been intrusted to him.

(Signed)

R. URIARTE.

MINISTRY OF FOREIGN AFFAIRS, MEXICO, *October 9, 1875.*

SIR: By direction of the President of the Republic, I now proceed to examine the note of Your Excellency, dated August 21, 1874, and the accompanying memorandum, on the contents of which I have made to Your Excellency some observations in private conferences. . . .

Entering upon the examination of the serious matter in question, I must immediately remind you that on October 20, 1873, I had the honor to address to Mr. Manuel Garcia Granados, then representative of Guatemala, the formal declaration that the Government of Mexico does not admit any discussion upon the legitimacy of the possession of Chiapas and Soconusco by the United States of Mexico. As that note was not answered, and since Your Excellency afterward arrived here in the high capacity of Envoy Extraordinary and Minister Plenipotentiary, the Government of Mexico naturally believed that Guatemala desisted from the question formerly raised by her as to the incorporation of Chiapas and Soconusco, and that the mission of Your Excellency had for object the much desired settlement of boundaries. But the note and memorandum of Your Excellency reopen this discussion, and conclude by proposing to Mexico the loss of almost the whole of Soconusco, as well as a part of Chiapas and the payment of the debt for which that state is alleged to be responsible.

It would suffice for the Government of Mexico to refer to the formal declaration contained in the note of October 20, 1873; but, with the only object of preventing that decision from being deemed capricious or arbitrary, I proceed to state to Your Excellency the reasons which legalize the possession of Chiapas and

Soconusco, without thereby modifying the sentiments expressed in 1873. The present exposition will set forth the sum of the rights which Mexico considers beyond question, and which she is resolved to sustain in the just defense of those important parts of the national territory, worthy for a thousand reasons of the esteem of our citizens and of the efficacious protection of the government. . . .

It is consequently proved that there were no such abuses (as have been alleged by Guatemala) in the incorporation of Chiapas and Soconusco; but even admitting, without conceding, that there was any irregularity, what does it avail in view of the solemn ratification based upon the acquiescence of the people of Chiapas and Soconusco? During fifty-one years the former, and during thirty-three years the latter,\* have not made a single protest, have not expressed a single complaint, or manifested any dissatisfaction on account of their union with Mexico. They have suffered, like other Mexicans, the evils of civil war and of foreign invasions, they have enjoyed the benefits of liberty and felt the tyranny of dictatorship, and, with their talents in council and their blood in battles, have contributed to the defense of national interests.

As a State of the Federal Republic, as a Department of the Central Republic, Chiapas has remained, during the long period of our checkered political life, the same province which spontaneously united itself to Mexico on the 3d of September, 1821. When, in 1847, the Federal Government was reduced to a few cities, without an army and obliged to yield to the terrible law of war, why did Chiapas not separate

\* This was written in 1875. Now, in 1881, the possession by Mexico has lasted fifty-seven years in one case and thirty-nine years in the other



from a nation so prostrated by misfortune? When, in 1865, the Federal Government was carried, by public misfortune, to Paso del Norte, why did not Chiapas, situated at the other extremity of the country, at a distance of eight hundred leagues, separate from a nation almost completely subjugated by a foreign power? These and other periods afforded extreme facilities for Chiapas, if, in her territory, there had existed any sentiment hostile to Mexico, to manifest it, or to indicate any desire to abandon the mother-country, which she freely adopted as her own, and to whose fortunes, prosperous or adverse, she has remained united with the most perfect liberty. If the state of Chiapas were situated in the center of the republic, it might be said, carrying suspicion beyond the limits of probability, that her hands were tied by her very position, since any movement on her part might be suppressed in a single day. But, being situated at the extremity of the country, and separated from the center by three hundred leagues of really difficult roads, her unshaken fidelity is not the effect of fear, but the worthy fruit of a sentiment as noble as it is spontaneous.

What reasons, said I in the note dated October 20, 1873, can be alleged in presence of so firm a will? What title can avail more than so constant a fidelity? What right more solid than that founded upon such a loyal and zealous patriotism? In fact, a simple doubt would be an offense, the more cruel when more undeserved, and this is one reason why the Government of Mexico can not admit any discussion upon the possession of Chiapas and Soconusco.\*

\* There are several reasons why Mexico could not, even if she would, enter into any discussion upon the legitimacy of her long-continued pos-

Before entering upon the examination of the project of limits, I ought to reply to a charge unjustly made against the Republic of Mexico, attributing to its reluctance the delays experienced in this important business. From 1825 until the present day, Mexico has constantly proposed the immediate tracing of the limits. This appears from the notes of Mr. Alaman and the protocols of Messrs. Manuel Diez de Bonilla and Juan Nepomuceno de Pereda, envoys of Mexico in that republic. Guatemala, on the contrary, has ever avoided the tracing of limits, desiring the maintenance of the *statu quo*, and thus postponing indefinitely the solution of so important an affair.

