

THE DIPLOMATIC CAREER OF PIERRE SOULE¹

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I

Soule's Appointment and Journey to Madrid

SHORTLY after Franklin Pierce became President, Pierre Soulé (a senator from Louisiana at the time) was appointed Minister to Spain. The former, in his inaugural address, had declared that his would be a policy of territorial expansion, and, the month preceding his election, Buchanan had written him strongly advising the acquisition of Cuba,² intimating that the "choice of suitable ministers to Spain, Naples, England and France would be exceedingly important if such a step were contemplated."³ In view of these facts, the appointment of Pierre Soulé seems to leave no doubt as to the intended policy of the administration in regard to Cuba for, as Senator, Soulé had expressed his approval of Cuban annexation.⁴ Indeed this sentiment seemed widespread. The slave-holders desired the annexation of the island because they saw in her a potential slave state or several of them; the commercial interests of the whole country shared that hope because our trade with Cuba was ham-

¹ Soule's biography has never been written nor have his letters and papers been collected. There is a brief sketch of him in Fortier, *Louisiana*, II, 472. This is not Fortier's History of Louisiana, but a work printed by him in 1914 entitled "Louisiana, comprising sketches of Parishes, Towns, Events, Institutions and Persons arranged in Cyclopedic Form."

Soule is also the subject of a paper in Dufour's *Local Sketches La. Hist. Qy.*, 14, 228, April, 1931, translated by Ethel W. Usher, with an annotation by R. W. Colomb, epitomizing the facts of his life.

Further treatment of the incidents of Soule's diplomatic career will be found in *The American Secretaries of State*, 5, pp. 199-212 in the paper on Marcy, who was then Secretary of State.

See also Greer, *Louisiana Politics, 1845-1861*, La. Hist. Qy., 13, 295-6, April, 1930, and Morgan, *A Duel Between Diplomats*, La. Hist. Qy., 14, 385, July, 1931.

While this paper was prepared in 1914, it is still fresh and should be a welcome addition to our knowledge of Soule. Mr. Reinecke's paper may be read in connection with the references in the above footnote. When so read, it will be found that this paper is a sound and well documented source for the study of Soule's remarkable career.—*Ed. Hist. Qy.*

² Thesis submitted to the faculty of the Tulane University of Louisiana in partial fulfillment of the requirements for the degree of Master of Arts, 1914.

³ Rhodes, *Hist. U. S.*, vol. 1, p. 385.

⁴ Curtis, *Life of Buchanan*, vol. II, p. 72.

⁵ *Ibid.*, p. 73.

⁶ Ap. Cong. Globe, 32nd Cong., 2nd and 3rd Sess., p. 118.

pered by medieval customs regulations, and a most obvious ill-will on the part of the provincial officials towards the Anglo-Americans. This attitude was upheld by the Spanish government at home which, encouraged probably by a sense of British support, presented an unconciliatory front to our demands for redress.

It is not hard to discover the reason for this bitter animosity. The yoke of Spain lay heavy upon the shoulders of the Cubans, who in their perennial struggles for freedom, had the hearty sympathy of the citizens of the United States. Some of the more adventurous of the latter under the leadership of such ardent Cuban sympathizers as Lopez and Crittenden, were willing to stake their lives in the battle for Cuban liberty. Thus in August, 1851, an expedition of five hundred men led by Lopez set sail from New Orleans, destined for Cuba. Having landed, they expected the natives to rise en masse against their oppressors. Dissappointed in this, they were defeated and made prisoners. Lopez was garroted at Havana August 16, and a few of his comrades were shot. The others were sentenced to penal servitude but were ultimately pardoned. This action on the part of Spain was the cause of great resentment in the United States.⁵

Though President Taylor, in his proclamation of 1849⁶ had denounced these filibustering expeditions in no uncertain terms, warning American participants that however dire their extremities as a result of their interference in Cuban affairs, they might expect no aid from their government, and Fillmore⁷ had issued a similar proclamation in 1851, the Spanish and Europeans in general believed, or affected to believe that these expeditions were instigated by the United States Government with the end of acquiring Cuba. The United States, too, had not long before recognized the independence of Spain's rebellious colonies, and, abetted by England, had prevented her from recovering them with the aid of other European nations. The Florida controversy had not tended to ameliorate Spanish-American relations.

These then were some of the causes of a strong animosity, constantly embittered anew by abortive, sternly punished filibustering expeditions, and friction between our merchants engaged in the Cuban trade and the customs officials with whom they came in contact.

⁵ House Exec. Doc. No. 2, 32nd Cong., 1st Sess., pp. 3-4.

⁶ Richardson, Messages and Papers of the Presidents, vol. V, p. 7.

⁷ *Ibid.*, p. 111.

President Polk, in 1848, had endeavored to settle the matter by purchasing the island, but was met with a proud refusal.⁸ Before this the United States had been content that Spain should retain Cuba and Marcy,⁹ in 1853, professed the same sentiment, yet political and economic influences, after Polk's offer, seem to have caused the government to desire the annexation, or at least the independence of the Pearl of the Antilles. Thus, in 1852, when France and Great Britain proposed that this country should join with them in a tripartite convention, guaranteeing to Spain the possession of Cuba and disavowing any intention of acquiring the island, the proposition was rejected by Everett, the Secretary of State, who, though disclaiming any present desire on our part of taking over Cuba, intimated that such might be our policy in certain contingencies.¹⁰

Though there was a strong annexation feeling in the United States for diverse reasons, there were differences of opinion as to the manner of acquisition. Should we seize Cuba if Spain refused to sell or cede the island, or should we, having aided the natives to gain their independence, proceed as in the case of Texas? To some the mere independence of Cuba was acceptable. On the other hand, Spain felt that it would be dishonorable, a shameful surrender, to sell her colony and equally out of the question to grant its independence. Besides there was reason to believe that she was under promise to Great Britain and France not to part with the island.¹¹ Indeed, it was suggested that a war would not be undesirable to Spain if as a result of it she might part with her "white elephant" in a manner consonant with her sense of honor!

Alarming rumors were abroad throughout the United States and created the greatest alarm, quite naturally in the slave-holding South. Rather than see Cuba pass into the hands of the United States, Spain, abetted by Great Britain, would render such a consummation undesirable by flooding the island with newly imported negroes and freeing the slaves already there. The Africanization of Cuba and the emancipation of her slaves were regarded as a menace to the institution of slavery in this country and to the safety of the ruling race. Lord Palmerston was said to have declared that if the negro population of Cuba were rendered free

⁸ House Exec. Doc. No. 121, 32nd Cong., 1st Sess., p. 58.

⁹ House Exec. Doc. No. 93, 33rd Cong., 2nd Sess., p. 3.

¹⁰ Wharton, *International Law Digest*, vol. I, p. 562.

¹¹ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 75.

that fact would "create a most powerful element of resistance to any scheme for annexing Cuba to the United States where slavery exists."¹²

Such then was the state of affairs in 1853 when Soulé was appointed Minister to Spain, the chief purpose of his mission being, apparently, the acquisition of Cuba. That Soulé's appointment was met with disapproval abroad is putting it mildly. The new Minister had in open Senate declared that the morality of the actions of the filibusters, Crittenden and Lopez, was worthy of the praise freely accorded to Lafayette and Kosciusko. He was opposed to the plan of purchasing Cuba as offensive to the pride of Spaniards and Cubans alike. Cubans were sure to obtain their independence eventually, and we should sympathize with them, because the independence of the island would be as desirable as annexation. He was opposed to unjust seizure, but, "when the time comes neither the surges of the sea, nor her forts, nor her cannon, nor her garrotes, nor the edicts of her Galianos will save her from our mighty grasp."¹³ Such were the sentiments of the new minister. The "London Times" called his appointment an extraordinary choice and believed it would have been no surprise if the Spanish government absolutely refused to hold relations with one who extolled rebellion against Spain, diplomatic precedents being ample to warrant such a course.¹⁴ The Spanish government experienced much annoyance at his appointment, and its organ, in a carefully prepared article, contended that Soulé ought not to be received.¹⁵ Besides, he had reason to believe that his rejection had been urged upon the Spanish court by the French ambassador Turgot, by the mother of the Empress Eugénie, wife of Napoleon III, and by the Austrian and Mexican ministers as well, a flattering and dangerous coalition surely.¹⁶

As if these public utterances in regard to Cuba had not been enough to mar the success of his delicate mission to a proud, sensitive, and already suspicious nation, Soulé on his way to Europe tactlessly received a deputation of Cuban exiles to whom he made a speech, assuring them that when a man became a minister he did not cease to be an American citizen, and as such he had a right to carry wherever he went the throbbings of that

¹² Ap. Cong. Globe, 2nd and 3rd Sess., 32nd Cong., p. 118.

¹³ *Ibid.*

¹⁴ Rhodes, *Hist. U. S.*, Vol. I, pp. 394-395.

¹⁵ *Ibid.*

¹⁶ House Exec. Doc. No. 93, 33rd Cong. 2nd Sess., p. 21.

people that speak out such tremendous truths to the tyrants of the old continent.¹⁷

In addition to his undesireableness at Madrid because of his utterances on the Cuban question in the United States Senate and elsewhere, Soulé was to be hampered by personal enmities and prejudices. For instance, the very man with whom he must carry on negotiations, the Spanish Secretary of State Calderon was an enemy of long standing with whom Soulé had quarrelled when the former was Spanish Minister at Washington.¹⁸ On his way to his post at Madrid, says J. W. Foster,¹⁹ he incurred the deep-seated hostility of Louis-Napoleon, then very influential in Spanish affairs. He was not permitted to tarry in France, but was required to pass through its territory under surveillance. However, Gaillardet, a close friend of Soulé's, deprecates the notion that Napoleon cherished a grudge against Soulé, and describes such a belief on the latter's part as one of the delusions to which genius is often heir. He explains it as having been caused by the deep prejudice of Soulé against Napoleon, which was embittered by an unhappy interview in which the Emperor displayed a pitiful lack of tact, not occasioned by spite, but by pure lack of ideas.²⁰

Though the United States Government could not foresee all the personal entanglements and animosities in which its new minister was soon to be involved, it was at least acquainted with his proud, intractable, and impulsive character, and aware of what would be the probable sentiment in Spain toward an avowed advocate of the ultimate annexation of Cuba by the United States, and an open sympathizer with the revolutionists of that island. Crediting the government with this minimum of knowledge, Soulé's appointment, in view of the strained relations between Spain and this country, was an extremely injudicious one, or if it was duly considered and deliberate the government must have meant to force Spain to sell or cede us Cuba or at least to grant her independence.²¹ If we consider the promise of territorial expansion in Pierce's inaugural address, and his advocacy later of armed protest against Spain's action in the Black Warrior affair, we are

¹⁷ Harper's Magazine, October, 1853, p. 692.

¹⁸ Rhodes, *Hist. U. S.*, Vol. II, p. 15.

¹⁹ J. W. Foster, *A Century of American Diplomacy*, p. 342.

²⁰ Gaillardet, *L'Aristocratie en Amérique*, p. 316.

²¹ Representative Giddings said in the United States House of Representatives at the time: "It was well understood by all intelligent men that a minister to the court of Madrid was selected for the very purpose of obtaining Cuba by purchase or of involving our nation in a war to open the way for its conquest." Ap. Cong. Globe, 33rd Cong., 2nd Sess., p. 32.

constrained to think that if national sentiment, after Soulé's appointment, had not been divided over the Kansas-Nebraska measure, Pierce and his coterie would have acquired Cuba by conquest. Anti-slavery sentiment prevented this consummation which the President, backed by the slave-holders and Northern commercial interests, would otherwise have brought about. Soulé, the victim of circumstances, of opportunists, perhaps, was sacrificed on the altar of political expediency.

