

THE PROPOSED ANGLO-FRANCO-AMERICAN
TREATY OF 1852 TO GUARANTEE CUBA
TO SPAIN

(*Alexander Prize Essay*)

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ON August 24, 1851, Narciso Lopez, Venezuelan by birth, Colonel in the Spanish Army by merit, Governor of Madrid, Field-Marshal and Senator in the Spanish Cortes, by royal favour, and chief of the filibusters against Cuba by predilection, was captured by Spanish troops in his third attempt to destroy the sovereignty of Spain over that island. Although the President of the United States had solemnly proclaimed the illegality of such expeditions departing from Southern centres as New Orleans, the Government of the United States had taken no measures to prevent such departures and the abiding apathy of the American administration, together with the annexationist tendencies manifest throughout the preceding decade of American history, had rightly aroused Spanish suspicions concerning the true intent of the United States.¹

Cuba had been of importance in American eyes for many years. To the South, in its quest for new slave states; to the North, desiring national expansion; and to the Union as a national entity, afraid of foreign aggression from Cuba as a base, the island must either remain in Spanish hands or become American. So long as it was Spanish there was grave danger of a sudden transfer to an alien power as France or England. The abolitionist

¹ For the Lopez expeditions, see Caldwell, R. G., *The Lopez Expeditions to Cuba, 1848-51*. Princeton, New Jersey, 1915, *passim*.

activities of England, into which many Americans read an added significance of imperialism, aroused in the South an abiding fear of "Africanization," or the creation of a free negro republic in Cuba. The growth of the expansionist idea in the South had led to a series of utterly illegal, but strongly supported, filibustering movements against the island, fostered by the southern slavocracy and undeniably hailed with approval by the masses, despite official protestations from Washington which generally took the form of presidential proclamations. The most important filibuster was Lopez who, despite two failures in 1848 and 1850, had sought once again to conquer the island in 1851, only to meet his fate at the hands of the enraged Spaniards.

The United States had sought the purchase of Cuba from Spain as recently as 1848, and the fact that the American Government took no steps to punish the filibusters created a strong and somewhat warranted impression in Spain that, despite official expressions of opposition thereto, the Government actually favoured such efforts of armed aggression. It was therefore the Lopez expeditions and conversely, the quiescence of the American authorities more than any other single incident, that led to Spanish requests for aid from England and France. Through her Minister for Foreign Affairs, Senor Pidal, Spain in July, 1850, appealed to Palmerston at the British Foreign Office, for joint European protests to Washington.¹ The latter, aware of conditions in Cuba,² replied in September that England had seen "with great satisfaction the failure of the late attack upon Cuba," but gave no assurance of aid.³ Pidal meanwhile sought a joint guarantee of Cuba to Spain by England and France,⁴ which Palmerston

¹ F.O. 72/774. Domestic. Xavier de Isturiz, Spanish Minister to England, to Palmerston. London, July, 1850.

² F.O. 72/771. Consular Despatches. Cuba. Reports of Consul Kennedy to Palmerston. Havana, May-August, 1850.

³ F.O. 72/774. Domestic. Palmerston to Xavier de Isturiz. London, September 17, 1850.

⁴ F.O. 72/765. Howden to Palmerston, No. 4. Madrid, August 3, 1850.

likewise rejected because of the oppressed state of the native Cubans and the failure of Spain to enforce her anti-slave-trade treaties.¹ Throughout the later negotiations, this demand of England stood forth as the rock on which recurrent Spanish requests for aid broke and spent themselves in vain. Spain now made a third attempt, this time to secure a treaty whereby England, France and Spain would reciprocally guarantee their West Indian colonies,² but Pidal's refusal to accede to reform projects in Cuba brought the usual negation from England. November, 1850, saw a final endeavour by Pidal to secure an Anglo-French manifestation of opposition to American annexation of Cuba, preferably by treaty or a tripartite agreement between the three European powers,³ but once again Palmerston alluded to the slave-trade treaties and declined to support Spain.⁴ Throughout the first half of 1851 Palmerston recurrently advised Spain to alleviate the political condition of the Cubans,⁵ but to no avail. The last Lopez expedition now set forth and this led to the issuance of orders by both England and France to their respective naval units in the West Indies to aid the Spanish administration in Cuba in preventing as well as detecting American filibustering expeditions.⁶ Palmerston now con-

¹ F.O. 72/764. Palmerston to Howden, No. 26. London, August 22, 1850.

² French F.O. Correspondance Politique, Espagne, Vol. 836. General de la Hitte, French Foreign Minister, to M. de Bourgoing, French Minister to Spain, Paris, August 10, 1850.

³ F.O. 72/744. Domestic. Isturiz to Palmerston. London, November 18, 1850.

⁴ F.O. 72/744. Domestic. Palmerston to Isturiz. London, December 26, 1850.

⁵ F.O. 72/780. Palmerston to Howden, No. 88. London, May 26, 1851; No. 114, London, June 23, 1851; and No. 121, London, July 18, 1851.

⁶ F.O. 72/793. Consular (Cuba). Palmerston to Consul Crawford, No. 15, London, September 15, 1851; French F.O. Corr. Pol., Etats-Unis, Vol. 106. Baroche, Minister of Foreign Affairs, to Comte de Sartiges, Minister to the United States. Paris, September 11, 1851. Enclosing Baroche to the Minister of Marine. Paris, September 11, 1851.

tinued his sage advice to Miraflores, Pidal's successor at the Spanish Foreign Office, who received it with ill grace. Largely as the result of a despairing letter from Calderon de la Barca, Spanish Minister at Washington,¹ Miraflores determined to appeal directly to the royal houses of Europe for aid in preserving Cuba against the democratic despoilers of the West. On September 16, 1851, he sent forth a circular "in defence of justice and the law of nations," requesting the concerted aid of Europe, whose crowned heads he warned of the dangers imminent from the United States.² But the threat fell on idle ears, the voices of the nations of Europe remained silent,³ and Palmerston, weary of repeated entreaties, definitely stated that if Spain forced a war with the United States,

"they will themselves be the cause of the loss of Cuba, and however much Her Majesty's Government may regret that result, yet it will be impossible for Great Britain to support Spain in a quarrel thus unnecessarily brought on by Spain herself." ⁴

For the fifth time Palmerston had refused to support Spain.