These official documents fully prove who has been at fault in this delay. Mexico has *constantly* sought for the tracing of the limits, which she has considered as the only means of closing the door against claims which, though perchance of slight importance at the outset, are magnified by the lapse of time into affairs of great moment. Guatemala, on the contrary, has constantly refused the tracing of limits, and has always labored for the preservation of the *statu quo*, thus leaving open a wide door for quarrels between private individuals, which subsequently become conflicts be-

session of Chiapas and Soconusco. The most apparent is, that the constitution of the Mexican Republic enumerates Chiapas (including Soconusco) among the States of the Union. Consequently there is a constitutional impediment, quite unsurmountable, for the Government of Mexico to discuss, before an arbitration or otherwise, the untimely question now raised by Guatemala. She urges that the said government, to gratify some long-cherished fancies of Guatemalan politicians, should submit to trample upon the national constitution (and forget its dignity) by discussing, without any authority to do so, a point settled alike by that instrument and by time, the great legitimator of all possessions in the world, even when their title is less clear than that of Mexico to her present State of Chiapas.



tween governments. Would the scandals of Bejucal, and so many others, which have given occasion to complaints, and even now demand the attention of the two countries, have taken place if the dividing line had been clearly fixed? But all the efforts of Mexico have been sterile in presence of the zeal with which Guatemala has sustained her fancied right to Chiapas and Soconusco. Hoping some day to recover these regions, or to obtain a pecuniary compensation for them, she has refused to put an end to an uncertainty harmful to both nations, and proposed the negotiation of treaties of a different character, which can be of no utility as long as the material possession, subject by law to the authority of each government, remains undefined. It is true, as Your Excellency says, that in 1854 Guatemala agreed to the incorporation of Chiapas and Soconusco, but she did not consent to the actual tracing of the limits, insisting, as before, upon the maintenance of the *statu quo*, as may be seen in Article I of the Memorandum by Mr. Pavon: "The limits between the two republics shall continue to be *what they now are*." This phrase clearly expresses the invariable idea of Guatemala, namely, not to trace her limits, and thus leave subsisting all the causes of difficulties, and all the elements of future conflicts, between the two nations. Moreover, the deference of Guatemala in 1854 had for its basis the proposed payment of a debt which Mexico can not recognize, and a claim upon unoccupied lands which can not even be discussed, since it has no foundation whatever. It is, in fact, difficult to discover the reasons which Guatemala has had for refusing the settlement of her limits, for it is not possible even to imagine that this refusal involves the idea of maintaining the rights hitherto

alleged and the hopes hitherto cherished. It is, therefore, absolutely indispensable to put an end to a controversy which has caused such evils to both countries, and threatens others still more serious for the future welfare of two republics needing to live in the most perfect harmony.

Summing up all the argument of the present note, the following points have been proved:

1. Chiapas was a province on terms of equality with the others which formed the captaincy-general of Guatemala.

2. Chiapas, on the 3d of September, 1821, spontaneously separated from Guatemala and united herself to Mexico.

3. Chiapas, on the 12th of September, 1824, again united herself to the United States of Mexico, by the free vote of the majority of her inhabitants.

4. Soconusco, in 1821, was a *partido* of the intendency of Chiapas, and as such united herself to the Mexican Empire.

5. Soconusco, in 1824, was legitimately represented in the Supreme Junta of Chiapas, and freely voted for annexation to Mexico on the 3d of May.

6. The act signed at Tapachula, on the 24th of July, 1824, was a revolutionary document, and was illegal from every point of view.

7. Central America recognized the Supreme Junta of Chiapas, and offered to respect its determination.

8. The decree of August 18, 1824, by which the Federal Congress declared that Soconusco, by virtue of her *pronunciamiento*, had united with Central America, was a usurpation of the rights of Mexico.

9. The notes exchanged between the Ministers

Alaman and Mayorga did not constitute a legal agreement.

10. The decree of October 31, 1825, by modifying the essence of the propositions of the Mexican Minister, left them without effect.

11. The neutrality in which Soconusco remained *de facto* was many times violated by Guatemala.

12. No act of Mexican authorities recognizing such neutrality could be valid, since any treaty required the approbation of Congress.

13. Mexico was under no obligation to respect such neutrality. Consequently, when she occupied Soconusco in 1842, she infringed no international compact, and only made use of the right given her by the vote of May 3d, and the declaration of September 12, 1824.

14. Soconusco, in 1842, was free to unite herself again to Mexico; for, even supposing legitimate the act of July, 1824, the district was thereby united to Central America, not to Guatemala; therefore, when that federation was dissolved, Guatemala had no rights of any kind.

15. The military pressure, the intrigues, and other abuses which Guatemala has imputed to Mexico are not proved, while, on the contrary, it is proved that in September, 1824, there were no Mexican troops in Chiapas, and that those commanded by Colonel Aguayo in 1842 were invited thither by the inhabitants of Soconusco.

16. *Any supposable irregularity in the incorporation of Chiapas and of Soconusco has been entirely validated by the constant union of those regions during fifty-one years in the first case, and during thirty-three years in the second case,\* in which lapse of time they*

\* Now, in 1881, these periods are respectively 57 and 39 years.