II

Reception At Court and Duel With Turgot

Having thus described the unfavorable circumstances which attended the new Minister's appointment, and journey to his post, let us pass to a consideration of his reception at court and his career thereafter.

Some time before the date set for his presentation at court, Soulé prepared his official address to the Queen, and according to custom sent a draft of it to the Minister of State for his consideration. It was a very pithy speech, containing slightly veiled protests against French and English interference in Spanish-American relations, and deprecating Spanish alarm as to alleged American designs upon Cuba. It also intimated that Soulé would expect the treatment due to his rank as minister of a great nation.

With the plea that the Queen's delicate condition would render the treatment of such weighty matters, in her answer, extremely burdensome, and that certain remarks might be construed as a disparagement of Spain's allies, the Minister of State, who with the rest of the Cabinet had deliberated long upon the subject, very courteously requested Soulé to omit these references to controversial matters. Having, in compliance with this request, completely emasculated his address, Soulé was presented to the Queen, and delivered a speech of ornate banalities to which she responded politely in kind.¹ The queen manifested toward him "marked attention and courtesy," and Field assures us that the most amicable relations obtained between them throughout Soulé's sojourn at Madrid.²

The new minister solved the problem which had so agitated Buchanan, by appearing in court attired in richly embroidered black velvet clothes. With a black chapeau under his arm and a black dress sword at his side, the minister, with his black eyes, pale complexion, and raven locks thus strikingly accentuated, resembled rather the Master of Ravenswood than Benjamin Franklin, whose court costume he had adopted.³

In his initial letter⁴ to Soulé, July 23, 1853, the Secretary of State Marcy declared that nothing would be done to disturb the present connection of Cuba with Spain unless the character of that connection be so changed as to affect our present security. The United States would resist at every hazard the transference

¹ House Exec. Doc. No. 93, 33rd Cong., 2nd Sess., pp. 12, 13, 14.

² Field, *Memories of Many Men and Some Women*, p. 79.

³ *Ibid.*, p. 86.

⁴ House Exec. Doc. No. 93, 33rd Cong., 2nd Sess., p. 3.

of Cuba to any European nation, and regret to see Spain call in the aid of another nation and maintain her rule there. Soulé was instructed to allay the suspicion that the United States desired the annexation of Cuba regardless of Spanish rights, and had or would encourage filibustering by its citizens. Marcy stated that under certain conditions, the United States might be willing to purchase Cuba, but thought that owing to promises made to Great Britain and France, and for other reasons, the separation of Cuba from Spain would be a work of violence. It will be seen that Marcy did not hold long to this judicious opinion, but afterward held tenaciously to the idea that the island might be purchased. The letter further informed Soulé that the President, as things stood, would not authorize him to make any offer to purchase as this would be useless, and probably attended with injurious effects. Information was desired as to any arrangement which might have been made with Great Britain and France for the maintenance of Spain's rule in Cuba, and as to how far they, or either might be advocating a change in the internal conditions of the island, particularly in regard to the slaves, or the present labor system. The desirability to the United States of Cuban independence was emphasized. Such an arrangement would be consonant with Spain's honor, and beneficial to her commercially. At no distant period, Cuba would release herself, or be released anyhow. Soulé was told to favor this view, but to be careful not to arouse suspicion of sinister design on the part of the United States upon Cuba. To bring about Cuban independence, the United States would be willing to contribute something more substantial than their good-will. This something could not be specified until it was more distinctly understood what would be required on their part to secure this consummation. There had been, as yet, no redress by the Spanish Government of injuries to American commerce and citizens, inflicted by Spanish officials in Cuba. Soulé was to remonstrate, and to persuade the home government to grant to the Captain-General of Cuba certain powers of redress in order that complaints might not meet with the delay, and consequent irritation which recourse to distant Madrid involved. To do away with certain legal hindrances to commerce between the two countries, Marcy pointed out the advisability of negotiating a commercial treaty which would redound to the prosperity of both countries and insure mutual good feeling.

On November 10, 1853, Soulé addressed his second letter⁵ to Marcy. He represented the Spanish ministry as apt to fall at

⁵ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 15.

any moment. However, such an event could not be construed as a calamity for the United States, as the weak and timid minds of these officials unfitted them to carry on properly the important negotiations pending between their country and his. The Secretary of State, Calderon, was ill-inclined to favor any policy which would bring about closer relations with the United States. Therefore he was opposed to the plan for a commercial treaty proposed by Marcy, and to any alteration of the relations between our consul at Havana and the Captain-General of Cuba. A crisis in the government was impending, and all was in confusion. The Cortes was about to meet and none might tell what the morning might bring forth.

It was but seven days after the drawing up of this letter that there occurred the unfortunate duel⁶ which rendered more tense an already strained situation. As has been stated Soulé had reason to believe that his reception had been opposed by the French minister Turgot, and by the Countess of Montijo, Empress Eugénie's mother. Turgot, an aristocrat, and a royalist, publicly affected toward Soulé, his plebeian and republican compatriot, a contemptuous attitude, shrugging his shoulders when they chanced to meet and subjecting him to a thousand petty slights. Now Soulé was not the man to brook such treatment long. His sense of honor was most delicate, and his courage impeccable. A thoroughbred man of the world, and a delightful companion, yet his disposition was extremely inflammable. His prejudices and enmities were as deep seated as his sympathies were ardent and generous.

However, he endured this studied insolence with surprising patience until an insulting remark, concerning his wife, made by the Duke of Alva, Napoleon's brother-in-law, at a reception given by Turgot, provided an excellent occasion for settling accounts with the supercilious French ambassador. A fierce but bloodless duel between the minister's son, Neville, and the offending Duke, was succeeded by another between Soulé and the Vicomte de Turgot. As the insult had been proffered in the latter's house, he was held accountable by the fiery Louisianian who believed the slight to have been deliberately planned by Louis-Napoleon,⁷ and asserted that rumor had it that the insulting remark had first proceeded

⁷ Gaillardet, *L'Aristocratie en Amérique*, p. 32.

⁶ The Attaché at Madrid, p. 112, ch. XVII.

Field, *Memories of Manly Men and Some Women*, p. 80.

Rhodes, *Hist. U. S.*, vol. II, p. 13.

Gaillardet, *L'Aristocratie en Amérique*, p. 32.

from Turgot's lips.⁸ Alva, however, had professed entire ignorance of Mrs. Soulé's identity at the time of his unfortunate utterance,⁹ and an eye-witness corroborates his statement.¹⁰ Be that as it may, Turgot was forced to fight, and in the meeting which occurred, he was crippled for life.*

The result of this *rencontre* was to further isolate the American minister and to hamper him if peaceful negotiations were contemplated. An *attache* of the German legation at the time, informs us that after the duel, the Diplomatic Corps, in their anxiety to avoid Soulé, arrived at a certain court function an hour earlier than the appointed time.¹¹ Soulé, himself, in a letter¹² written six days after the duel, describes his position as exceedingly delicate, not only because of the prejudice against Americans in general, but because of the uneasiness which his presence in Europe, at that juncture, seemed to give the "French autocrat," who being all powerful at Madrid had tried to cut short Soulé's course there through his ambassador Turgot, "a vain and overbearing man of ordinary ability." The Cortes had met and been dissolved by the Queen, who had been displeased with the disposition shown by the Senate to resist the government's anarchial tendencies. The Cabinet wished to resign, but the Queen had refused to permit such action. There was talk of dethroning the present Monarch in favor of the Princess of the Asturias, on the grounds that the child to which the former was about to give birth was illegitimate. Others spoke of expelling the whole dynasty. Confusion, disorder, and anarchy prevailed in every branch of the government.

In the Department of Foreign Affairs, the United States were cordially hated. France and Great Britain had succeeded in making us odious to Spain. Indeed, the influence of these nations was so great that the government never moved in any question concerning foreign affairs without consulting either of them. France had the upper hand, and was as much opposed as England to Cuba's becoming ours, and would be our enemy as long as she remained under the sway of the "man who now holds the rod over her." Our lenity had induced Spain to think the United States less strong than they really were.

* The *Attache* in Madrid, p. 125.

⁸ *Ibid.*, p. 123.

⁹ *Ibid.*, p. 121.

¹⁰ Morgan, H. G., *A Duel Between Diplomats*.

¹¹ The *Attache* in Madrid, p. 142.

¹² House Exec. Doc. No. 93, 33rd Cong., 2nd Sess., p. 16

Pezuela had recently been appointed Captain-General of Cuba. Soulé regarded this choice as evidence of a determination, on the part of Spain, to hasten matters in Cuba to a decisive crisis, for the new governor was violently prejudiced against the "Yankees," and a man of great stubbornness. Though already uniting in his person the authority of Captain-General, and commander of naval forces, he had insisted on being granted full discretion to arrest all Americans, not excepting the consul, if there should occur a second expedition of the Lopez variety. In the event of war between Mexico and the United States, he was granted the authority to aid the former in any way deemed expedient and proper. This latter bit of "information" seems rather extravagant. Spain would hardly have given to the Governor of Cuba the privilege of declaring war, for that is what this supposed *carte blanche* would have amounted to.

As Rhodes remarks¹³ very justly if peaceful relations were contemplated, Soulé should have been removed from that country upon the receipt of this letter. It showed just how impossible the situation was. An enemy of the French minister of Foreign Affairs, as has been said, and of the ambassador of the all-powerful French Emperor as well, Soulé was in no position to further the interests of his own country through peaceful means.

From the Spanish Cabinet, our minister met with unabated opposition. Thus, when he again approached Calderon on the subject of granting an extension of power to our consuls at Havana in order that they might negotiate directly with the Captain-General, the Spanish Secretary proved himself inflexibly obdurate. The proposition to facilitate commercial relations by means of a treaty met with the same fate. In turn, our envoy informed Calderon that his government would unbendingly combat any and every arrangement by which Spain, with France, or Spain, with England, or with them both, should attempt to render Cuba in the slightest degree an injury or a danger to us. Though the Spaniard was evidently impressed by this, Soulé was persuaded that during his incumbency nothing could be hoped for by the United States from Spain "by way of negotiations."¹⁴

Finding the minister adamant, Soulé now sought to advance the interests of his country by cultivating the friendship of the Queen and the Queen-Dowager. After the interview with Calderon, just described, Soulé visited the Queen-mother. This lady

¹³ Rhodes, *Hist. U. S.* vol. II, p. 15.

¹⁴ House Exec. Doc. No. 93, 33rd Cong., 2nd Sess., p. 23.

listened to his remarks concerning Spanish-American relations and Cuba with the most flattering attention, displaying a manner of appreciating and considering these matters altogether different from that of the Cabinet and the rest of the governing party generally.¹⁵

Soulé's next dispatch described a state of chaotic disorder, remarkable even in nineteenth century Spain. The Cabinet was not supported by any political party, but maintained itself by a policy of terrorization. Arbitrary exile and imprisonment were the punishments meted out to citizens by a spiteful and fearful government for petty or imagined offences against itself. The press was gagged, and the Bank of San Fernando was deaf to governmental appeals for loans. Isabella had already wasted her income for the current year, and the usurers of Madrid were obdurate. The price of food had doubled and the poor of the capital were fed at the public charge. Rumor had it that an absolute monarchy was planned. Such pandemonium was favorable to rebellion in Cuba and thus opportune for the United States. Indeed, it seemed unlikely that this event would be deferred later than spring. To be able to take advantage of such an auspicious opportunity, the American minister should be provided with the proper authorization and instructions.