In August, 1851, the American Minister to Spain, Daniel M. Barringer, wrote to Webster that Spanish opinion feared neither England nor France in relation to Cuba, but only the United States.⁵ A month later he reported that "the tone of the public press here is encouraged and strengthened by that of England and France" ⁶ and he stressed the Anglo-French support of Spain in connection

¹ F.O. 72/786. Howden to Palmerston, No. 234. Secret and Confidential. Madrid, September 15, 1851.

² F.O. 72/797. Domestic. Isturiz to Palmerston, London, September 29, 1851.

³ Becker, Jerónimo, *História de las Relaciones Exteriores de España durante el Siglo XIX*. Two vols., Madrid, 1924. Vol. II, pp. 231-2.

⁴ F.O. 72/781. Palmerston to Howden, No. 216, London, November 21, 1851.

⁵ U.S. State Department Archives. Despatches, Spain, Vol. 36. Barringer to Webster, No. 55, Madrid, August 4, 1851.

⁶ *Ibid.*, Vol. 37. Barringer to Webster, No. 58, Madrid, September 18, 1851.

with the riots about the Spanish consulate in New Orleans, attendant upon the summary execution of certain Americans in the second Lopez expedition,¹ a support which gave Spain immeasurable confidence as to Cuba.²

At the same time Sir Henry Bulwer in the United States reported to Palmerston a project by a Havana citizen of position for a British guarantee of Cuba by an Anglo-Spanish treaty, which would provide some measure of autonomy for the Cubans, a strict enforcement of the slave-trade treaties, and the gradual abolition of slavery.³ In his instructions to Bulwer of this period, Palmerston never referred to this plan,⁴ but the suggestion fell on good ground and bore fruit. At the end of August Palmerston proposed to Comte Walewski, the French Minister to London, a tripartite treaty of renunciation between England, France, and the United States, which the latter thought would be received in the States with derision.⁵ Lord Howden, in approving the invitation to France to join the guarantee, suggested adding "some sort of representative body in the island to control its revenues."⁶ On September 10 the Marquis de Valdegamas, the Spanish Minister in Paris, was informed by Baroche that Palmerston was intent upon the tripartite plan to which France had also acceded.⁷

The news was promptly given to the American Minister in France, while in England Minister Abbott Lawrence heard many "rumours" of it. In France Louis Napoleon,

¹ U.S. State Department Archives. Despatches, Spain, Vol. 37. Barringer to Webster, No. 59, Madrid, September 22, 1851.

² *Ibid.*, No. 62, Madrid, October 14, 1851.

³ F.O. 5/529. Bulwer to Palmerston, No. 137, New York, August 5, 1851.

⁴ F.O. 5/526. Palmerston to Bulwer and Crampton. June to December, 1851.

⁵ French F.O. Corr. Pol. Angleterre, Vol. 683. Walewski to Baroche, London, August 29, 1851.

⁶ F.O. 72/787. Howden to Palmerston. Private, Madrid, September 20, 1851.

⁷ Becker, Jerónimo. *Op. cit.*, Vol. II, pp. 233-4.

as a result of the Lopez expedition, proposed "some joint agreement" to Rives, who was to continue the subject with Baroche. This he did in a conference on October 1 when he learned that the idea was English in origin. Rives immediately told the French Foreign Minister that a definite "guarantee of the permanent sovereignty of Spain over the Island of Cuba" would arouse "insuperable objections" in the United States, for while America

"had no illegitimate aims on the Island of Cuba, it could never join in, or be indifferent, even, to any interference of third powers to prevent the people of the Island from asserting their own Independence, if, in the course of future events, they should desire and endeavour to effect it."

Baroche in reply

"declared in the most explicit terms that, on that point, there was a perfect accord between the views of the French Government and that of the United States—that France would never consent to guarantee the Island of Cuba to Spain against interior insurrection or any genuine and spontaneous movements of the people of the Island to effect their Independence,—that the suggestion which had been made did not contemplate, indeed, a formal *guarantee* to Spain of any kind, but simply a common declaration by the Governments of the United States, France and England, in the interest of the general tranquillity of the world and to allay the jealousies and apprehensions which had been excited by recent events, that neither of the three powers would seek to get possession of the Island."

He concluded by showing how past events made it salutary for such action to be taken, especially by the United States.¹ Abbott Lawrence in London, on the other hand, was told nothing of the plan and it was already November before he could write that he had "good reason to believe such a plan to be under discussion."²

¹ U.S. State Department Archives. Despatches, France, Vol. 33. Rives to Webster, No. 105, Paris, October 2, 1851; see also French F.O. Corr. Pol. Etats-Unis, Vol. 106. Baroche to Sartiges, Paris, October 2, 1851.

² U.S. State Department Archives. Despatches, Great Britain, Vol. 62. Abbott Lawrence to Webster, No. 139. London, November 7, 1851.

While Palmerston was thus toying with this new project, in which he thought it quite possible the United States would join,¹ Spain, largely as a result of the New Orleans episode, asked England and France to enter into an engagement to assure Cuba to Spain. They had previously been asked merely to respect Spanish rights, themselves; now they were asked to agree to see that other nations, such as the United States, would respect Spain's dominion over Cuba. Miraflores realised that the Washington Cabinet would never make such a declaration, but he felt justified in hoping that England, France and Spain, all of whom possessed colonies in the Antilles, might so declare.² Palmerston's attitude to this proposal was never manifested, for with December came three important events which did much to change the course of history.