*have not presented a single complaint nor indicated any repugnance to continue attached to the Mexican Republic.*

17. Respecting the public lands, the claim of Guatemala is entirely inadmissible, since she has no rights whatever upon the territory of Chiapas.

18. The debt of Chiapas is included in that of Mexico, which is consequently not responsible for it to Guatemala; from whom she might, on the contrary, more properly demand a certain amount, as the difference between that debt and the general one of Central America.

19. The delays of so many years in the settlement of this question are due to Guatemala, who has always opposed the tracing of limits, which has *continually* been urged by the Government of Mexico.

The facts being thus cleared up, and the right of Mexico to Chiapas and Soconusco being solidly established, I proceed to treat of the question concerning the adjustment of limits between the frontier states of both republics, in order to terminate, in a practical manner, this prolonged subject of controversy.

I renew to Your Excellency my very distinguished consideration.

(Signed) J. M. LAFRAGUA.

*To His Excellency MR. RAMON URIARTE, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Guatemala.\**

\* This dispatch has not been answered by Guatemala.

## DOCUMENT No. IV.

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SEAL OF THE MEXICAN MINISTRY OF FOREIGN AFFAIRS:  
*Section of America.*

*Extract.*

The Minister of War has transmitted to this department, in a dispatch dated the 5th instant, a communication from the Governor of Chiapas dated the 1st of October last, in which he says that he transmits a copy, containing 14 pages, of the depositions made by the criminals, Samuel Palmer and Florencio García, and of the investigation made concerning their statement that the President of Guatemala favors the filibustering projects organized in that republic against Mexico.

From these documents it appears that Palmer and García, the former a negro from Belize and the latter a Spaniard, the manager of the coffee plantation of Don Joaquin Cárdenas, near El Rodeo, Guatemala, formed a part of the band of invaders who sacked the town of Tuxtla Chico on the night of September 20, 1880, García having acted as second in command. In their depositions they stated, among other things, that the expedition in question was organized and armed within the territory of Guatemala, with the knowledge of the



Commander of Malacatan, Don Joaquin Velasco, who promised the leader, Faustino Cárdenas, that he would offer no obstacle, and that the plan had for object to overthrow the existing authorities of the state of Chiapas, and to proclaim Don Pantaleon Dominguez; that the plan as well as the proclamations signed by Victor Fougier, an exile in that republic, were printed in Guatemala, but that these documents were thrown into a river when the invaders were overtaken by the Mexican troops sent in pursuit. García added that they also carried a box with bombs, though he did not know for what purpose.

In the record of the investigation made last March by the Judge of First Instance at Tapachula, appear the depositions of Dr. Charles E. Mordaunt, an American citizen; José María Chacon, resident at Tapachula; Timoteo Leon, a Guatemalan by birth but Mexican by naturalization; and Juan María Coutiño, resident at Tapachula.

Mordaunt testified that he knows from the statements of several exiles and of some Guatemalans that the President of that republic has aided and continues to aid the revolutionists; that having seen the invaders of Tuxtla Chico at the time of their first incursion, he saw them again in the town of El Rodeo, Guatemala, engaged in trade with a capital furnished them by the President of Guatemala according to their own statement, and that he knows by the evidence of his own eyes that, on the two occasions when the Department of Soconusco was invaded, the arms and ammunition employed belonged to the Guatemalan army, that several Guatemalans accompanied the Mexican invaders, all of whom, on their return, were not molested but were aided by the said President.

Chacon testified that the President of Guatemala, Don Rufino Barrios, not only favors the filibusters but furnishes them arms, ammunition, and even explosive projectiles. This he knows from having been in December of last year at Costa Cuca, Guatemala, with Basilio Saenz, of Tapachula, a fugitive from justice for crimes not political. Saenz informed him that President Barrios had given him \$400 in cash, and loaned him \$3,000 for two years without interest, on condition that he would head a party of filibusters who should take possession of Soconusco, causing to be signed in the towns petitions in favor of annexation to Guatemala. This Chacon believes to be true, because Barrios himself has proposed to give the witness money and official positions with the same object of annexing Soconusco to Guatemala; that it is a notorious fact that President Barrios gives aid and comfort to all discontented Mexicans who arrive at his capital for political reasons, on condition of their taking up arms against Mexico, and that the week before last two small parties of Guatemalan soldiers invaded Mexican territory near Cuatepec, having penetrated two leagues within the municipality of Ayutla.

Timoteo Leon testified that it is true that President Barrios favors the filibusters who invade Mexico, which fact he knows because they are habitually organized and armed in Guatemalan towns in the presence of the authorities, who do nothing to impede them, although they have at their command the telegraph by which they might give information.

Lastly, Coutiño gives a similar opinion, based upon the fact that the filibusters themselves have publicly boasted of the protection given them by President

Barrios, and that Faustino Cárdenas, the leader in the sack of Tuxtla Chico, having been previously under arrest in Guatemala, was set at liberty in order to invade Mexico, and that, in all the attacks made upon Tuxtla Chico, the point of reunion of the invaders has been at San Vicente Cananá, very near the headquarters of the Commander of Malacatan, Don Joaquin Velasco, who aided them with money and arms, all which is public and notorious by the admission of the filibusters themselves.