In spite of the prevailing confusion, Soulé succeeded in persuading Calderon to consider certain claims of United States citizens pending in Madrid. These were the results of abuses and injuries of various natures. American vessels had been searched or recklessly fired upon while in Spanish waters, American citizens arbitrarily imprisoned. Laws repealed without proper warning had occasioned serious losses to American merchants. The resulting negotiations were characteristic. The American insisted on indemnity for injury to the commerce of his nation, and reparation for insults to its flag, while Calderon leisurely, suavely, denied the truth of the facts presented, or interpreted them in a manner favorable to his own government.¹⁶ The monotonous exchange of notes, incident to this controversy, might have proceeded indefinitely had not an event supervened besides which all previous matters of dispute was dwarfed, and by reason of which Soulé was enabled to adopt toward Calderon an attitude of re- crimination, soothing doubtless to his pride.

¹⁵ House Exec. Doc. No. 93, 33rd Cong., 2nd Sess., p. 24.

¹⁶ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong.
Calderon to Soulé, p. 27.
Calderon to Soulé, p. 28.
Soulé to Calderon, p. 29.

III

The Black Warrior Affair

This new controversy¹⁷ was known as the Black Warrior Affair, so-called after an American merchant steamer the Black Warrior about which the storm gathered. This vessel plied between Mobile and New York, and stopped at Havana for passengers and mail only, never discharging or receiving a cargo there though usually bearing one destined for an American port. Contrary to Cuban port regulations, though according to constant and known usage, it was the custom to clear the Black Warrior "in ballast" the day before her arrival. This procedure had been winked at by officials who had never required, heretofore, a detailed manifest of the ship's cargo, though she had made thirty-six voyages under similar conditions. However on the 28th of February, 1854, being bound to New York from Mobile, she was stopped in the harbor of Havana by order of the exchequer for an alleged violation of the port regulations. Having ascertained that the reason for this detention was the failure to declare the cargo destined for New York, the agent offered to rectify the manifest within the time legally provided for. Though he was acting within his rights, the privilege was denied him by the collector.

The agent was now notified that the cargo had been seized, and the captain fined in accordance with the local customs laws. The fine imposed and the value of the cargo seized amounted to six thousand, and one hundred thousand dollars respectively. Appeal, by the American consul to the Captain-General, proved fruitless. The "commandante," accompanied by a force of laborers, proceeded to the vessel with lighters. The captain being ordered to discharge his cargo refused flatly to comply. Thereupon the hatches were forced open by order of the Spanish official, and his men began to remove the cargo from the ship. The captain then immediately lowered his colors and abandoned the Black Warrior to the Spanish authorities.

At the news of this occurrence, there was considerable indignation in official circles at Washington. Marcy's letter to Soulé, written the day after he learned of the incident, seems to have been written under stress of much excitement and anger.¹⁸ A

¹⁷ *Vd. Ibid.*
Marcy to Soulé, p. 30.
Marcy to Soulé, p. 32.

¹⁸ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., Marcy to Soulé, p. 30.

message¹⁹ was sent by the President to the House of Representatives March 15th, stating that indemnity for injury to American citizens had been demanded of Spain. Pierce urged that Congress should provide in such a manner that if the pending negotiations should fail, he might be in a position "to insure the observance of our just rights, to obtain redress for injuries received, and to vindicate the honor of our flag." However, the Northern representatives in Congress as well as their constituents were in general too greatly exercised over the Kansas-Nebraska legislation to be concerned much over such controversies with Spain over Cuban affairs, which might lead to war and annexation, either of which was distasteful to them, the former because they did not consider these matters their quarrel, or at least of a sufficiently grievous nature; the latter because it meant new slave territory.

The agitation was thus confined in general to the slavery interests, whose anger and clamor for war were naturally spurred on by their longing for Cuba and perhaps, too, by a sympathy for the neighboring Cubans. Congress, therefore, though resounding with angry speeches, remained inactive.

On March 11th, Marcy wrote²⁰ to Soulé, forwarding the news of the Black Warrior seizure. The outrage would, he thought, cause deep indignation throughout the country. It was described as the most flagrant of the numerous unredressed wrongs, perpetrated by Spain upon the United States. Marcy was quite sure that neither the government nor the people of this country would suffer the delay consequent upon a dilatory and protracted negotiation.

By March 17th, the Secretary sent more definite instructions²¹ to our minister, the matter having been fully debated by the President and his cabinet, Soulé was told to present the strong features of the case without discussing it, and was directed to demand three hundred thousand dollars as indemnity for the owners of the Black Warrior. The President hoped, too, that Her Catholic Majesty "would visit with her displeasure the Cuban officials who have perpetrated the wrong." "Neither the views of this government," Marcy repeated, "nor the sentiments of the country will brook any evasion or delay on the part of Her Catholic Majesty in a case of such flagrant wrong." Soulé was to get as early a reply as practicable to his demand. A special messen-

¹⁹ *Ibid.*, Marcy to Soulé, p. 32.

²⁰ *Ibid.*, p. 30.

²¹ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 32.

ger was sent with the despatch to Madrid and was to wait a reasonable time for the Spanish government's answer. A very few days, Marcy believed, would be sufficient for that purpose.

Historians, in giving an account of this affair, usually omit the latter part of this document, which seems, at least to some extent, to extenuate Soulé's attitude in the letter of April 11th in which he is usually held to have exceeded his instructions. Note this:—"It is expected that Spain will be prepared when you shall present the demand, to apprise this government of the course she intends to pursue in this matter; and that course will be either a disavowal of the acts of her officials in Cuba, and an immediate tender of satisfaction or the assumption of the responsibility of upholding their conduct." It was to be assumed that Spain was acquainted already with the facts. Prompt redress would be required as evidence of a desire to maintain friendly relations with the United States.

The messenger arrived with this second communication on the 7th of April, three days after Soulé's receipt of the prior one. Our minister immediately sought an interview with Calderon. His request was granted and on the 8th of April, he recounted the history of the incident at length to the Spanish Secretary.²² This done, he left with Calderon a note²³ in which was intimated the President's hope for prompt indemnification, and for the punishment of the Cuban officials involved. Three days passed, and the Spanish minister was still unheard from. The Spaniards, though rarely in haste, were more pardonable in this instance, as the day following the demand was Sunday, a day of much solemnity the world over. On the next day, began the celebration of Holy Week, during which sacred season, it is not usual to transact business at all in that country. Soulé, however, was confident of the support and warlike purpose of his government and of his compatriots. So he eagerly seized upon the President's intimation that he expected from Spain "an immediate tender of satisfaction," and a disavowal of the act of her officials, silence being regarded as an assumption of responsibility. Such sentiments could not have been inserted in his instructions for naught. He had been instructed to present the strong features of the case. With these congenial injunctions in mind, though he had been directed not to discuss the case, he forwarded a second stronger and more peremptory note on April 11th. Soulé here specified

²² House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 68.

²³ *Ibid.*, Soulé to Calderon, p. 69.

that all officials concerned in the Black Warrior outrage must be removed from Her Majesty's service, and demanded an indemnity of three hundred thousand dollars. Failure to accede to these requisitions would be regarded by the United States as evidence of a disposition on the Spanish government's part to uphold the action of its officials.²⁴ The Secretary of the Legation who delivered this message, then pointed dramatically to the clock which marked twelve, intimating that in two days at that very hour to the minute a response would be expected.²⁵

Such a letter could not be ignored even during Holy Week. Calderon had, or affected to have, already written a reply to Soulé's note of the 8th before receiving that of the 11th. It²⁶ was now forwarded to the American minister late in the evening of the 11th. The following day, another note²⁷ was received, in the composition of which the other ministers are thought to have collaborated.²⁸

The first of these letters, an answer to Soulé's demands of the 8th, pleaded that more time was necessary before a complete and authentic investigation of the affair in question could be made. In responding²⁹ to this note, Soulé refused to admit that the Spanish government was still without official data concerning the seizure of the Black Warrior, and reiterated his demands of the 11th.

Calderon's second letter dated the 12th. was received by Soulé in the morning of the 13th. Written, it is said, at the dictation of the Spanish Secretary's colleagues who forced him to sign it, this missive has a heroic ring. Though it promised that the alleged outrage would be duly considered when full information was received, it intimated that it was not within reason to expect a decision when only one party to the dispute had been heard from. It was suggested that Soulé's imperious demands were based on an incomprehensible desire to excite an estrangement, if not a quarrel, between two friendly powers, rather than on an interest in obtaining redress for pretended injuries. The United States Government was to wait until an intelligent and just decision could be reached. Otherwise the opinion of the civilized world would decide whose attitude was just. Furthermore, the

²⁴ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong. Soulé to Calderon, p. 70.

²⁵ *Ibid.*, Calderon to Soulé, p. 73.

²⁶ *Ibid.*, Calderon to Soulé, p. 71.

²⁷ *Ibid.*, Calderon to Soulé, p. 72.

²⁸ London Times, April 17th, quoted Rhodes' Hist. U. S. vol. II, p. 20.

²⁹ House Exec. Doc. No. 93, 33rd Cong. 2nd Sess., p. 172.

government of Her Majesty was jealous, also, of her decorum, and not accustomed to the harsh and imperious manner in which this demand had been made, a manner which was not the most adequate for obtaining the desired amicable settlement.

It is probable that this stinging rebuke was made with a sense of British and French support, and in consequence of a suggestion by the ministers of those nations that Soulé had probably exceeded his instructions in his letter of the 11th.³⁰ However, it is also asserted that those by whom this note was indited thought that Soulé upon receiving it would ask for his passport.³¹ War was seriously considered in Madrid, and it is cited as a singular phenomenon that for once all parties seemed to be as one in the support of the Government's attitude.³² In the event of war, there was little hope of Cuba's escaping from the clutches of the Americans, but the island would be stoutly defended and when its capture was seen to be inevitable the slaves would be freed to fight the invaders. Privateers licensed by Spain would devastate American commerce.³³

On the 13th, immediately after having received Calderon's communication of the 12th, Soulé addressed a response,³⁴ in which he repelled the insinuation that his government was actuated by any other motive than that of seeking justice in making its peremptory demand. Such an innuendo was in very bad taste on the part of a nation whose archives were loaded with reclamations bearing on grievances, most flagrant, which had never been earnestly attended to. He continued, expressing the hope that Her Majesty's government would come to more conciliatory resolves before it was too late. His reply to the repeated plea that there was a lack of authoritative data remained the same. Calderon's answer was regarded as evidence of a determination not to comply with the demands of the United States.

Soulé now addressed to Marcy a despatch,³⁵ dated April 13th, in which he regretted his failure to obtain a "prompt and satisfactory result to his demands," but trusted that his course would meet with the approval of the government.

³⁰ Rhodes, Hist. U. S., vol. II, p. 20.

³¹ London Times, April 20th, quoted Rhodes' Hist. U. S., vol. 2, p. 21.

³² The Attaché in Madrid, p. 262.

³³ Madrid corresp. London Times, April 21st, and May 10th.

Clayton's speech in Senate, May 22nd.

Quoted Rhodes, Hist. U. S., vol. II, p. 33.

³⁴ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 74.

³⁵ House Exec. Doc. No. 93, 33rd Cong., 2nd Sess., p. 68.