On December 2, 1851, Louis Napoleon, Prince President of the Second Republic of France, subverted that republican creation of Lamartine. Elected head of the State in December, 1848, for a period of but four years,³ Louis Napoleon had waited until the dawn of his last year of office before he made his *coup d'état* which elevated him to the throne of the Second Empire. In view of the later relations of France and Spain it is of interest to note that he was materially aided and somewhat guided by Narvaez, the ex-Premier of Spain, at the time exiled to France.⁴ The Marquis de Turgot, his new Minister for Foreign Affairs, was certainly as favourable to Spain as Baroche had been, and with his subsequent marriage to Mlle. Eugénie de Montijo, sister-in-law of the Spanish Duke of Alba, Louis Napoleon not only created a despotic empire,

¹ French F.O. Corr. Pol. Espagne, Vol. 839. Baroche to Aupick, Paris, November 10, 1851. Baroche disagreed with Palmerston. *Ibid.*, Angleterre, Vol. 684. Baroche to Walewski. Paris, October 7, 1851.

² *Ibid.*, Espagne, Vol. 839. Aupick to Baroche, Madrid, November 25, 1851.

³ Simpson, F.A., *Louis Napoleon and the Recovery of France, 1848-1856*. London, 1923, p. 13.

⁴ F.O. 72/789. Howden to Granville, No. 342. Madrid, December 24, 1851.

but materially strengthened Franco-Spanish relations at the ultimate expense of England and the United States.¹ On the same day that Louis Napoleon was accomplishing his *coup d'état*, President Millard Fillmore was presenting, in his Second Annual Message to Congress, his views on the state of the nation. While deploring the Anglo-French naval orders and reiterating the traditional American opposition to the right of search, he clearly manifested to the world at large that the Federal Government was resolved, as in the case of Lopez, that the neutrality laws "must be executed." Despite "the melancholy result of this illegal and ill-fated expedition," Fillmore avowed that,

"if we desire to maintain our respectability among the nations of the earth, it behooves us to enforce steadily and sternly the neutrality acts passed by Congress and to follow as far as may be the violation of those acts with condign punishment. . . . No individuals have a right to hazard the peace of the country or to violate its laws upon vague notions of altering or reforming governments in other states."²

To some, Fillmore's sentiments may not have seemed consonant with the actions of his administration, but his moderation as to Cuba and his attitude on the New Orleans riots made a marked impression upon France.³ In less than three weeks after these two important events there occurred a surprising upheaval at the British Foreign Office. This was the dismissal of Lord Palmerston, whose policy, in the words of Dr. Hearnshaw, "had powerful

¹ Simpson, F. A., *op. cit.*, Chapters V and VI, *passim*; Ward, A. W., and Gooch, G. P., *Cambridge History of British Foreign Policy*. Three vols., New York, 1922-3. Vol. II, pp. 333-4.

² Richardson, J. D., *Messages and Papers of the Presidents*. Ten vols., Washington, 1896-9. Vol. V, pp. 113-18.

³ French F.O. Corr. Pol. Etats-Unis, Vol. 106. Turgot to Sartiges, Paris, December 18, 1851; *ibid.*, December 31, 1851. How earnestly the Whig Administration strove to placate Europe is also shown by the fact that Webster read to the British Minister, Crampton, his proposed despatches to Barringer in Spain concerning Cuba, the New Orleans affair, and Spanish-American relations. F.O. 5/531. Crampton to Palmerston, No. 58. Washington, December 1, 1851.

opponents in this country as well as vehement detractors abroad," and whose "extreme . . . independence and insubordination" in conducting the affairs of his department "necessitated, and more than justified, his dismissal" on December 19, 1851. "Four events, in particular, belonging to the years 1850-1 filled full the cup of Palmerston's offending." What and why these were is not now of great moment, but it is interesting to note that the last two (and presumably the most important) were his tactless disregard of Anglo-Austrian and Anglo-Russian relations in his handling of Kossuth's career in England, and his "still more flagrant indiscretion" in expressing "without any warrant outside his own conscience, approval of the *coup d'état* of Louis Napoleon. . . ." ¹ Refusing either to resign or accept promotion, Palmerston was superseded by Earl Granville, who "had served his apprenticeship in foreign affairs under Palmerston himself (1837-41)" and, unlike his mentor, was decidedly *persona grata* with the Court. ²

On January 1, 1852, the situation then was in this wise: Spain's recurrent requests for Anglo-French support in obtaining alien renunciation of intentions upon Cuba had seemingly met at last with success. Palmerston and Baroche had carefully considered the chances of American participation and, despite Webster's denial of any satisfaction on the question to Sartiges in November, ³ had virtually decided upon the attempt. Now Palmerston was out and Anglo-French relations were strained because of Louis Napoleon's usurpation of the French throne; the United States was as cold as ever to inter-

¹ The other two were the Don Pacifico affair with Greece, and the Haynau incident, affecting Austria.

² Ward, A. W., and Gooch, G. P., *Cambridge History of British Foreign Policy*, Vol. II, Chapter VII. *The European Revolution and After, 1848-54*. F. J. C. Hearnshaw. Part III, "The Fall of Palmerston and After, 1850-52," pp. 325-37, *passim*.

³ French F.O. Corr. Pol. Etats-Unis, Vol. 106. Sartiges to Baroche, Washington, November 3, 1851.

national engagements; Spain had not reformed one jot or tittle in her administration of Cuba, and the reports of the Havana Slave-Trade Commissioners indicated a marked increase in the trade¹; and Louis Napoleon was far too busy with establishing his throne and his lineage to pay much attention to the abnegatory requests of other nations.