This document concludes with a dispatch from the judge, in which he excuses himself for the delay in sending the record of his investigation.

(Signed)                   FELIX GALINDO,  
*Chief of the Section of America.*

MEXICO, *November 10, 1881.*

## DOCUMENT No. V.

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*A brief summary of the contents of a book published by Señor Don Matías Romero, bearing the title "Refutation of the Charges made against the Citizen Matías Romero by the Government of Guatemala."*

Among the principal complaints made by the Government of Guatemala to the Government of Mexico, respecting difficulties on the frontier of Soconusco, are those referring to the conduct of Mr. Matías Romero during the first two years that he resided on that frontier. These complaints were embodied in three notes, dated April 9, 12, and 14, 1875, addressed to the Mexican Minister of Foreign Affairs by the Guatemalan representative in Mexico, by order of General José Rufino Barrios, President of Guatemala, and printed as appendices to the "Memoir of the Mexican Foreign Office," bearing date December 4, 1875. Although the references made by the Mexican Minister to these complaints in the memoir in question were perfectly conclusive as to the degree of importance which should be attached thereto, Mr. Romero sought and obtained from the Foreign Office, under dates of July 31 and August 2, 1876, permission for the publication of an extended refutation of the Guatemalan charges, as an appendix to the Foreign Office memoir of that year.

This document, which was issued from the government press, consists of a quarto volume of three hundred and seventy-seven pages, of which one hundred and sixty-three are filled with Mr. Romero's refutation, and the remainder with eighty-three documents illustrative of the text.

This volume bears the title "Refutation of the Charges made against the Citizen Matías Romero by the Government of Guatemala." Mr. Romero, who is well known in the United States as the efficient Minister Plenipotentiary of Mexico during the war of intervention in that republic, was subsequently for several years Minister of Finances under Presidents Juarez and Diaz, member of the Federal Congress, and Postmaster-General, and was recently instrumental in the organization in the United States of the Mexican Southern Railway Company, under the auspices of General U. S. Grant, who accompanied him to Mexico in the spring of 1881.

Mr. Romero begins his refutation by an analysis of the charges made against him, which he divides into seventeen heads, each of which is separately considered. The volume is divided into three parts. Part I is entitled "A Statement of my Conduct in Soconusco in Respect to General Barrios and Guatemala." Part II consists of a "Reply to the Charges made by General Barrios," and Part III is devoted to a consideration of the conduct of General Barrios toward Mexico, especially in reference to the frontier question.

At the outset, Mr. Romero cites the language employed by the Chief Clerk of Foreign Affairs, Mr. Juan de Dios Arias, in the "Memoir of Foreign Affairs," bearing date December 4, 1875, and that of his predecessor, the lamented statesman, Mr. José María Lafr-



gua, in four notes addressed to the Guatemalan minister, Mr. Uriarte, under dates of July 4 and 8 and August 11, 1875, all relating to the said charges. These communications explicitly declare that such charges are unjust; that they rest upon insufficient and erroneous data, and that they are expressed in terms unsuited to diplomatic correspondence. The Government of Guatemala was therefore formally invited to exhibit proofs of the said charges, which invitation, it is needless to remark, was not accepted.

Mr. Romero then narrates at length the circumstances attending his settlement in Soconusco. Having resigned the Mexican Ministry of Finance on June 10, 1872, just before the death of President Juarez, on account of seriously impaired health, he thought it necessary to devote himself to active agricultural labors. His attention had been previously attracted to the Department of Soconusco, whose agricultural resources and capabilities for improvement he had already been instrumental in promoting, by several fiscal measures and by the publication of a memoir devoted to that subject. During a visit which Mr. Romero made to Soconusco, in September and October, 1872, his favorable impressions were confirmed. He then made the acquaintance of General José Rufino Barrios, now President of Guatemala, making him a visit in Quezaltenango, and establishing with him relations of confidence, and even intimacy. General Barrios was highly pleased at the proposed establishment of Mr. Romero on the frontier of Soconusco, where he possessed, in Mexican territory, a *hacienda* called Malacate, which he offered for sale. General Barrios accompanied Mr. Romero on his return to Tapachula, the capital of Soconusco, where, at the in-

stance of the latter, public demonstrations were made in his honor. At the request of General Barrios, Mr. Romero wrote a series of comments upon the Guatemalan project of a constitution, then under discussion.