The Spanish government, having adopted so bold an attitude, now felt the necessity of strengthening its position. Therefore, with the idea doubtless of gaining England's support, a decree was proclaimed which declared the government's purpose of putting a definite stop to the slave trade, and of more effectively regulating the slaves in Cuba.³⁶ A reinforcement of six thousand soldiers was sent to the island.³⁷ Ancient Spain had thrown down her gauntlet to the young republic of the New World. It remained to be seen whether the latter in retaliation for the endless insults and injuries heaped upon her by Spain would rise in her might, and crushing her weaker though contemptuous antagonist, wrest from her, Cuba, the source of all this controversy; or tenaciously clinging to a policy of peace, would continue her fruitless negotiations for the purchase of the island, and clamor vainly and endlessly for reparation disdainfully denied.

The delays, involved in the transmission of the mails in those days, were such that by the time that Soulé's account of his failure in the Black Warrior matter reached Washington, time and concern over controversies nearer home had weakened the public interest in that quarter. Besides, the Spanish had craftily released the vessel in question, and her cargo as well. She was now granted new and valuable privileges and was already making her accustomed trips as if nothing had happened.

Now, Soulé had left but two courses open to his government. It must either insistently uphold his demands, or openly, or by a silence as eloquent, disavow his action. Confronted with this dilemma, the Cabinet was divided, as was Congress and the country at large. The President wavered between two winds, as it were. His warlike message had been fruitless, there having been no resolution in answer to it. Congress resounded with bellicose speeches but its majority was inclined to peace. A scheme³⁸ was proposed to the administration by Clingman and a representative from Louisiana, whereby ten millions should be put at the President's disposal with the authority to employ the army and navy, and to raise fifty thousand volunteers. The suggestion, however, was allowed to drop, having met with decided opposition from Pierce, Marcy, and even from Davis.

³⁶ London Times, April 17th, quoted Rhodes, Hist. U. S., vol. II, p. 22.

³⁷ London Times, May 10th, quoted Rhodes, Hist. U. S., vol. II, p. 23; also House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 90.

³⁸ Speeches and writings of T. L. Clingman, pp. 375-376, quoted Rhodes, Hist. U. S., vol. II, p. 23.

In the meantime, the Cabinet remained undecided. Soulé, confidently³⁹ awaiting orders to ask for his passport, expecting at any moment a declaration of war, was left to bite his nails in a mortifying and vexatious suspense. Davis and Cushing were urging that he be sustained⁴⁰ but Pierce, being in doubt, determined to await further news from Madrid. A new Spanish minister was expected at Washington. Some settlement might be reached through him.

The country at large was rather accurately informed, in a general way, as to the real state of affairs, for the American journals copied from the "London Times" whose correspondent at Madrid was kept posted by the British ambassador. This official as the representative of a valuable ally and adviser, was naturally familiar with the main facts of the controversy. It was widely known, therefore, that Soulé had made imperious demands which had been flatly refused. Rumor had it that he had overstepped his instructions.⁴¹

The American people, of course, aligned themselves in this matter according to their sympathies and interests. Thus the Northern and border states were opposed to sustaining Soulé and there was even a feeling of amusement at his plight. The slaveholding interests, on the hand, more impetuous and hotheaded perhaps, and believing that the time to acquire Cuba was at hand, were as insistent that our minister be upheld. Their desire for the acquisition of Cuba was not a wholly selfish one. The South really sympathized with the disgruntled Cubans whose propaganda was perpetually preached among them by Cuban exiles. They feared moreover that the island might be converted into a second Santo Domingo, and thus, from its nearness, into a constant menace to their peace. It is the tendency of American historians to dub this fear as one instilled by wire-pulling Southern politicians who imposed upon their gullible brethren.

However Palmerston⁴² was said to have favored some such scheme, and there was a widespread anxiety on that score. That the administration was not insulated from the common apprehension is to be seen from Marcy's correspondence with Soulé in which there occurs frequent questioning as to contemplated changes in the servile system of Cuba. That an emancipation

³⁹ Field, *Memories of Many Men*, etc., p. 84.

⁴⁰ New York Times, May 10th, quoted Rhodes, Hist. U. S., vol. II, p. 24.

⁴¹ Rhodes, Hist. U. S., vol. II, p. 20.

⁴² Ap. Cong. Globe, 2nd Sess., 32nd Cong., p. 118.

of the slaves and a subsequent transfer of the government to them were intended had been emphatically denied by the Captain-General of Cuba,⁴³ and the English Foreign Secretary⁴⁴ had as strongly repelled the suspicion current in the United States, that his government would abet such a project. Yet the rumor persisted.

The slave holding interests now brought powerful pressure to bear upon Pierce in behalf of Soulé and war, when they learned of his demands and Spain's defiant response.⁴⁵ Jefferson Davis,⁴⁶ it said, was the leader of this movement, and the journal known as the *Washington Union* was its organ. This newspaper advocated an immediate declaration of war if Spain refused satisfaction for the seizure of the *Black Warrior*.⁴⁷ Later⁴⁸ it confidently announced that the admission of Cuba was inevitable "in the course of thick-coming events."

On May 20th an impending revolution in Cuba was announced.⁴⁹ Quitman,⁵⁰ it was rumored had gathered a goodly troop of filibusters for the invasion of the island. At this period the country was divided and wrought up to fever heat over the Kansas-Nebraska legislation. However the bill had passed the House and the slavery party was triumphant. Rumors were current in the North that Cuba was to be acquired reckless of consequence,⁵¹ and that the administration had purposely arranged matters as to make a war with Spain almost inevitable.⁵² Things thus for a while seemed very bright for the annexationists. They were however, doomed to disappointment.

Pierce hesitated to adopt a course which would lead to war before the opposition of Marcy, the anticipated attitude of the majority in Congress, and the solid disapproval in the North which viewed with apprehension the growth of the slavery power as manifested in the recent struggle over the Kansas-

⁴³ Decree of Capt.-Gen. May 3rd, *New York Times*, May 16th, quoted Rhodes, *Hist. U. S.*, vol. II, p. 25.

⁴⁴ Buchanan to Marcy, Nov. 1, 1853, quoted Rhodes, *Hist. U. S.*, vol. 2, p. 25.

Buchanan to Marcy, Nov. 12, 1853, mss. State Dept. Archives.

⁴⁵ Buchanan to Marcy, March 17, 1854, mss. State Dept. Archives, quoted Rhodes, *Hist. U. S.*, vol. II, p. 26.

⁴⁶ Rhodes, *Hist. U. S.*, vol. II, p. 28.

⁴⁷ Rhodes, *Hist. U. S.*, vol. II, p. 28.

⁴⁸ *Washington Union*, May 11th, quoted Rhodes *Hist. U. S.*, vol. II, p. 29.

⁴⁹ *Ibid.*, (cited by *N. Y. Times*, May 15th), quoted Rhodes *Hist. U. S.*, vol. II, p. 29.

⁵⁰ *New York Times*, May 20th, quoted Rhodes, *Hist. U. S.*, vol. II, p. 20.

⁵¹ *N. Y. Tribune*, June 10th, quoted Rhodes, *Hist. U. S.*, vol. II, p. 28.

⁵² Address of five *N. Y. Representatives*, *N. Y. Times*, May 29, quoted Rhodes, *Hist. U. S.*, vol. II, p. 30.

⁵³ *N. Y. Times*, June 2, quoted Rhodes, *Hist. U. S.*, vol. II, p. 30.

Nebraska bill. By June 1st, the President had assumed a definite attitude. A new proclamation was issued against filibustering. Quitman was arrested and forced to give bond that he would observe the neutrality laws for nine months. The war tide had receded and Soulé, to his intense chagrin, was left stranded high and dry to the infinite glee of his enemies at Madrid and at home.

Rhodes asserts that the *Black Warrior* controversy would have been a pitiful cause for war, but he forgets, perhaps, that this was only the culminating outrage in a long series of unredressed injuries wrought upon the United States by Spanish officials. Any one of these, almost, might have been a cause of war, involving as they did insult to our flag and rank injustice to our citizens.

At Madrid, Soulé was impatiently awaiting news from his government. It was not until the 18th. of April that Calderon, having placed Soulé's letter before the council of ministers and the Queen, answered it.⁵³ He incidentally rebuked Soulé for harshness of language, and reiterated the old claim that Her Majesty's government had not yet, but hoped soon to obtain authentic information as to the *Black Warrior* seizure. However, he had learned that the vessel had been delivered to her captain. This satisfactory termination which removed the main grievance seemed to him to justify Spain's judicious delay in deciding upon a course of action. In response to the charge of dilatoriness in deciding other claims made against it by United States citizens, Calderon retorted that similar relations existed between the United States government and Spanish subjects.

On the 20th, Soulé replied,⁵⁴ repeating that the pretense of not having sufficient data at this late day was equivalent to a denial of redress, and that he had represented it as such to his government. The arrangement, made between the Havana authorities and the owners of the *Black Warrior*, in no way mitigated the insult to the United States. Soulé cited eleven cases in which American vessels had been wantonly fired upon, cargoes unjustly seized, citizens arbitrarily arrested, etc., and all without the slightest reparation. Soulé proved clearly that the sole evidence cited by Calderon in a charge of similar injustice on the part of his government was unfounded.

⁵³ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 75.

⁵⁴ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 77.

Four days after writing this note, Soulé received from Marcy a confidential despatch borne by a special messenger, Colonel Cumner. This letter⁵⁵ was dated April 3rd, and had therefore been written before the news of the Black Warrior seizure was received by Soulé. Soulé was thereby given full power to enter into a convention for the purchase of Cuba. He was to make use of this authorization if circumstances were favorable. The manner of conducting this negotiation was left wholly to Soulé's discretion. If direct purchase were impossible, Spain might be induced to consent to the independence of Cuba. To this arrangement the Cubans must be a party. Despotic rule prevented the association of natives to accept from, or offer terms to Spain. If this strictness were relaxed to permit such association, the United States would readily countenance and aid its efforts to release the island from dependence on Spain.

In response⁵⁶ to this Soulé wrote on May 3rd, informing his chief that the difficulties, pending between the two countries, prevented him from approaching any person in authority or with influence in the government's councils, touching so delicate a subject. However, he thought that developments would be such that in the end the very best opportunity would be afforded for bringing the question to a fair test. Turning to the topic nearest his heart, Soulé declared that Spain needed to be taught that there was a limit to our endurance. He urged that she be given "a good lesson" this time. It was because Spain believed that we were not serious in our demands that she had declined coming at once to a definite resolve with reference to the Black Warrior affair.

The slowness of Congress to act upon the President's message of March 15th abetted this belief and emboldened her. Nothing but a display of determination could make her unbend. The government, though it still pleaded that it lacked sufficient data, had yet ample information to blind and pervert the conscience of the Spanish people in regard to the most recent controversy. It was the Cabinet's wish to make it appear that Soulé's action had been disavowed by his government. So in the official journal, the "Heraldo," there had been inserted a very garbled account of the whole transaction. The article concluded with the statement that the Committee on Foreign Relations at Washington continued to be mute on the subject of the President's message.

⁵⁵ *Ibid.*, p. 86.

⁵⁶ House Exec. Doc., No. 93, 2nd Sess., 33rd Cong., p. 82.

To counteract⁵⁷ this, Soulé had sought to have printed in a local newspaper the news that Colonel Cumner of the United States Army had just arrived on a secret and special mission, with despatches of the greatest importance for the American minister. Whereupon the censor ordered that this notice be stricken out. Soulé had succeeded however in having published in the same journal the letter of Charles Tyng & Co., consignees of the Black Warrior, in which was given an account of the seizure of their vessel. Their version was, of course, represented as interested and therefore unreliable.