But one man saw the possible advantage in the proposals made to date and he, viewing the matter in a larger light, saw the relationship to this question of the United States. This was Comte Walewski, French Minister to England and a son of Napoleon I,² whose activities in promoting this made him the dominant figure in the Tripartite Convention movement. To begin with, Turgot, the French Emperor's new Minister for Foreign Affairs, was hostile to any such plan, while Granville, Palmerston's protégé and now his successor, was extremely apathetic. Fortunately for Walewski, there came to Granville, ere the new year was fully two weeks old, another appeal from Spain, through Howden, that, "through the friendly interest and influence of England, an abnegatory declaration on the part of France and the United States, and England, of course, might be made with regard to Cuba."³ This carried weight with Granville, who was further impressed by Howden's later despatch that Spain, having heard a report that England had changed its pro-Spanish policy as to Cuba, was amenable to alien influences, and, if these reports were true, French aid to Spain would become paramount and the Anglo-French balance of power in Madrid would be broken.⁴ This convinced Granville, and

¹ F.O. 84/832. Havana, *passim*.

² Ward, A. W., and Gooch, G. P., *Cambridge History of British Foreign Policy*, Vol. II, p. 333.

³ Spain attempted to justify this plea by the argument, very weak in the light of her past activities, that by such action, Cuban officials could use their vessels, supplies, etc., to stop slave-traders instead of using them against piratical attempts on Cuba. F.O. 72/803. Howden to Granville, No. 8. Madrid, January 9, 1852.

⁴ *Ibid.*, Howden to Granville, No. 40. Madrid, January 28, 1852.

he laboured steadily toward an accord with Walewski, whom he now informed of his intention to ascertain Turgot's attitude through the British Embassy at Paris. Walewski, realizing that knowledge of Turgot's adamant hostility would dampen Granville's ardour, immediately volunteered to obtain the information himself.¹ The most Turgot would concede was permission for further discussions with Granville.² Walewski had striven earnestly to convert his chief, using as his strongest argument the fact that England and France could now cite against the United States the very declaration which the latter had made against European powers in Cuba. Either America would have to accept this convention or, in rejecting it, would reveal her own intentions.³ After Turgot's refusal, Walewski sent him another masterly brief. Turgot saw no value in such a declaration without the adherence thereto of the United States, which he was convinced would not be forthcoming.⁴ Walewski saw that the defection of the British naval forces and the probability of an American rejection of the convention had discouraged Turgot. In a remarkable analysis, Walewski now portrayed the tripartite convention as a substitute for the naval pact, and reiterated the major point that a refusal by the United States would merely expose its position, and that the only possible objection to this was that it might hurt the United States, but that would hardly prove a calamity.⁵ Turgot was obdurate, but Spain now took a hand in affairs and changed his mind for him. Walewski had kept the Spanish Foreign Office informed of his project,⁶ and on February 3, the

¹ F.O. 27/924. Granville to Cowley, No. 19. London, February 26, 1852.

² *Ibid.*; also French F.O. Corr. Pol. Angleterre, Vol. 684. Turgot to Walewski, Paris, January 22, 1852.

³ French F.O. Corr. Pol. Angleterre, Vol. 684. Walewski to Turgot, London, January 20, 1852.

⁴ *Ibid.*, Turgot to Walewski, Paris, January 29, 1852.

⁵ *Ibid.*, Walewski to Turgot, London, January 29, 1852.

⁶ Becker, Jerónimo. *Op. cit.*, Vol. II, p. 234.

Marquis de Valdegamas, Spanish Minister to France, appealed over Turgot's head to Louis Napoleon for French adherence to the Tripartite Treaty. Louis Napoleon approved and Turgot capitulated.¹ In bitter tones, Turgot, as Becker puts it, "did not disguise his disgust: 'You compel us, Marquis, to do a thing which is indeed dangerous for France.'"² But if Turgot was in sackcloth and ashes, Spain rejoiced.³ Here was victory at last. Pidal had failed; Miraflores had failed; now a foreigner, son of the Bonaparte and French Minister to England, had succeeded in gaining for Spain that protective aid which she so long had coveted.

The Tripartite Treaty, however, was not yet free from encumbrances. With the acceptance of France, Walewski and Granville had set to work again on the embodiment of the document. Two modes of procedure now were suggested. The first, that of England and France agreeing in the first instance to a *dual* convention, and merely inviting the United States to add its signature, proved unsatisfactory, as, in Granville's words, "at first blush it appeared to be less civil to the United States, and to partake more of the nature of a guarantee as regarded ourselves." To this Walewski agreed but noted that if the United States failed to sign it, the *dual* agreement would become "a mere formal document" especially if the American refusal were "couched . . . in an offensive manner." Walewski, in short, wished it to be a treaty *if* the United States signed it; if not, then a mere scrap of paper. Granville now proposed the presentation of the project to the Washington administration by identical

¹ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Turgot to Walewski, Paris, February 3, 1852. (A strange place to find this despatch); Espagne, Vol. 839. Turgot to Aupick. Paris, February 10, 1852. For confirmation by a Spaniard, see Becker, Jerónimo, *op. cit.*, Vol. II, pp. 234-5.

² Becker, Jerónimo, *op. cit.*, Vol. II, p. 235, citing a despatch of Valdegamas to the Spanish Foreign Office of February 4, 1852.

³ French F.O. Corr. Pol. Espagne, Vol. 839. Aupick to Turgot, Madrid, February 17, 1852; *ibid.*, Vol. 840, Aupick to Turgot, Madrid, March 2, 1852.

notes, "which should be approved respectively by each Power and which should agree in substance, but not in words," that all three Powers should respect Spanish suzerainty in Cuba. On February 12, Lord Normanby reported a statement by Turgot which conveyed the impression that the latter had acceded to the proposals out of sheer regard for England. Granville at once informed Walewski that he did not wish to press France into doing this, but the latter, aware of the true state of affairs, that Valdegamas had forced Turgot's hand, begged Granville to ignore the French Foreign Minister's remarks as he had sent new instructions for full negotiations.¹ On February 18 Granville and Walewski were working together in perfect harmony over the completion of the text of the treaty.² On February 19, Turgot, bitter at his diplomatic defeat by Valdegamas, endeavoured to turn it off on Walewski by accusing him of spreading false rumours in London to the effect that he had opposed the project, when Walewski knew that he had constantly favoured it.³ On February 20, Lord Palmerston, in the House of Commons, succeeded in overthrowing the Ministry of his former chief, Lord John Russell, and the change of party swept in Lord Derby's Conservative Government.⁴ On February 26 Granville in a lengthy epistle to Lord Cowley, recapitulated the efforts of Walewski and himself in behalf of the pact.⁵ The next day he, as Palmerston before him, was out, and Lord Malmesbury presided over the Foreign Office. Well might Walewski tremble for his pact. What position would Malmesbury assume?