As the result of this first visit to Soconusco, although his resources did not permit the purchase of the *hacienda* of Malacate, he resolved to establish himself near Tapachula, giving his chief attention to the cultivation of India-rubber. He arrived there definitively with his family in February, 1873, and in the following month made a visit to the capital of Guatemala. He found General Barrios provisionally in charge of the Presidency, to which he was formally elected two months later. The General received Mr. Romero with the greatest cordiality, expressed a desire that he should settle within the territory of Guatemala, offered him the necessary resources for the purchase of lands, and expressed a desire to become his partner in establishing a new coffee plantation on Mexican public lands adjacent to his *hacienda* of Malacate and to the Guatemalan frontier. The latter proposal alone was accepted by Mr. Romero, and an unsigned contract was drawn up. The confidence of General Barrios was at this time carried to the extreme of intrusting Mr. Romero with the drawing up of a decree establishing religious liberty in Guatemala in conformity with Mexican antecedents, and with the preparation of one or more editorial articles in defense of the provisional government of Barrios.

Returning by land to Soconusco, Mr. Romero visited the *hacienda* of Malacate to inspect the lands proposed for the coffee plantation, and then devoted himself to the formation of his own India-rubber plantation, called the Hular de Zuchiate, on lands adjacent to the

sea. In August, 1873, he again visited Malacate in company with a government surveyor, and effected the denouncement and survey of a tract of public lands adequate for the contemplated coffee plantation to the north of Malacate, adjacent to the reputed frontier of Guatemala, but taking care that the lands in question should be exclusively on Mexican territory. Contracts were made with laborers resident in the vicinity for planting corn and for clearing the land destined for the coffee plantation, to which the name of "Cafetal Juarez" was given. President Barrios was duly and minutely informed by letters of all the steps taken in pursuance of his repeated requests.

In January, 1874, General Barrios visited his *hacienda* of Malacate and inspected, in company with Mr. Romero, the lands comprising the "Cafetal Juarez." He then expressed the fear that a portion of those lands belonged to Guatemala, and indicated what he conceived to be the frontier between the two republics in terms differing from what had been assumed as such by Mr. Romero—namely, the course of the small river Petacalapa. As the result of his inspection of the lands, General Barrios withdrew from the proposed partnership, leaving Mr. Romero free to form the projected coffee plantation on his own account, under promise of efficacious co-operation from the Indian laborers resident within the frontier of Guatemala.

During this visit of General Barrios to Soconusco he was informed that three Guatemalan exiles, residing at Tapachula, had formed a plot to assassinate him. Through the intervention of Mr. Romero, those individuals were arrested and kept in prison for some weeks. They were afterward liberated by the local

judge, against the opinion of Mr. Romero, on the ground of insufficient evidence. This circumstance highly displeased President Barrios, who habitually considered Mr. Romero responsible for everything that passed in Soconusco.

After the return of General Barrios, Mr. Romero continued his labors in the formation of the coffee plantation called "Cafetal Juarez," counting upon the good-will of Barrios, repeatedly expressed in letters bearing date February and March, 1874. Various reports reached the ears of Mr. Romero that Barrios had stated that the said plantation was in Guatemalan territory, and that the cultivation should, therefore, not be permitted; but the Guatemalan president denied in his letters the truth of these reports. On the 9th of May, however, the alcaldes of the Guatemalan town of Tajomulco proceeded to the "Cafetal Juarez" with 200 Indians, and, after reading an order from the political chief of San Márcos, Guatemala, cut down with their *machetes* all the young coffee-trees, and carried off prisoners to Guatemala the two men in charge of the plantation, one of whom was kept four days in the public prison of San Márcos. Mr. Romero was naturally averse to believe that this destruction had been ordered by President Barrios. He immediately informed General Barrios by letter of the outrage committed on his estate, and received a prompt reply disavowing the act, and giving assurance that orders had been sent to the Indians in question to abstain from further molestations.

The *mayordomo* of Mr. Romero, named Fermin Maldonado, on his return from his imprisonment in San Márcos, received information that a party of the Indians who had committed the former outrage had

again assembled in a hut at Altaná, within Mexican territory. Desirous to avenge the wrongs he had suffered, he collected eight or nine laborers from the coffee plantation, and made an incursion to Altaná. The Indians fled at his approach, and he proceeded to burn down three huts and carry off four boxes of corn. He also caught one of the Indians of Guatemala, whom he sent prisoner to Tapachula, informing Mr. Romero by letter of what he had done. The huts were of the kind that may readily be constructed by three or four men in a single day, and were accordingly valued at a dollar apiece. The corn was estimated to be worth eight dollars. The total valuation of the loss was, therefore, eleven or twelve dollars, but the event figures in the charges made by General Barrios as the burning and sack of a Guatemalan town. Mr. Romero was ignorant of this act of his *mayordomo*, which he at once condemned on receiving information thereof. He wrote to the political chief of San Márcos offering to pay the damage incurred, and subsequently wrote in similar terms to President Barrios, disavowing all responsibility for the act of his *mayordomo*.