Four days after the preceding letter was written, our minister received from Calderon, who had just received the authentic information so long expected, the official Havana version of the controversy.⁵⁸ The American claim that an attempt had been made to alter the Black Warrior's manifest within the legal period was flatly denied. The revenue court had ordered the seizure of the cargo and that the captain be fined. The consignee, though confessing his error, had pleaded ignorance of the law and had appealed to the Superintendent-General for clemency. The latter ordered the matter to be renewed before the superior court. This tribunal had thereupon recognized the fine and seizure as legal. However, the Superintendent-General kindly reduced the fine proposed from ten thousand to six thousand dollars. Having deposited this sum, the consignee received his vessel. Instead, in the fullness of their hearts, the ministry had granted to the Black Warrior certain privileges formerly granted only to the English Royal Mail Company. Furthermore, upon request of the consignee, the Queen had remitted the fine. The property having been returned, there was no reason for the payment of an indemnity. Nor could the United States government claim that insult had been offered her flag, for a merchant vessel is subject to the penalties which the fiscal regulations establish.

The minister now proceeded to pay his respects to Soulé for his peremptory demands, acrid language and offensive doubts as to the sincerity of Her Majesty's government. The President was censured for his unfriendly haste and Pezuela, the Captain-General was not only upheld, but praised.

The Spaniard, having thus apparently carried the day, either in a spirit of complacent condescension, or more probably with the notion that it would not do to impose too greatly on American

⁵⁷ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 83.

⁵⁸ *Ibid.*, p. 85.

long-suffering, notified Soulé on the same day⁵⁹ that all data concerning controversies between the two nations, other than the Black Warrior dispute, had been gathered and an early reply to American claims might be expected.

The Spanish government thus, though yielding somewhat in fact, receded not a jot in principle from the position it had stubbornly held from the beginning. Its concessions were made condescendingly directly to the aggrieved parties, apparently not because of the intercession of the United States, which were thus practically ignored.

In transmitting these despatches on May 10th, to Marcy, Soulé stated⁶⁰ that he had contented himself with merely acknowledging their receipt and stating that their contents would be immediately transmitted to his government.

Our minister, being still without official approval or condemnation from his government, began to find his already strained position intolerable. The Spanish government was revelling in its anticipated triumph. Soulé awaited most anxiously the action of Congress. He could not think of retaining a post from whence he would have to behold the contemptuous insolence which his discomfiture and that of his government would be sure to provoke.⁶¹ Again on June 10th⁶² in transmitting two of Calderon's notes, he spoke of his longing to be relieved from the "torturing anxiety" under which he had labored for some time past on account of our strained relations with Spain and of the part which it was supposed he had played in bringing matters to a crisis. He had seen frequent intimations in American papers that a discrepancy existed between him and his government. He hardly believed these, but should there be the least foundation for them, he requested Marcy to present his resignation to the President immediately. His, he continued, must be a clear and well defined position for he could not bear to have it clouded with doubts, nor even embarrassed by the slightest hesitation.

This same despatch described the triumphant boasting of the Spanish press and its disparagement of the American government. Accompanying it were, as has been said, two notes from Calderon, in the first⁶³ of which he fulfilled his promise of answering all of the American claims in the Spanish archives. He described some of these settled, other as still pending owing to the fact that each

⁵⁹ House Exec. Doc., No. 93, 2nd Sess., 33rd Cong., p. 90.

⁶⁰ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 84.

⁶¹ *Ibid.*, Soulé to Marcy, p. 90.

⁶² *Ibid.*, Soulé to Marcy, p. 91.

⁶³ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 92.

government had its own manner of interpreting international law; others still had been referred to the tribunals of the State with consequent delays. Of eleven cases at issue (almost any one of which would have been considered grounds for instant and stern reprisal by England, for instance,) Spain admitted its liability in only two, not, indeed, as yet providing a just settlement of these, but promising that such action might be taken in the near future.

By June 1st Calderon informed⁶⁴ Soulé that one of these two cases had been settled in a manner that must be satisfactory to American notions of justice. This had been a case of flagrant injustice to American merchants. However, Calderon regarded the justice of their claims as doubtful. The favorable decision, therefore, was considered as a kindly concession from Her Majesty. It is to be noted that English subjects, and some of those of the Low Countries as well, were involved also. In acknowledging⁶⁵ the receipt of the Spanish minister's announcement, Soulé could not help pointing out that it was fortunate for the Americans involved that there had been Englishmen and Hollanders interested in the same matter which fact had caused the present enlightened resolution of Calderon after a delay of nine years. He was sure that his government would appreciate this evidence of friendship.

On June 16th⁶⁶ it was announced to Soulé that Her Majesty had been pleased to command that Anglo-American vessels be considered in the peninsula and adjacent islands as national ones, as regarded the duties of the port and navigation, in reciprocity for what was practiced with the Spanish vessels from the same places in the United States. Thus was the second of these controversies arranged. In transmitting this news,⁶⁷ Soulé deplored the fact that he had not as yet received the slightest intimation as to how his course in the Black Warrior matter was regarded by the Cabinet. The news brought by the trans-Atlantic mails was not encouraging, and rendered his position so painful and delicate that he could not think of holding on to it much longer. The impression at Madrid was that there was discord between the minister and his government and that the latter to get out of its difficulty with Spain would disavow his acts. The hesitancy of Congress to follow the policy outlined by the President in his message had injured our reputation for character.

⁶⁴ *Ibid.*, p. 103.

⁶⁵ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 104.

⁶⁶ *Ibid.*, p. 105.

⁶⁷ *Ibid.*, Soulé to Marcy, p. 105.

Keenly conscious of his anomalous position, Soulé wrote⁶⁸ again with some bitterness to inform Marcy of the impression produced in Madrid by the President's proclamation against filibusters, and by the announced departure from the United States of commissioners instructed to reconcile and adjust the differences existing between Spain and his government. The first was considered as an hypocritical manner of masking nefarious designs upon Cuba; the latter, said Soulé, is viewed as an act of condescension to this country (Spain) exemplifying what power a grovelling diplomacy may still obtain even with those whose pride it is to hold it most in contempt. The exultant opinion at Madrid was that Soulé would be sacrificed to the vindictive exigencies of a haughty camarilla for having offended its pride while acting by the express orders and under the commission of his government.

At length, Soulé received from Washington two despatches. The first,⁶⁹ dated June 22nd, was a lengthy reply to Calderon's response to the Black Warrior claims. Marcy stated therein that the matter, as far as pecuniary indemnity was concerned, had been altered by the release of the vessel, but the wrong and insult to the nation remained. The whole case was reviewed in all its phases. The Cuban officials' conduct was regarded as illegal, arbitrary and insulting to the United States. Spain was duly censured for having upheld them. The President regarded Calderon's answer as highly unsatisfactory, but was unwilling to resort to any extreme measures until a solemn appeal to Spain had been made in order to adjust all questions at issue, and to provide for peaceful relations in the future. Soulé, therefore, was not expected at present to take any further steps in the Black Warrior controversy.

The other letter⁷⁰ which accompanied this despatch was confidential. The plan of making a final and solemn appeal was outlined at greater length. The President proposed to associate with Soulé "two other of our most distinguished citizens" in the execution of this unusual mission. The despatch held a line of solace for our chagrined minister. In it the President was represented as being satisfied with the spirited manner in which Soulé had performed the duties of his mission. Though denied the privilege of discussing the Black Warrior matter, he was at liberty to read the first document to the Spanish minister.

⁶⁸ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 107.

⁶⁹ *Ibid.*, Marcy to Soulé, p. 108.

⁷⁰ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 117.

IV

Beating Time During Local Disturbances in Spain

Before these documents reached Madrid, important events had followed each other in quick succession. A revolution had taken place during which Soulé had chivalrously offered his Legation as an asylum to the hated queen-mother Christina.⁷¹ Calderon and his colleagues had resigned on the 16th of July and fled.⁷² Another ministry had fallen and the present Minister of State was Señor Pacheco. On the 2nd of August, it was announced that Pezuela, the Captain-General of Cuba,⁷³ under whose administration the Black Warrior outrage was perpetrated, had been dismissed and de la Concha appointed to succeed him. In effecting this change, the government had taken occasion to praise the retiring official for his zeal and loyalty. Soulé thought that the Spanish ministry had by this action deliberately burned their bridges behind them, for now, however strongly the American government might protest, Soulé's demand for the removal of all the officials involved in the recent controversy could not be complied with. Having called Pacheco's attention to this, he was most solemnly assured that the dismissal was in no way connected with the assumption of an uncompromising attitude toward the United States.⁷⁴

At about the same time that the change in ministry took place, Soulé's failing health compelled him to seek rest in the Pyrenees. Therefore, having taken leave of the Queen, accompanied by his secretary, H. J. Perry, he called upon the new Minister of State. There ensued between Soulé and Pacheco a conversation⁷⁵ which was taken down in writing by Perry, and transmitted to Washington. Our minister took occasion to reiterate his former statement that the United States government was far from satisfied with Calderon's reply in reference to the Black Warrior's seizure. Indeed, the Spanish government's course was looked upon as an aggravation of the original cause of complaint. Soulé also expressed the belief that his government would regard Spain's action in removing Pezuela as deplorable. It will be remembered that Marcy, under date of June 22nd, had sent Soulé a masterly refutation of Spain's position in the Black Warrior matter, with the

⁷¹ Field, *Memories of Many Men*, etc., p. 91.

⁷² The Attaché in Madrid, p. 309.

⁷³ The Attaché in Madrid, p. 345.

⁷⁴ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., Soulé to Marcy, p. 118.

⁷⁵ *Ibid.*, p. 120.

permission that he might read it to the Spanish minister or give him a copy.⁷⁶ However, though Pacheco insistently begged for such a presentation of the American viewpoint, Soulé thought that mere empty protestations to give his (Pacheco's) government's actions a color of fairness would be the result⁷⁷ and that if this affair were kept pending it might be used as a lever in negotiating for the purchase of Cuba.⁷⁸ Therefore he contented himself with expressing to Pacheco in broad terms the administration's attitude.

When the news of the Spanish revolution, just referred to, was learned in the United States, the hopes of the annexationists flared up anew. The Washington "Union" urged that a few millions of money be placed in the hands of the executive for use during the recess in the Spanish-Cuban relations.⁷⁹ The President sent a special message to the Senate intimating that such action would be in harmony with his own sentiments. The Senate Committee on Foreign Relations however, because of the shortness of the coming recess, refused to recommend any provisional legislation.⁸⁰ In spite of this failure, the administration still cherished the hope that Cuba might be acquired by purchase, as may be seen by Marcy's letter of August 11th.

By August 16th, the government at Washington had abandoned its idea of sending an extraordinary commission to Spain. Marcy took occasion, in transmitting this news by Colonel Sickles, to deprecate the notion that the abandoned plan might have warranted the inference that Soulé had not faithfully and ably done his duty and given satisfaction to his government. Indeed, he was to have been placed at the head of the proposed commission if there had been any gradation at all. Marcy announced that the President's effort to have our executive clothed with additional power in reference to our Spanish relations had failed, but his views as to Cuba remained unchanged. In this as in other matters the adoption of a proper course was left to Soulé's discretion. The Secretary thought that the change in ministry would be beneficial to the United States as the new Secretary of Foreign Affairs would be unhampered by personal considerations in a further discussion of the Black Warrior incident. However since

⁷⁶ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., Marcy to Soulé, p. 118.

⁷⁷ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., Soulé to Marcy, p. 120.

⁷⁸ *Ibid.*, Soulé to Marcy, p. 133.

⁷⁹ Wash. Union, July 30 (cited by N. Y. Times) quoted Rhodes' Hist., U. S. vol. II, p. 37.

⁸⁰ Rhodes, Hist. U. S., vol. II, p. 38.