Fortunately for Walewski, Malmesbury, who knew

¹ F.O. 27/924. Granville to Cowley, No. 19. London, February 26, 1852.

² French F.O. Corr. Pol. Angleterre, Vol. 685. Walewski to Turgot, London, February 18, 1852.

³ *Ibid.*, Turgot to Walewski, Paris, February 19, 1852.

⁴ Ward, A. W., and Gooch, G. P., *Cambridge History of British Foreign Policy*, Vol. II, p. 338.

⁵ F.O. 27/924. Granville to Cowley, No. 19. London, February 26, 1852.

nothing of the previous steps in the affair, accepted his views *in toto*, and, believing the pact to be most useful and desirable, continued negotiations from the point where Granville had left them.¹ On March 6, the note to Crampton was completed. Malmesbury asked whether the American Ministers to London and Paris knew aught of this, and Walewski, replying in the negative, thought it bad to let out a secret. To this Malmesbury agreed, adding gratuitously that, if Abbott Lawrence, the American Minister to England, should refer to the pact in an interview which he was to have the next day with Malmesbury, the latter would evade a reply.² The safety of the project now seemed assured when in March, the Spanish Minister to France, the Marquis de Valdegamas, again reported strong rumours of anti-Cuban expeditions from the United States and sought the usual aid. There was but one thing for Turgot to do, and he did it. He at once asked the French Minister of Marine to renew the old naval orders.³ Minister Duclos was willing to do so provided the rumours were true, but his enthusiasm for aiding Spain had fallen in direct ratio to the state of his budget. He therefore informed Turgot that the budget had reduced the Antilles fleet, and that this kind of surveillance cost money.

“The intervention of France in favour of the Spanish Government, in the manner which you indicate to me, will be unable to gain the effective or serious result without the aid of some new armaments which I intend, in any case, to limit to a frigate or steam vessel, and one or two boats of the second class. Before taking part in the movement, financial prudence commands in me to ask you again to what point the danger, by which Cuba seems menaced, seems to you serious and pressing.”

Duclos therefore passed the responsibility for a decision back to Turgot, on whom there now seemed to fall all the

¹ French F.O. Corr. Pol. Angleterre, Vol. 685. Walewski to Turgot, London, March 2, 1852; *ibid.*, March 5, 1852.

² *Ibid.*, Walewski to Turgot, London, March 6, 1852.

³ *Ibid.*, Etats-Unis, Vol. 107. Turgot to M. Théodore Duclos, Minister of Marine, Paris, March 19, 1852.

odium for his previous attitude.¹ Turgot replied, after a lapse of five days, that the danger was real.

“I am persuaded that serious projects impend, of great import if their authors once doubted the firm intent of the Powers, allied to Spain, to oppose with all available power an attack against the rights of Her Catholic Majesty.”

Under the existing tranquil conditions, it was, therefore, sufficient to send but one French ship to Havana to enforce the revived instructions of September 12, 1851. “But if, despite appearances and against our wish, this activity goes on, and intervention becomes more necessary, I hold myself ready to plan with you as to what new measures it will be convenient to adopt.” In conclusion Turgot noted the economic relations of France and Cuba and stressed the fact that “the interests of France engaged in this question, are very great.”² Duclos surrendered, and on March 31 Turgot could inform Sartiges in Washington that new orders had been sent to their West Indian fleets by both France and England.³ Fortunately, there was no need, this time, for anxiety, and the fleets never were required to stop an expedition of filibusters.

The tripartite proposals had now taken form and awaited presentation. On April 1, 1852, Turgot officially sent his instructions and a copy of the convention to Sartiges.⁴ The latter was not unaware of the project. Baroche had told him of it early in October, 1851,⁵ and he had, in turn, submitted two reports on America's probable relation to the future of Cuba.⁶ Turgot, too, in his aversion to the

¹ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Duclos to Turgot, Paris, March 20, 1852.

² *Ibid.*, Turgot to Duclos, Paris, March 26, 1852.

³ *Ibid.*, Turgot to Sartiges, Paris, March 31, 1852; for England, see F.O. 27/925. Malmesbury to Cowley, No. 62. London, April 12, 1852. Sending the orders of April 10, 1852, to Seymour; *ibid.*, No. 63. London, April 12, 1852.

⁴ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Turgot to Sartiges, Paris, April 1, 1852.

⁵ *Ibid.*, Vol. 106. Baroche to Sartiges, Paris, October 2, 1851.

⁶ *Ibid.*, Sartiges to Baroche, Washington, October 6, 1851; *ibid.*, October 20, 1851.

project, had asked him to ascertain whether or not the United States was likely to accept the plan.¹ The consensus of opinion seemed to be that America would reject it: Sartiges thought so; Cowley thought so²; and Miraflores in Madrid was under no delusions on the subject.³ On February 26, Turgot advised Sartiges that a note for presentation to Secretary Webster would shortly be sent to him.⁴ On March 21, Sartiges proposed that, if this plan should miscarry, the abnegation of America toward Cuba might be purchased by the grant of commercial privileges such as tariff modifications at Havana.⁵ But the tripartite movement could no longer be checked. On April 1 the French note went to Sartiges, followed on the eighth by Malmesbury's identical instructions to Crampton,⁶ and advisory instructions to Calderon de la Barca from the highly sceptical Miraflores.⁷

The despatches were exchanged between the British and French Foreign Offices,⁸ and, at a later date, copies were handed to Isturiz in London,⁹ and to Miraflores in Madrid, who enthusiastically replied that Spain appreciated "at its just value this remarkable proof of the sincere desire" of England for Spanish welfare.¹⁰ Crampton was

¹ See F.O. 27/929. Cowley to Granville, No. 7. Paris, February 21, 1852.