Meanwhile the Guatemalan exiles in Tapachula, three of whom had already been arrested, as before mentioned, for an alleged conspiracy against the life of General Barrios, were secretly preparing an invasion of Guatemala. The political chief of Tapachula, having received information of the fact, consulted Mr. Romero as to what should be done, and, by his advice, the leaders were arrested the same night. As there was not, however, sufficient legal evidence to justify their continued imprisonment, Mr. Romero wrote out a legal opinion to the effect that the President of



Mexico should be solicited to expel them from the republic as "pernicious foreigners." This opinion, doubtless, displeased General Barrios, who desired more efficacious measures to be taken. An order was subsequently obtained from the governor of the State of Chiapas for sending the prisoners to the state capital, but Captain Tellez, in command of a company of federal troops at Tapachula, refused to surrender them. The same officer co-operated with the prisoners respecting their projected invasion of Guatemala, seizing upon all the Guatemalan Indians in the vicinity to increase the ranks of his company. On the 27th of June the prisoners were allowed to give a ball in the house of Tellez, and, having intoxicated the federal troops, they were next morning placed under the orders of the Guatemalan exiles, nominally prisoners, for a filibustering expedition against Guatemala. They crossed the frontier the same day, committing various outrages and assassinations by the way, and on the following day were completely routed, near San Márcos, by Colonel Lopez, the political chief of that place, already mentioned. Three of the leaders were killed in action; four others were taken prisoners and were executed at San Márcos two months later. An attempt was subsequently made by General Barrios to connect Mr. Romero with this incursion. The facts were, that he had used all his influence to prevent its taking place, having even had an interview with the Guatemalan exiles while prisoners, in which he endeavored to dissuade them from any step of the kind. Moreover, at the moment of the invasion, Mr. Romero was at San Márcos, Guatemala, where he had gone to see the political chief, Colonel Lopez, respecting the destruction of his coffee plantation, and he only escaped fall-

ing into the hands of the filibusters by the accident of having taken a different road on his return. During this visit to San Márcos, Colonel Lopez avowed that the destruction of the "Cafetal Juarez" had been effected pursuant to orders of President Barrios, but he came to an understanding, apparently amicable, with Mr. Romero, as to the future conduct to be observed by both parties.

Since Mr. Romero could not be proved to be directly responsible for the filibustering expedition in question, General Barrios afterward undertook to hold him indirectly responsible, as having been the adviser of the sending of a Mexican federal garrison to Tapachula. It is true that, as early as September, 1871, before having visited Soconusco, Mr. Romero suggested, in an official document, the sending of such a force, and that, during the early part of his residence in Tapachula (September, 1873), he repeated the suggestion. This was, perhaps, the cause of the sending of the first installment of federal troops, consisting of but sixty men, who arrived in November, 1873. Unfortunately, through the ignorance and inaptitude of their commander, Captain Tellez, these men were, for the most part, seduced into the filibustering expedition against Guatemala, as above mentioned. The plan of sending such a force had, however, been warmly approved by General Barrios in letters to Mr. Romero. After the events above referred to, Mr. Romero solicited the sending of a more numerous federal force, under an officer of greater intelligence and confidence. In fact, a small battalion of federal infantry was sent from Acapulco, under the orders of Lieutenant-Colonel Antonio Ponce de Leon, and arrived in Tapachula early in September, 1874. That officer had instruc-

tions to repel any invasion of Mexican territory by Guatemalans—instructions, doubtless, due in part to the destruction of Mr. Romero's plantation, which had created considerable interest in Mexico, and had been the subject of two official investigations. Colonel Ponce de Leon naturally wished to become acquainted with the line generally considered as the actual frontier with Guatemala, and invited Mr. Romero to accompany him. With an escort of ten soldiers they visited, in November, 1874, the "Cafetal Juarez," and adjacent localities, taking care not to pass the reputed frontier of Guatemala. Nevertheless, this reconnaissance gave great alarm to the frontier authorities of Guatemala, and was magnified by General Barrios into an outrage against that republic.

Previous to this event, and immediately after his return from San Márcos, in July, 1874, Mr. Romero, in fulfillment of a promise made to Colonel Lopez, addressed communications to the municipalities of Tajomulco and Sibinal, the authorities of which had participated in the destruction of his property. In these documents he gave his reasons for considering the lands in question to be Mexican territory, and, without entering further upon subjects of controversy, offered to pay the damages caused by the reprisals made by Maldonado at Altaná. These documents were sent by the municipalities to Colonel Lopez, at San Márcos, and by him to General Barrios. They elicited an angry reply from Colonel Lopez, in which the tenor of these documents was treated as an offense of sedition against Guatemala, which should be dealt with by the courts, and it was insinuated that Mr. Romero was an accomplice of the recent filibustering expedition.