Spanish affairs were in such a transitory state, it would not be well to press any demands upon it.⁸¹

Thus the Black Warrior controversy, which might have precipitated a bloody war, was allowed to sink into obscurity. It ceased to be a vital issue. Before the advent of this dispute, Soulé had been very confident that he would succeed in his effort to negotiate for the purchase of Cuba. He felt convinced that he had brought the influential ex-queen Christina to his views.⁸² He once confided to Field his belief that with five hundred thousand dollars of secret service money for loans to indigent members of the Constituent Cortes the great consummation could be brought about. Thereafter, however, his enthusiasm for purchasing Cuba waned.

The government's action in this matter disappointed him. He expressed himself as greatly aggrieved because Marcy had not backed his imperious demands, although that official had prescribed them.⁸³ At this point, it is well to consider just how true was this claim of Soulé's, just mentioned. Did Marcy's instructions justify Soulé's action in the Black Warrior affair? Most historians answer this in the negative. It is regarded as a great blunder, an audacious assumption of unwarranted authority. Let us look into the matter. The whole question hinges on Marcy's letter of March 17, 1854, instructing Soulé to demand indemnity and reparation for the seizure of the ill-fated vessel in question. Our minister was clearly told therein to assume that Spain was already prepared to answer his demands. Marcy insisted, too, upon haste, nay that an immediate tender of satisfaction and a complete disavowal of her officials' action be made. A very few days would be sufficient; a reply was expected as early as practicable. Now what do these expressions imply? What are a very few days? Furthermore, Spain was not to be permitted to practice her usual evasion. Her answer must be either a proffer of satisfaction or an assumption of responsibility for the acts of her officials. Such was the dilemma proposed in the Secretary's letter. However Soulé was to present the strong features of the case only. He must not discuss it. Soulé waited three days for an answer after making his first and milder demand, then he presented to Calderon the alternative prescribed by his chief, only, besides making the claim for indemnity, he demanded that the officials

⁸¹ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., Marcy to Soulé, p. 117.

⁸² Field, *Memories of Many Men*, etc., p. 82.

⁸³ *Ibid.*, p. 96.

concerned be dismissed (the usual manner of expressing the disavowal expected by the United States government). Also he insisted that these demands be complied with in forty-eight hours. Are five days not a "very few days?" It may be said that to forestall a rupture Soulé was not expected to discuss the case, then why these recommendations for haste, why these bellicose threats? Can it be that Marcy was willing that the fiery Soulé, interpreting ambiguous instructions according to his own bent, should make war-like demands which, if unsuccessful, might be repudiated? Soulé, himself, constantly asserted that he had but obeyed orders, and Marcy never contradicted this, nay praised him in the President's name for his splendid conduct and expressed Pierce's entire satisfaction with his procedure. Of course, it must be remembered here that Soulé was a figure in national politics who might not be wantonly offended. Hence the praise, perhaps. However, we are persuaded from sentiments expressed by Marcy that the government would have been perfectly satisfied if the demands made had succeeded. If such had been the case, Soulé would have been hailed as a hero. Having failed, he was allowed to seem a pitiful blusterer, the perpetrator of a gigantic "American bluff," a role which Marcy had, perhaps, intended that he should play.⁸⁴

⁸⁴ The other view of the problem is stated by Webster:

"A great part of the difficulties with which Marcy had to contend, and which put a strain on his great faculties, came from the insubordination of Soulé as a diplomatic agent. He was graceful, eloquent, charming and persuasive, but he failed as a diplomatist because he had a plan and policy of his own, and did not accept the relation to his chief which a diplomatist should occupy. Prince Bismarck summed the matter up when he said: 'My ambassadors must wheel about at command like non-commissioned officers, and without knowing why.' Had Soulé given his faculties to the study of the wishes, ideas and instructions of his chief, and had he subordinated his own views to these, his mission might have been a brilliant success, instead of a lamentable failure. A diplomatic agent is not the colleague, but the servant of his chief; but having been a senator and once a controlling man in affairs at home, Soulé could not consent to be a subordinate even of a chief so wise and great as Marcy."—Sidney Webster, *Marcy and the Cuban Question*, Pol. Sci. Qv., 8, pp. 1-32, March, 1893.

V

The Ostend Manifesto

We have already seen how the administration abandoned its project of sending to Madrid an extraordinary commission to settle all controversies pending between Spain and the United States, and to assure peace for the future. No reason was assigned for the action, but the plan was succeeded by another of greater originality. Marcy was still anxious to purchase Cuba. The President had virtually promised to do this and the South was insistent. It was still thought that Spain might be persuaded to part with the island if a sufficiently large sum were offered and England and France should give their consent. Thinking therefore that "much might be done at London and Paris to promote directly the great object in view, or at least to clear away impediments to its successful consummation," Marcy broached to Soulé a plan of action unprecedented in the annals of American diplomacy. "Under the circumstances" it seemed desirable that there should be a full and free interchange of views between Soulé and his colleagues of France and Great Britain in order that they might reach an agreement in reference to the general object. It was therefore suggested that they meet as soon as possible at some convenient point to consult together and compare opinions as to what might be advisable, and to adopt measures for perfect concert of action in aid of the negotiations of the Minister at Madrid. If this proposition were agreeable to Soulé, he was to communicate with his colleagues to decide upon the place and date of their meeting. After the conference had been held, the participants were expected to impart to their governments whatever opinion or plan of action they might have agreed upon.¹

When this despatch reached Soulé, he was still recuperating in the Pyrenees. He immediately set out for Paris. Arriving there on the 20th of September, he communicated with his colleagues. Upwards of twelve days now elapsed before they agreed upon a place of meeting, but Ostend, in Belgium, was at last fixed upon. There, the three Ministers, Soulé, Buchanan and Mason met on the 9th of October and went into session during three consecutive days. They then adjourned to Aix la Chapelle, where Soulé remained with his colleagues from the 12th to the 18th inclusive,

¹ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 124.

preparing notes for the despatch which was to be forwarded to Washington.

In transmitting an account of his preliminary procedure to Marcy, Soulé took occasion to remark meaningfully that it was of infinite satisfaction to himself, and would be surely to Marcy that the most cordial harmony had marked the progress of their labors and that there would not be a single opinion expressed by the conference which did not convey the unanimous sentiment of all the conferrers.² On October 18th, the ministers having compiled the results of their deliberations in a formal despatch, signed the document and forwarded it to Marcy.

On them during this period was turned the calcium light of publicity. European governments watched them anxiously and the press of the United States waxed curious and suspicious. Abroad the wildest rumors were circulated. Soulé was reported to be in league with the Red Republicans³ and to have expressed, on one occasion, a wish for the invention of a steam guillotine which might sweep off all the royal heads of Europe at a single blow.⁴ Nothing definite was known as to the origin nor even as to the precise nature and object of the meeting until March 15th, 1855, (more than four months later) when the document in question with the diplomatic correspondence which preceded it were transmitted to the House by Pierce in compliance with a resolution enacted by that body. However, it was generally suspected previously that the Conference had to do with territorial expansion and particularly with Cuba.⁵

The document, itself,⁶ afterwards known as the Ostend Manifesto, was truly remarkable.

There had been a full and unreserved interchange of views and sentiments, since the ministers began, which had resulted in a cordial coincidence of opinion on the grave and important subjects submitted for their consideration. An immediate and earnest effort should be made to purchase Cuba at any price, not exceeding a certain maximum.⁷ The proposal should be made to the Supreme Constituent Cortes about to assemble at Madrid. Our proceedings should be open, frank, and public. Spain's vital interests, as well as the United States', were involved in the pur-

² *Ibid.*, p. 125.

³ *vd.* Curtis, *Life of Buchanan*, vol. II, p. 136.

⁴ Gaillardet, *L'Aristocratie en Amérique*, p. 319.

⁵ *vd.* discussion in the House of Representatives, 2nd Sess., 33rd Cong., vol. 30, p. 9.

⁶ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 127.

⁷ \$120,000,000.

chase of the island, and such being the case, the ministers did not anticipate failure unless foreign powers should intervene. A detailed account was then given of why the sale should prove as beneficial to both countries as its delay would be dangerous and unprofitable. Having set forth this view of the situation as strongly as possible, the document proceeded to a consideration of what should be done by the United States in case of a refusal. Our past history forbade that we should acquire Cuba without the consent of Spain unless justified by the preeminent law of self-preservation. Hence, after we should have offered Spain a price far in excess of the present value of the island, it would then be time to consider whether Cuba in the possession of Spain seriously endangered our internal peace, and the existence of our cherished Union? Should this question be answered in the affirmative, then by every law, human and divine, we should be justified in wresting it from Spain. The report continued, "We forbear to enter into the question whether the present condition of the island would justify such a measure," but note what precedes this expression: "Indeed the Union can never enjoy repose, nor possess reliable security as long as Cuba is not embraced within its boundaries," and "Its immediate acquisition by our Government is of paramount importance," and again, "Considerations exist which render delay in the acquisition of the island exceedingly dangerous to the United States." Furthermore, "The system of immigration and labor lately organized within its limits, and the tyranny and oppression which characterize its immediate rulers, threaten an insurrection at every moment which may result in direful consequences to the American People. Cuba has thus become to us an increasing danger and a permanent cause of anxiety and alarm." Therefore the answer is obvious. It was not necessary to further "enter into the question whether the present condition would justify" seizure of Cuba if Spain refused to sell it. It had practically been answered already in the affirmative. Cuba must be purchased or seized. We should be recreant to our duty, unworthy of our gallant forefathers and commit base treason against our posterity should we permit Cuba to be Africanized and become a second Santo Domingo, with all its attendant horrors to the white race, and suffer the flames to extend to our own neighboring shores, seriously to endanger or actually to consume the fair fabric of our nation. Our ministers though "refraining" from entering into the question thought that the course and current of

events were rapidly tending towards such a catastrophe. The Black Warrior affair was pointed to as evidence of the dangerous possibilities of the present arrangement. It was the firm belief of the ministers that the cession of Cuba to the United States with stipulations as beneficial to Spain as those suggested was the only effective way of settling all past differences and securing peace for the future.

The Ostend document is somewhat ambiguous if read without a certain scrutiny. The sentiment quoted in the final sentence of the preceding paragraph seems to indicate a disposition on the part of the conferers to favor strongly, nay exclusively, a peaceful cession by purchase. But, as has been pointed out, the general conclusion drawn from the other propositions set forth is that the failure of peaceful persuasion must be followed by war. If the interpretation which has been indicated be accepted, the meaning seems plain. Spain must sell us Cuba or yield to our superior might because our safety was endangered by her possession of the island. Soulé, himself, seems to have feared lest the joint despatch be misinterpreted. Therefore on the 20th of October, he sent to Marcy, on his own account, a sort of key to the somewhat enigmatic report.⁸ Therein Soulé expressed a doubt as to whether the language of the Manifesto would be found explicit enough, but trusted that it would be sufficiently free from ambiguity as to leave no doubt as to its real meaning. Cuba, he continued, must be ours and the matter must be put to the test immediately. Present indications seemed to encourage the hope that we might achieve our goal peacefully, but, if we must have recourse to arms, then this was the auspicious moment. The greater powers of Europe were engaged in a stupendous struggle. Neither England nor France would be likely to interfere with us.

This second despatch seems to indicate just who was the leading spirit in the composition of the other. Field, an attache of the French legation at the time, tells us that his impression was that Soulé had drawn up the document and that Buchanan had revised it.⁹ It is probable that in urging his two colleagues to subscribe to such radical proposals Soulé must have used the presidential ambition of both the men as a lever. Buchanan indeed was already convinced that the distinction of having brought about the acquisition of Cuba would be a great asset to

⁸ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 126.