² French F.O. Corr. Pol. Angleterre, Vol. 684. Walewski to Turgot, London, February 27, 1852.

³ Becker, Jerónimo, *op. cit.*, Vol. II, p. 236.

⁴ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Turgot to Sartiges, Paris, February 26, 1852.

⁵ *Ibid.*, Sartiges to Turgot, Washington, March 21, 1852.

⁶ F.O. 5/542. Malmesbury to Crampton, No. 34, London, April 8, 1852; No. 35, London, April 8, 1852; No. 36, London, April 8, 1852.

⁷ Becker, Jerónimo, *op. cit.*, Vol. II, pp. 236-7.

⁸ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Turgot to Sartiges, Paris, April 1, 1852. Angleterre, Vol. 685. Walewski to Turgot, London, March 22, 1852. A copy of Malmesbury's instructions to Crampton, translated into French, can be found in French F.O. Memoires et Documents. Angleterre, Vol. 127. Document 44.

⁹ F.O. 72/814. Domestic. Isturiz to Malmesbury, London, April 26, 1852; *ibid.*, April 29, 1852.

¹⁰ F.O. 72/804. Howden to Malmesbury, No. 112. Madrid, May 6, 1852. Enclosing Miraflores' acknowledgment of April 30, 1852.

instructed to propose "that an effort . . . be made in concert with the Government of the United States" to preclude all future hazard of collision as to Cuba, and to submit to Webster the projected convention which provided not only for self-abnegation, but also for binding the signatory states "to discountenance all attempts to that effect on the part of any Power or individuals whatsoever."¹ England's position, in short, was that she "cannot see with indifference the Island of Cuba fall into the dominion of a Maritime Power other than Spain."² At the same time, should the United States reject the proposals, Crampton was to obtain, if possible, "a formal repetition, in writing, of their disinclination to see Cuba fall into the possession of any other power than Spain, and of their own intention, not to take possession of it for themselves."³ He was now informed that Sartiges would also present a note, "and you will therefore concert with" him as to the time of presentation, so that it may be simultaneous.⁴ Sartiges, on the other hand, was merely ordered to submit an identical note with Crampton,⁵ and two weeks later Turgot had "nothing to add to the instructions concerning Cuba."⁶

The scene of action now shifted to Washington. Having sought an interview on April 22,⁷ Sartiges and Crampton met Webster the next day to present their notes. Crampton read his first and Sartiges merely declared he had an identical one to present. According to Crampton's meagre report of the proceedings, Webster took the documents and

¹ F.O. 5/542. Malmesbury to Crampton, No. 34. London, April 8, 1852.

² French F.O. Corr. Pol. Angleterre, Vol. 685. Walewski to Turgot, London, March 22, 1852. Walewski laid much emphasis on the clear enunciation of this expression of British policy. *Ibid.*, Walewski to Turgot, London, March 27, 1852.

³ F.O. 5/542. Malmesbury to Crampton, No. 35. London, April 8, 1852.

⁴ *Ibid.*, No. 36. London, April 8, 1852.

⁵ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Turgot to Sartiges, Paris, April 1, 1852.

⁶ *Ibid.*, Turgot to Sartiges, Paris, April 15, 1852.

⁷ *Ibid.*, Sartiges to Turgot, Washington, April 25, 1852.

replied that he would soon send them the American decision in writing. "He assured us, however, that we could not *state too strongly* to our respective governments his own entire concurrence in their views with regard to Cuba."¹ Sartiges has been more explicit. According to him, Webster, after expressing the above sentiments, confidentially spoke thus :

"You cannot too strongly assure your Governments of the entire agreement of views of the present Government of the United States on that subject with those of the Governments of France and England. As long as Mr. Fillmore is President of the United States and I am at the head of the State Department, nothing will happen which the French and English Governments could fear."

But, as he went on to show,

"we are on the eve of a Presidential election, and every attempt to resurrect a question which will certainly meet much opposition in the country, presents, at such a time, particular difficulties. . . . The people of the South, I need hardly tell you, are in favour of the acquisition of Cuba, in demanding that an effort be made for acquisition by legitimate means, that is to say, by way of purchase; and my predecessor in this department, Mr. Buchanan, as you no doubt know, charged our Minister to Madrid, Mr. Sanders, to propose to the Spanish Government that they cede us Cuba for the sum of \$100,000,000. You also know what was the actual situation of Mr. Buchanan toward the people of the United States. [Mr. Webster here made allusion to the candidacy for the presidency of Mr. Buchanan as a Democrat.] That question will soon be solved, for already some members of Congress have asked me to have communicated to them the diplomatic documents relative to Cuban affairs and our position towards Spain. The publicity given to the project begun by Mr. Buchanan will have been of such a nature as to serve his interests in the Northern States, and consequently the action of the present administration in this matter will be

¹ F.O. 5/545. Crampton to Malmesbury, No. 50. Washington, April 25, 1852. For the documents, see U.S. State Department Archives. Notes to the State Department. England, Vol. 29, Crampton to Webster, Washington, April 23, 1852; France, Vol. 15, Sartiges to Webster, Washington, April 23, 1852.

more free. There is in our people, I need not tell you, a sort of vulgar reluctance to make conventions with crowned heads unless absolutely necessary, and the general principle of the foreign policy of this country has been never to form entangling alliances."