Meanwhile, Mr. Romero had resolved to desist from the purchase of the lands forming the coffee plantation, but his agent in Mexico had already made payment of the price to the government, and an official title had been issued to him in August, 1874, by which the Mexican Government became the guarantee that the lands were really Mexican territory. The possession of this document gave him an unquestionable right to Mexican protection, but he nevertheless resolved not to solicit such intervention, and to leave the territorial question to be decided by a treaty of limits. Consequently, he did not make any demand for diplomatic redress, nor even address any complaint on the subject to the Mexican newspapers. From other sources, however, those papers received information on the subject, and the members of Congress from Chiapas spontaneously addressed a joint complaint on the subject to the Ministry of Foreign Affairs. These publications and the complaint in question were wrongly attributed by President Barrios to direct efforts on the part of Mr. Romero, and caused great indignation on his part. In revenge, he caused to be written a letter from Guatemala to the Mexican journal the "Monitor," in which the destruction of the coffee plantation was described as a very small affair, and Mr. Romero was represented as a heartless speculator in international dissensions. In reply to this letter Mr. Romero, for the first time, addressed to the "Monitor" his own version of the facts, taking care, however, not to inculcate General Barrios, to whom he sent a copy. At the same time, he complained to General Barrios, by letter, of the attacks made upon him in the press, and received a reply in which the President of Guatemala explicitly denied all knowledge thereof, and ex-

pressed his full confidence and esteem, as was his custom. Until February, 1875, General Barrios, in his frequent letters upon business affairs, continued to write in similar terms, so that Mr. Romero was temporarily satisfied of the loyalty of his friendship.

At the close of 1874 the Indians of Tacaná, Guatemala, destroyed the boundary-post of Pinabete, and erected another at Cuilco Viejo, eight leagues to the south. By order of Colonel Ponce de Leon it was replaced in February, 1875, the new one being destroyed. A few days later the Indians again destroyed the boundary-post. It was a second time replaced in March, and was soon afterward destroyed a third time. Although Mr. Romero had no share in the acts of the federal commander, and was absent from Tapachula at the time of the second expedition to replace the boundary-post, he was held responsible in Guatemala for all that had occurred, and even charged with having intoxicated Colonel Ponce de Leon, in order to persuade him to violate the territory of Guatemala. In point of fact Mr. Romero declined a written invitation from the said colonel to accompany him on the expedition in question, and gave an opinion against the proposed replacement of the boundary-post.

In February, 1875, there was established at Tapachula, by the efforts of Mr. Romero, a printing press, from which was issued under his direction a small weekly journal, the "Soconuscense," of which only twenty numbers were issued. No attack upon Guatemala or upon President Barrios ever appeared in its columns, where the boundary troubles were spoken of with extreme moderation. Nevertheless, the official journal of Guatemala subsequently accused Mr. Romero of having published therein a multitude of



lies and calumnies intended to promote a rupture between Mexico and Guatemala. Mr. Romero's contributions to that paper were few, and were signed by his name.

In January, 1875, Mr. Romero learned that ten Guatemalan Indians, who had been working on his coffee plantation, had been carried off prisoners by the authorities of the neighboring Guatemalan village of Toquian, for the crime of having dared to work there against their orders. Mr. Romero at once started for the plantation, and on the following day Colonel Ponce de Leon, hearing of the case, set out for that plantation with eighty men of the federal troops. Mr. Romero met him on his return two days later, and persuaded him to turn back without having reached the frontier. Nevertheless, this incident was represented by order of General Barrios as a new outrage committed upon Guatemalan territory.

In April, 1875, Mr. Romero left Tapachula for Mexico, to take his seat in Congress as deputy for Soconusco. Soon after his arrival he learned that the Guatemalan Minister, Don Ramon Uriarte, had addressed to the Foreign Office three communications, by order of President Barrios, accusing him of being an incendiary, a plunderer, a filibuster, etc. As the facts upon which these charges are based have all been presented in the preceding narrative of Mr. Romero's residence in Soconusco, it is unnecessary to consider these charges in detail, as Mr. Romero does in the Second Part of his Refutation.

In the Third Part of that document, Mr. Romero, turning the tables upon his accuser, produces formidable evidence to show the despotic and unprincipled character of the ruler of Guatemala, his cruelty toward

the laboring classes of Guatemala, the utter lack of guarantees on the part of the unfortunate residents of that republic, the duplicity of General Barrios as a part of his methods of government, his unbounded ambition, and especially his fixed design, long since formed, of disputing the Mexican title to Soconusco and Chiapas. In this publication, bearing date in 1876, is correctly predicted and outlined (pages 158-161) the hostile conduct recently observed by Guatemala toward Mexico in regard to the question of limits. It is very remarkable that the recent attempt on the part of Guatemala to obtain the intervention of the United States should have been indicated five years ago in this document, which must be well known to General Barrios, though the Government of the United States is hitherto probably quite ignorant of its existence. Says Mr. Romero :

“ It (the Government of Guatemala) has gone so far as to imagine that, in case of a war, Guatemala might celebrate a treaty of alliance with the United States, with the object of carrying on a joint war against Mexico and dividing between them the spoils. It would not be strange, much less impossible, that, under certain circumstances, which are fortunately not probable at this time, the United States might wage against Mexico another war as unjustifiable and as disastrous as that of Texas; but whoever knows the position occupied in the world by the United States, the essential difference between the policy of their Government and that of Guatemala, the national pride of their people, and various other circumstances, which I consider it unnecessary to enumerate, will come to the conclusion that, if unfortunately the United States ever declare war upon Mexico, they will do it for mo-

tives of their own and not for those of any other nation : in their own name and not as allies of Guatemala. It is really the height of blindness to imagine that Guatemala, by stimulating the greed of the United States, could drag them so low as to convert them into an appendix to herself!"