⁹ Field, *Memories of Many Men and Some Women*, p. 98.

an aspirant for the Presidency. Mason was an ardent slavery-man and thus would be even more easily persuaded to assent to the sentiments of the document in question. Both were besides probably soothed and lulled by its tortuous, guarded language, and persuaded by the winning, magnetic eloquence of Soulé. Indeed such seems surely to have been the case with Mason, at least, for he afterwards warned Field against Soulé's wiles. He called the latter a "perfect bird-charmer" and feared he would "absorb" Field. He was not displeased at Marcy's rejection of the principles set forth in the Manifesto, and upon learning of Soulé's explanatory letter of the 20th, he was exceedingly perturbed. An attack of apoplexy followed which eventually resulted in his death. Soulé, himself, later having first expressed the opinion that advocacy of the annexation of Cuba would be indispensable to an aspirant for nomination as presidential candidate by the next Democratic convention, ironically remarked to Field that it would never do for Buchanan and Mason to disavow the sentiments expressed in the Ostend Manifesto, for then it would be supposed that he "had twisted them around his finger."¹⁰

Having thus succeeded in having his own sentiments subscribed to by such influential and representative citizens, Soulé awaited Marcy's reply with much hope for the final success of his designs. The latter's answer came to him as a thunderbolt from a blue sky. After having had it read to him by Field, he said, "Marcy could never have given utterance to such views. I am overwhelmed." Having perused it carefully, our minister exclaimed, "My amazement is without limit. I am stunned. Of one thing only I am certain, and that is that this is the irresponsible work of Mr. Marcy. The President can neither have inspired or sanctioned it." He also expressed himself as aggrieved at Marcy for not having supported him in the Black Warrior matter, although the secretary had prescribed the course of action which he had adopted. Indeed he was so disgruntled at this latest rebuff that he wished to leave the legation at once in Field's charge while he journeyed to Washington in quest of a personal explanation of Marcy's reply. Field however refused to assent to this request.¹¹

The letter¹² which surprised and dismayed our minister so was nothing more or less than an utter repudiation of the alternative

¹⁰ Field, *Memories of Many Men and Some Women*, p. 98.

¹¹ Field, *Memories of Many Men and Some Women*, p. 97.

¹² House Executive Doc. No. 93, 2nd Sess., 33rd Cong., p. 134.

proposed by the Ostend conference, and an injunction to continue negotiations for the purchase of the island if the Spaniards in power were well disposed. Soulé was to continue protesting against Spain's monotonous refusal to grant us satisfaction for the insults she had heaped upon our nation. Marcy pretended to believe that the conference had not intended to coerce Spain into a cession of Cuba if purchase were impossible, and cited in support of his ironic interpretation the expressions: "If Spain should refuse these propositions of the United States, then the question will arise, 'What ought to be the course of the American Government under the circumstances,'" and then, "After we shall have offered Spain a price for Cuba far beyond its present value and it should have been refused, it will then be time to consider the question, 'Does Cuba in the possession of Spain seriously endanger our internal peace and the existence of our cherished Union?'" The President, Marcy continued, concurred in this view. To argue that seizure should follow a refusal to sell would imply that it was necessitated by self-preservation, and that Spain had refused reparation for past offences and security for the future. He then proceeded to show that failure to acquire Cuba would not imperil the existence of our government, and that Spain's attitude towards our demands for redress was more favorable than in the past. However, if Spain's possession of Cuba ever threatened the safety of the Union, the crisis would be met, no doubt, by the deliberate and decisive action of the American people. Persistence by Spain in an attitude of defiance towards American demands for redress would likewise result in the employment of force.

In the same despatch, Marcy took issue with Soulé as he had in his letter of the 27th, for not having presented to the Spanish Minister his carefully drawn-up protest against Spain's procedure in the matter of the Black Warrior. The Secretary of State further stated that the honorable removal of officers concerned in the seizure of that vessel would not be considered a hindrance to the settlement of the dispute in view of the official statement of the Minister of Foreign Affairs that these officials had not been removed for the purpose of evading our demands for redress. These might be punished in another way while those remaining in the service of the Spanish Government should be dismissed. Should Spain thus disavow their action and offer full indemnity for the loss and injuries suffered by American citizens in the

previously mentioned affair, the United States would accept such reparation. Other cases requiring redress were to be pressed. The Spanish had proposed that all disputes pending between their country and the United States be settled by a mixed commission. Soulé was instructed to reject this proposition because some of the claims involved were of such a nature that their arbitrament was not consistent with national honor. Marcy concluded with the old demand that the Captain-General of Cuba be empowered to communicate directly with the United States government in the matter of redressing wrongs suffered by American citizens at the hands of Cuban officials. The effect of this despatch was to put Soulé practically in the same position he occupied immediately after the Black Warrior fiasco. He was no further advanced. He who had hoped to pose in Madrid as an avenging angel, clothed in the power and majesty of the American Republic, found his most cherished proposals rejected and himself compelled to swallow what was very near a rebuke. It was intolerable for a man of his temper. The disappointment was too great. He must leave the hateful Spanish capital, the scene of so many bitter mortifications. Failing to induce Field to take temporary charge of his legation while he investigated Washington's inexplicable attitude in person, Soulé, who distrusted his own secretary too thoroughly to intrust the legation to him, determined to resign. Therefore on December 17th, he sent Marcy his formal resignation.¹³ In so doing, Soulé wrote: "Your despatch of the 13th leaving me no alternative but that of continuing here in languid impotence or surrendering the trust which, with the difficulties thrown in the way of its execution, I should strive in vain to discharge either to the satisfaction of the government or to my own credit, you will not be surprised at the course which a sense of dignity has compelled me to adopt." In view of all this he begged to be relieved by the end of January.

The charge as to "languid impotence" was not quite correct. He had been told to press American claims for reparation, and Marcy had promised that force would be used if Spain proved obdurate, but for him the acquisition of Cuba was the central, nay the sole object of his mission. He had learned that its purchase was out of the question. His proposition to adopt stronger means upon which he had based his dearest hopes had been scathingly rejected. Therefore he lost all interest in his nerve-racking

¹³ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 140.

post, believing rightly that he might do more to accomplish his dream by pulling wires in Washington.

December 23rd, Soulé was able to state with malicious delight in a despatch¹⁴ to Marcy that the Minister of Foreign Affairs had in the Cortes "with an emphasis full of significancy repelled the suspicion that the government might be disposed to part with it (Cuba), by declaring that, in its judgment to part with Cuba would be to part with the national honor." "The declaration," Soulé continued, "was covered with the frantic applause of the assistance in the galleries, and received the spontaneous and undivided sanction of the house."

"Thus was disposed of", concluded Soulé, "in a single session of that grave body, the Cortes, what of hope the United States might still retain of bringing their difficulties with this country to a peaceable and friendly adjustment through the cession to them of that island."

By January 13th, Soulé was getting impatient to be off. He reported¹⁵ to Marcy that the present rulers showed no more inclination to attend to our just demands than their predecessors. "Their compunction" had not been awakened "by the scorching arguments" which our minister had been instructed to place in their hands nor had they been moved by the significant suggestions of the President's message. They disregarded both and did not even disturb themselves to resort to the usual "soft words and empty protestations." Soulé longed to be off from a court where "so little respect is paid to our country and where the opinion entertained of our weakness is a constant encouragement to offer us fresh and indigestible disgusts."

Though Soulé spoke with such confidence regarding the intractability of the Spanish Minister, he admitted that since the day when he had left that official a copy of Marcy's protest, he had not received a word from him concerning the attitude of Her Majesty's government toward the United States. Our envoy declared¹⁶ his intention not to leave his post until he had learned in a free conference with the Spanish Minister just what was to be expected for the future.

On the 13th of January, Soulé having been summoned by the Spanish Minister of Foreign Affairs, had an interview with the latter at which he brought matters to a crisis. He took occasion

¹⁴ *Ibid.*, p. 141.

¹⁵ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 141.

¹⁶ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 142.

to speak of the delicate relations prevailing between their respective countries and of the dangerous situation which might develop if the pending difficulties were not speedily remedied. The Spanish official assured him of the good disposition of his government toward the United States, and pointed out to Soulé that Spain had done all that could be expected of her by offering to submit all controversies to a mixed arbitration commission. Our minister reiterated that such a proposition could not be acceptable because most of the matters at issue did not involve disputable facts or principles of doubtful import. He cited, in testimony of the United States' anxiety to remove all causes for future disagreements, their desires to have Spain empower the Captain-General of Cuba with certain latitude in dealing directly with the United States Government thus avoiding the bitterness caused by protracted negotiations with distant Spain. He referred also to his government's ineffectual efforts to persuade Her Majesty's to join it in an attempt to give efficacy to the enforcement of the 22nd article of the treaty of 1795 whereby the two countries had agreed to give their mutual commerce all the extension and favor which the advantage of both nations might require. He declared further that it was time that his government should know definitely what were Spain's intentions. He adverted to his powerlessness in the face of Spanish prejudice which had paralyzed his movements. In view of all this, he averred that, if within the ensuing fortnight he had not received such intimations as might warrant the hope of a speedy change in Spain's attitude, he would return home in order to make a personal report to the President.¹⁷

Let us note in passing that this interview was held on the 13th of January, and that Soulé had already on the 17th of December sent in his resignation and asked to be relieved by the end of January. His ultimatum to the Spanish Minister was therefore merely a ruse whereby he might have obtained something, but which, at any rate, permitted him to retire with some show of dignity. However the Spanish official was not to be intimidated. Perhaps he had inside information. Be that as it may, by January 28th he had not communicated a single line to Soulé, consequently the latter, the specified fortnight having expired, indited a note¹⁸ to the Minister of Foreign Affairs in which he rehearsed his interview of the 13th, and, in accordance with his threat asked for

¹⁷ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 142.

¹⁸ *Ibid.*, p. 144.

his passport. He desired also that an hour be appointed at which he might pay his last respects to the Queen.

In replying¹⁹ to this note, the Minister maintained his former attitude, explaining that in all Spain's acts, held reprehensible by the United States, she had adhered to a course of rigid justice. She did not consider that the honor of the United States had been jeopardized. For these reasons, and because all these disputes hinged on a difference in the interpretation of international law, he insisted that Spain's suggestion of resorting to an arbitration tribunal was very reasonable. He rejected the proposition regarding the Captain-General because such action would be an illegal delegation of the sovereign power belonging to the Supreme Government of the State. As to the commercial convention, Spain did not refuse to carry out the 22nd article, but reserved the right to apply it in accord with her own mercantile interests. The Minister further stated that he had no other communications to make to the United States. However as it might be inferred from Soulé's note that he was leaving because of not receiving any communication during the specified fortnight, to avoid all misunderstandings, he had written this response. In compliance with Soulé's request, he appointed the hour and the day for his final audience with the Queen and enclosed his passport. There was nothing else for Soulé to do, but to leave. Consequently, at half past eight o'clock of February 1st, he took leave of Her Majesty and left in the evening of the following day for Washington,²⁰ closing thus an episode unparalleled in the annals of American diplomacy.