Crampton and Sartiges called Webster's attention to the purely negative side of the agreement, but he merely repeated his earlier views, adding that if the United States refrained, there was no reason why England and France could not make a dual agreement between themselves. The ministers now asked permission to send confidential reports to their respective governments to which, after much hesitation, Webster agreed. After he had promised to send them a written reply to their proposals, Crampton and Sartiges retired with the pessimistic outlook that, as Sartiges put it,

"we dare not hope that Mr. Webster's reply will be as explicit as our conversation. At this time this is not as important as the internal politics of the United States, to which foreign affairs are always subordinate. . . . In short, we cannot tell when the negotiations will end, but the opening has been made."¹

The opening, indeed, had been made, but Webster, in his reply, while not closing the door, manifested no intention of entering. In his reply of April 29, Webster accepted as correct Malmesbury's narrative of "the course of policy which has influenced the Government of the United States heretofore in regard to the Island of Cuba," a policy which Fillmore "entirely approves." The president, Webster continued, would consider Crampton's note (and, of course, Sartiges' as well), but he reminded the British Minister that American policy

"has uniformly been to avoid as far as possible alliances or agreements with other States, and to keep itself free from national obligations except such as affect directly the interests of the United States themselves. This sentiment has been strongly

¹ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Sartiges to Turgot, Washington, April 25, 1852.

felt and uniformly entertained in the councils of this Government from its earliest history.”

The United States, in short, was keeping its hands off of Cuba, but it was resolved that Spain should not cede it to any other *European* nation.¹ An identical reply was sent to Sartiges.²

This reply confirmed the worst fears of Crampton and Sartiges. The former, in reporting it to Malmesbury, accused Webster of evasion, for the American Secretary of State had cleverly phrased it, “cession to another *European* power,” thus leaving open the door to American annexation.³ Sartiges, also, had noted this, but understood the American motive far better than Crampton. He now proposed to Turgot that, as an inducement to signing the convention, Spain should grant Cuban customs remissions to signatory nations,⁴ but Turgot seemed satisfied with Webster’s reply and the matter was dropped in France,⁵ only to be taken up directly with President Fillmore. Webster had gone to Boston and Crampton and Sartiges, not knowing when he would return, determined to sound Fillmore on the tariff modification scheme. Sartiges has reported the president’s views most accurately: Fillmore said that

“he was perfectly in accord with us as to our views on Cuba, and that he found the proposal of the French and British governments frank, honourable and made in the same liberal spirit which had dictated the instructions to French and British agents sent to the Plata,⁶ but that we knew the country too well

¹ U.S. State Department Archives. Notes *from* the Department, England, Vol. 7. Webster to Crampton, Washington, April 29, 1852.

² *Ibid.*, France, Vol. 6. Webster to Sartiges, Washington, April 29, 1852.

³ F.O. 5/545. Crampton to Malmesbury, No. 52. Washington, May 3, 1852.

⁴ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Sartiges to Turgot, Washington, May 3, 1852.

⁵ *Ibid.*, Turgot to Sartiges, Paris, May 13, 1852.

⁶ This referred to the boundary dispute between Brazil and the Argentine in South America.

not to know ourselves that the moment to negotiate such a convention, which must of necessity be carried before Congress, was inopportune; that this question would fall like a bomb in the midst of the electoral agitation for the Presidency, and that the passion which the different parties showed in discussing and dissecting it, made its consideration impossible, as it would become a cause of division between the North and the South, and would revive all those dangerous discussions, which had menaced even the existence of the Union, concerning Texas, California, and the other territories acquired or annexed."

But Crampton and Sartiges were tenacious. They explained that the guarantee idea was not new, for Jackson had proposed it to Spain at an earlier date, and supported it with a willingness to use force on her behalf. If the Ministers were tenacious, Fillmore was obdurate, and definitely declared that he would study the project "and when the agitation of the presidential election was ended by the choice of a candidate for president, he would be in a position to reply to our proposal." In any case, although impressed by the proposed tariff bounty plan, he doubted the constitutionality of the tripartite convention unless a phrase were inserted to read "as far as the Constitution allows" or "in so far as they are able." This was the most they could get out of Fillmore¹ and it is significant that no record exists in the United States of the conferences wherein Fillmore and Webster, while definitely approving the tripartite abnegatory principle, insisted on postponing further discussion until after the election. In general, then, the American attitude was disappointing to Turgot who expressed his displeasure to Aupick for Spanish consumption,² and to Howden and Miraflores in Madrid, the latter feeling that the proffer had been premature.³ Although disappointed at the American attitude toward the tripartite convention,⁴ Turgot was pleased by Webster's assurances

¹ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Sartiges to Turgot, Washington, May 7, 1852.

² *Ibid.*, Espagne, Vol. 840. Turgot to Aupick, Paris, May 22, 1852.

³ *Ibid.*, Aupick to Turgot, Madrid, June 2, 1852.

⁴ *Ibid.*, Etats-Unis, Vol. 107. Turgot to Sartiges, Paris, May 27, 1852.

of American respect for Spanish sovereignty in Cuba,¹ and he expressed to Walewski his eager impatience for a renewal of the discussions after the elections.² Lord Cowley informed Malmesbury with evident surprise that Webster "appears to have returned to Mon. de Sartiges exactly the same answer as he returned to Mr. Crampton," and noted that Turgot "looks upon Mr. Webster's reply as very evasive."³

Crampton and Sartiges now misinterpreted Webster's remarks as to waiting until after the election with the tripartite question. On May 23, Sartiges informed Turgot that they merely awaited the conclusion of the two national conventions at Baltimore by June 20, to resume negotiations.⁴ Thus it was that on July 7 they determined to address a note to Webster, seeking his reply to the proposals,⁵ but decided first to read it to Fillmore, which they did that day. Fillmore now explained that the postponement meant until after the November elections to prevent the use of the Cuban question at the polls

"as a party test, for if this were done, it would enroll half the Country against it, by bringing together the South, who are in favour of the annexation of Cuba, and the Party called 'Young Americans,' who are in favour of all annexations, and thus cause so many Political Men to commit themselves in the matter as to render the ultimate Passage, of the Convention proposed, by the Senate impossible."