Yet this apparently is what the Government of Guatemala attempted to do in the summer of 1881, from which attempt she did not desist, even upon the advent of the administration of President Arthur.

PRINCIPAL EVENTS AFFECTING THE RELATIONS  
BETWEEN MEXICO AND GUATEMALA.

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1821. February 24th.—Plan of Iguala, by which General Iturbide proclaimed the independence of Mexico.
1821. September 3d.—Adhesion of Chiapas to the plan of Iguala, and proclamation of annexation to Mexico.
1821. September 8th.—Oath of independence from Spain taken by authorities of Chiapas.
1821. September 15th.—Guatemala declares her independence from Spain.
1821. September 26th.—Chiapas declares her absolute separation from Guatemala.
1821. September 27th.—Entry of Iturbide into the city of Mexico, and formation of a provisional government.
1821. October 22d.—Chiapas demands of Mexico the recognition of her separation from Guatemala.
1821. November 12th.—The Government of Mexico accepts the annexation of Chiapas.
1822. January 5th.—Guatemala signs an act of union with Mexico.
1822. January 15th.—The regency of Mexico proclaims the perpetual incorporation of Chiapas into the Mexican Empire.
1822. February 4th.—Formal incorporation of Guatemala into the Mexican Empire.
1823. Guatemala separates from Mexico.
1824. May 3d.—Soconusco, lawfully represented in the Supreme Junta of Chiapas, voted freely for her annexation to Mexico.
1824. May 26th.—The congress of Mexico issues an act declaring the liberty of Chiapas to annex herself either to Mexico or Guatemala.

1824. September 12th.—Chiapas, by the free vote of the majority of its inhabitants, solemnly ratified its final incorporation to Mexico, and in the first Mexican constitution was named as part and parcel of the latter republic.
1824. September 12th.—Solemn declaration that Soconusco was included in the province of Chiapas, and united with it to Mexico.
1825. January 25th.—Guatemala proposes with its troops to occupy Tapachula (Soconusco).
1832. Guatemala violates with her troops the territory of Soconusco.
1832. The Mexican Government sends to Guatemala a minister to settle the question of boundaries, but without effect.
1839. Guatemala manifests the intention to include Soconusco in one of her states.
1840. The Alcalde of Tapachula (Soconusco) asks protection from Mexico against Guatemala.
1842. Mexico occupies Soconusco with its troops, in virtue of the solicitations of its inhabitants, of the free vote cast on the 3d of May, 1824, and the declaration of the 12th of September of the same year.
1842. The Guatemalan Government, through the British consul in Guatemala, applies to the English Government for mediation.
1842. October 10th.—The English minister in Mexico, without instructions from his government, inquires of the Mexican Government whether English mediation would be favorably received, and the Government of Mexico answers that there is no need therefor, as Soconusco is clearly a part of the Mexican possessions.
1853. The Mexican Government sends another minister to Guatemala for the settlement of the question of limits, but without success, in consequence of the opposition of Guatemala.
1854. The Guatemalan Government manifests a disposition to renounce its alleged rights to Chiapas and Soconusco, but on condition that Mexico should recognize in its favor the debt of that province; which Mexico declined to do in 1875, alleging that the debt, if any, should be recognized in favor of private creditors and not of the Guatemalan nation.
1873. October 20th.—The Mexican Government declares that it can not enter into any discussion on its right to Chiapas and Soconusco.



1874. May 7th.—Guatemalan Indians destroy Mr. Matías Romero's coffee plantation, situated in Mexican territory.
1875. February.—Residents of Guatemala destroy the boundary-mark called "Pinabete," and build another near Cuilco Viejo.
1877. September 7th.—A convention is concluded in Mexico creating a joint commission of Mexican and Guatemalan engineers, in order to study the dividing line of the two countries on the eastern limit of Soconusco and Chiapas, with which Guatemala implicitly recognized that the rights of Mexico to the state of Chiapas were out of question.
1878. October.—A band, headed by Margarito Barrios, a Guatemalan officer, invades the Mexican territory at the point called "Tonintaná."
1879. December 17th.—Thirty-five filibusters coming from Guatemala attack the Mexican village Tuxtla Chico.
1880. September.—Another band, consisting of forty filibusters from Guatemala, surprise again Tuxtla Chico.
1880. December.—The political chief of San Márcos (a department of Guatemala), at the head of two hundred men, invades Mexico, destroys the Pinabete boundary-mark, erects another one several leagues within Mexican territory, and hoists thereon the Guatemalan flag.
1881. June 16th.—The Secretary of State addresses a note to the American minister in Mexico, saying that the Government of the United States, at the request of Guatemala, offers its mediation on the question of limits.
1881. July 9th.—Conference of the American minister in Mexico with the Mexican Secretary of State on the proposed mediation of the United States.
1881. July 25th.—Memorandum by Mr. Mariscal on said conference.



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