The Ostend meeting, engineered as it was with so much parade and flourish of trumpets,²¹ was, as has been previously pointed out, the occasion for great excitement here and abroad. In Europe it competed with the Crimean war news in commanding public attention. Many articles were written in the journals of various countries strongly condemning the conference, and denouncing as "filibustering" certain letters and addresses which had been published abroad as the work of our foreign representatives.²² Such publications were attributed in particular to Soulé, and his conduct and public utterances were classed as very objectionable and "filibustering." On his return journey to Madrid, he had

been detained by the French government, but was released with an apology upon the demand of our State Department.²³ This incident stimulated public interest anew so that Grey²⁴ was able to state in the House of Representatives that no member of that organization could pass through his district without being interrogated about the object of the conference. Curiosity was almost general from one end of the country to the other.²⁵

So it was no surprise when Mr. Sollers introduced in the House of Representatives a resolution calling for information regarding the Ostend Conference and the diplomatic correspondence which preceded it. There had been no official statement on that score. Such information as was to be had from the newspapers led people to believe that a meeting had been held by some of our ministers at Ostend, with some purpose of territorial aggrandizement, probably with reference to Cuba. For the rest it was thought that Soulé was the ringleader. It was not known positively whether the ministers had been ordered to hold this conference by the government, or had acted at the suggestion of the Spanish Minister. Mr. Bayly of the Committee on Foreign Affairs was not sure such a meeting had actually taken place. However, Soulé was distrusted at home on account of his foreign birth and filibustering sympathies, abroad because of his revolutionary antecedents and tendencies. He was reputed to be the moving spirit in this affair. If the object of the meeting were unexplained, Congressmen thought, we should incur the bad feeling and distrust of foreign powers. We should be suspected of a disposition to aggrandize our nation at the expense of our neighbors. It does not seem to have occurred to the proponents of this resolution that the revelation of this information might in itself result in war, but it probably did occur to them that in view of the changed public sentiment, the exposé would discredit the administration. Further, it would make the purchase of Cuba almost impossible by infuriating Spain. Besides, Mr. Sollers affirmed the day of secret diplomacy to have gone by! The country should be left to judge the propriety or impropriety of the government's course. Enough members approved the resolution to secure its adoption and the required documents were transmitted by the President, March 3rd 1855.²⁶ Marcy, we are told,

¹⁹ *Ibid.*

²⁰ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 142.

²¹ Representative Washburn, Ap. Cong. Globe, 2nd Sess., 33rd Cong., p. 10.

²² Representative Grey, Ap. Cong. Globe, 2nd Sess., 33rd Cong., p. 10.

²³ Pres. Message, Ap. Cong. Globe, 2nd Sess., 33rd Cong., p. 1.

²⁴ *Ibid.*, p. 10.

²⁵ *Ibid.*, p. 3.

²⁶ House Exec. Doc. No. 93, 2nd Sess., 33rd Cong., p. 1.

was opposed to giving the information, and so were several prominent Senators. On the other hand, the Spanish embassy secretly worked among the Representatives for the passage of Soller's resolution, being sure that American sympathy would be theirs if the documents were published,²⁷ and so it proved in fact. A wave of indignation swept over the country. The New York Evening Post²⁸ branded the Manifesto as weak in its reasonings and atrocious in its recommendations. The Tribune²⁹ described it "as the Manifesto of the brigands." As Rhodes points out its reasonings were especially indigestible to the aggrieved opponents of the Kansas-Nebraska Bill. They who were bitterly opposed to slavery were asked to cooperate in offering one hundred and twenty million dollars to Spain in order to prevent the emancipation of Cuban slaves and to add one or several slave states to the Union. If purchase failed, lives must be sacrificed in addition to gold.³⁰ The Republicans voiced their indignation in their party platform of 1856. Therein the Manifesto was denounced as a "highwayman's plea that might makes right."³¹ The Democratic platforms of 1856 and 1860 did not openly defend it, but the latter favored the acquisition of Cuba by honorable and just means at the earliest practicable moment, and Buchanan was the Democratic candidate in '56.³²

In Europe, the document met with general disapproval. The London Times which, as a British newspaper, could hardly have questioned the morality of the proposed seizure, wondered at the publicity which the plan had been given. Hence the exclamation:—"The diplomacy of the United States is certainly a very singular profession." It further stated that such a policy if advocated by one of the great European countries would set the whole continent in a blaze; or if seriously entertained by the United States government would justify a declaration of war. Such another argument had been used by Russia in the eighteenth century to vindicate her interference in Poland.³³ The preceding was the type of conservative European opinion as to the Manifesto. Revolutionists, likewise denounced Soulé for having signed the paper as recreant to the expectations which they had formed regarding him. They had hoped for the United State's aid in revolution-

²⁷ Daily Delta, Wash. correspondence, March 9, 1855.

²⁸ March 6th, 1855, quoted Rhodes, Hist. U. S., vol. II, p. 43.

²⁹ March 8th, 1855, quoted Rhodes, Hist. U. S., vol. II, p. 43.

³⁰ Rhodes, Hist. U. S., Vol. II, p. 43.

³¹ American Political Hist., Johnston-Woodburn 1820-76, p. 131.

³² *Ibid.*, p. 138.

³³ Rhodes, Hist. U. S., vol. II, p. 41.

izing Spain, in return for which Cuba was to be allowed to cast her lot with the new Spanish Republic, or with the American as she chose. This Manifesto was based, they charged, on a purely selfish American standpoint.³⁴

The Document, then, met with well-nigh general disapproval. It found but few champions except in the ranks of the extreme slavery party. There was very little difference of opinion as to its proper interpretation. The New Orleans "Daily Delta" and the New York "Tribune" both understood that it was advocated that Spain be offered the alternative of selling us Cuba or ceding it to our superior might. Efforts were made to palliate it however. An advocate of Buchanan's election pointed out that the doctrine enunciated in the Manifesto was not a selfish party stratagem, nor evidence of mere filibustering cupidity, but a continuation of the policy advocated by Whig statesmen in the past, and by the Pierce administration. Everett, it was affirmed, had stated that our interests might justify an assumption, on our part, of dominion over Cuba. This was identical with the Manifesto's doctrine of self-preservation. The same writer further indicated that the publication of the document had resulted at the time in a cessation of filibustering attempts against Cuba, and, on the other, hand, of acts of aggression by Cuban authorities upon our commerce and citizens.³⁵

That beneficial result was at best only temporary. Who can tell what might have happened if the injunctions of the Manifesto had been obeyed? A war with Spain, resulting in the acquisition of Cuba, might have resulted in a knitting of North and South. With the advent of a friendlier spirit, induced by common patriotism, their quarrel might have been mended and the Civil War averted. On the other hand, it might have precipitated that conflict. Years of uneasiness, caused by insurrections in the isle and culminated by the Maine disaster and war might have been averted, perhaps, and the course of our destiny changed. But might not France and England have intervened with disastrous results to our young republic?

Modern historians have held up their hands in horror at the immorality of the proposed seizure, and deposed that the public sense of justice which now prevails would have insisted upon the recall of the ministers. Our own times have beheld such a seizure

³⁴ Curtis, Life of Buchanan, vol. II, p. 136.

³⁵ Curtis, Life of Buchanan, vol. II, p. 136.

(the acquisition of the Canal Zone) executed with impunity amid the applause of honest men. International morals are more or less elastic. The same men who would have beheld with scrupulous quakings the seizure from Spain of a fearfully misgoverned island, a great burden to her, and a constant menace to our peace of mind, countenanced with equanimity the sudden emancipation of Southern slaves which meant bankruptcy for the South, an eternal setback for that section, nay for the whole nation.

Waiving however the question of the morality of the act, insofar as Spain's rights were concerned, it is nearly certain that the natives as a whole did not wish their island to pass into our hands. We have seen that they did not come to the aid of filibusters. On the other hand, we read, when the Governor-General Concha publicly proclaimed martial law, and called for volunteers to resist an expected invasion of filibusters, February 12th, 1855, there was great enthusiasm among the Cubans present and the great crowd rushed forward as one man to offer their services.³⁶ It seems inevitable that there can be no permanent sympathy between Anglo and Spanish Americans as nations. That self-preservation did not require the immediate seizure of Cuba is proved by history. As a military base in the hands of the weak Spanish nation, it constituted no menace, and as for its passing into other hands, the Bahamas and Jamaica were already in the possession of England and were almost as important strategically. Furthermore, in the face of English and French opposition, seizure would have been impolitic at that stage of our development. In view of these facts, it is difficult to admit the expediency of such an act at that time from a national point of view. For the slavery faction, as has been demonstrated, it would have seemed a distinct advantage, but, we think only temporarily in the face of a growing public sentiment against the institution of slavery.

For Soulé, the annexation of Cuba through his agency, would have meant much. He could not aspire to the presidency on account of his foreign birth, but he would have been pleased to figure as a party and national hero, to be a maker of presidents. His, we believe, was a soul athirst for power and glory. A fire-eating "républican rogue" who, in his youth had accepted exile rather than a surrender of his democratic principles, he was a missionary of human freedom. Then, too, there was a fine loyalty

³⁶ New Orleans Daily Delta, Feb. 19th, 1855.

for the Southland, for Louisiana his second home which had loaded him with honors. The acquisition of Cuba was necessary if the social structure and prosperity of that section were to survive. Influenced thus, he accepted the mission to Madrid at considerable personal sacrifice for no other reason than to achieve its cession.³⁷ It is certain that he desired the forcible seizure of the island. Immorality in seizure? Perish the thought! With an apparently naive disregard of the inconsistency of his equally hearty championship of slavery, his vivid imagination fermented in the generous sunlight of the "Midi" had visioned for the United States, a glorious apostleship among the nations with freedom as the gospel. The Cubans, downtrodden victims of a cruel autocracy, yearned to share our liberty,³⁸ our democracy. It is impossible, of course, that he and his colleagues lost sight of what annexation might mean to their political careers.

His project rejected and even branded as infamous, Soulé ceased to be a large figure in national politics. He had little influence in the councils of President Buchanan, who was not anxious to recall his own participation in the Ostend Conference. It was the tendency to make a scape-goat of Soulé. His protracted absence abroad had weakened his grip on political levers. Distrust was manifest in many quarters; his predicaments in Europe had contributed to make him appear ridiculous, quixotic. Thereafter, his activities were confined to local issues and his enthusiasm for the extreme was dampened. Embittered, disillusioned, he was relegated to the limbo of broken politicians.

Since the above was written, more than seventeen years ago, new evidence has been adduced tending to extenuate at least the "guilt" of Soulé's belligerent attitude. A most significant part of Marcy's letter to Soulé of April 3, 1854, it seems, was deleted by the former in transmitting his correspondence to Congress. By this suppressed passage (brought to light in 1928 by H. Barret Learned), Soulé is instructed that he must attempt to purchase Cuba, or, failing in that, strive to "detach" the island from Spanish rule.³⁹ Now "detach" may not connote conquest; it might

³⁷ New Orleans Times, March 30, 1870.

³⁸ Speech by Soulé in Senate, March 12, 1852, *La. Book*, p. 137.

³⁹ *The American Secretaries of State and Their Diplomacy*, Samuel Flagg Bemis, Editor, Vol. VI. William Learned Marcy by H. Barret Learned, Knopf, N. Y., 1928.

suggest emancipation through Cuban rebellion. We know that later messages from Washington were much less susceptible of interpretation agreeable to Soulé. We are constrained to ask, however, whether Pierce and Marcy, inviting, more or less ambiguously, radical recommendations from the Ostend triumvirate were not seeking thereby a gauge of party sentiment obtained thus with a minimum of danger to their own political aspirations. Or, is it fairer to assume that Soulé and his associates were trying to stampede their executive into a policy of war and conquest? Or, was it all simply a misunderstanding, an outgrowth of an incoherent foreign policy aggravated by the wavering and jealous bickering of self-seeking opportunists? You are welcome to your own guess as to the real explanation of an imbroglio suggestive of Gilbert and Sullivan's most piquant episodes.

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