The Administration, in short, was in no position to support the tripartite measure until after the election,

¹ French F.O. Corr. Pol. Angleterre, Vol. 685. Turgot to Walewski, Paris, May 11, 1852.

² *Ibid.*, Angleterre, Vol. 685. Turgot to Walewski, May 27, 1852.

³ F.O. 27/934. Cowley to Malmesbury, No. 294. Paris, June 3, 1852. See also F.O. 27/935. Cowley to Malmesbury, No. 382. Paris, July 1, 1852.

⁴ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Sartiges to Turgot, Washington, May 23, 1852.

⁵ F.O. 5/545. Crampton to Malmesbury, No. 96. Washington, July 12, 1852. For notes, see U.S. State Department Archives. Notes to Department. England, Vol. 29. Crampton to Webster, Washington, July 8, 1852. France, Vol. 15. Sartiges to Webster. Washington, July 8, 1852.

until when Crampton and Sartiges must remain silent on this subject if they wished it eventually to succeed. Fillmore did, however, suggest the possibility of including the Sandwich Islands in the same category as Cuba for the protection of the convention.¹ Fillmore's proposal as to the Sandwich Islands was approved by Malmesbury² and Turgot's successor, Drouyn de Lhuys,³ in August, and the two Ministers now could do naught but await the November elections,⁴ which for their purpose must favour the Whigs as the Democrats, with their expansionist policy, would never accept the tripartite proposals.⁵ While Crampton and Sartiges were waiting, however, Spain had acted.

Miraflores had been sceptical as to the success of the tripartite proposals, without which Spain would have no protection for Cuba. He therefore instructed Valdegamas in Paris to seek, primarily, the triple renunciation, but, if the United States refuse, England and France were to declare officially that they would not permit Cuba to go to any other power.⁶ Turgot sought Walewski's opinion and the latter opposed it on the grounds that the desired guarantee was already incorporated in the tripartite plans and, as Malmesbury agreed, until the United States replied, there was no use considering the Spanish request.⁷ Rejected by Turgot, Miraflores tried England by means of a note from Isturiz to Malmesbury,⁸ but here again the desire to await American action was paramount.

¹ F.O. 5/545. Crampton to Malmesbury, No. 97. Washington, July 12, 1852. French F.O. Corr. Pol. Etats-Unis, Vol. 107. Sartiges to Turgot, Washington, July 12, 1852. Including the annexed *compte rendu* of the conference of July 7 with President Fillmore.

² F.O. 5/543. Malmesbury to Crampton, No. 76. London, August 9, 1852.

³ French F.O. Corr. Pol. Etats-Unis, Vol. 107. Drouyn de Lhuys to Sartiges. Paris, August 5, 1852; *ibid.*, August 19, 1852.

⁴ *Ibid.*, Sartiges to Drouyn de Lhuys, Newport, Rhode Island, August 23, 1852.

⁵ *Ibid.*, Turgot to Sartiges, Paris, July 15, 1852.

⁶ *Ibid.*, Angleterre, Vol. 686. Turgot to Walewski, Paris, July 5, 1852.

⁷ *Ibid.*, Walewski to Turgot, London, July 9, 1852.

⁸ F.O. 72/814. Domestic. Memorandum, Isturiz to Malmesbury, London, July 22, 1852.

Through the summer and early fall of 1852 Crampton and Sartiges awaited the elections of November, paying particular attention to the Democratic expansionist programme. Turgot had feared a Democratic victory as the death-knell for the convention.¹ Thus it was that Sartiges in his reports laid particular stress upon the political situation.² By the middle of October, affairs moved rapidly. The *Crescent City* affair on October 18, wherein the Havana customs officials arrested the purser of the American boat for publishing in the United States reports of the corrupt Spanish administration in Cuba, revived the bad blood between Spain and America which had been temperate since the Lopez expeditions and the New Orleans riot, and created an excuse for possible filibusters.³ On October 24 died Daniel Webster, whose personal influence would have gone far toward supporting the passage in Congress of the tripartite convention. But his death had no ultimate effect on the project, for on November 7 came the election of Pierce, by means of which the American people set their seal of approval on the doctrine and policy of expansion. In the words of Sartiges, with Pierce's victory, "the name of Cuba is found on every tongue. His friends say he will negotiate its purchase," and Sartiges notes that "one reads in the papers that if Spain will not sell, America will take it."⁴ In such circumstances, there was but one road for Fillmore to take. He took it. Conscious that, of the two American statesmen who once had secretly favoured the tripartite project, Webster was now dead, and the

¹ French F.O. Corr. Pol. Espagne, Vol. 840. Turgot to Aupick, Paris, July 10, 1852; Aupick to Turgot, San Ildefonso, July 23, 1852 (Miraflores shared this fear); Turgot to Aupick, Paris, August 3, 1852.

² *Ibid.*, Etats-Unis, Vol. 108. Sartiges to Drouyn de Lhuys. Newport, Rhode Island, September 6, 1852; *ibid.*, Washington, October 10, 1852; *ibid.*, Washington, October 18, 1852; *ibid.*, Washington, October 20, 1852.

³ See French F.O. Correspondance Consulaire. Espagne, Vol. 60. Cuba, Havana. Gaillard de Ferry to Miraflores, Havana, October 18, 1852.

⁴ French F.O. Corr. Pol. Etats-Unis, Vol. 108. Sartiges to Drouyn de Lhuys, Washington, November 7, 1852.

secret of their views lay alone in his own bosom, Fillmore on November 6¹ appointed Edward Everett, Webster's friend and Massachusetts associate, to complete the few months remaining of the latter's term and indite to the British and French Ministers a definite rejection of their proposals. Four days later Crampton and Sartiges again asked Fillmore for a reply and on this occasion the President manifested his changed viewpoint. In Sartiges' words, "always expressing it as his personal observation, Mr. Fillmore opined that, if it were accepted by the Cabinet, that project would encounter a lively opposition in the Senate."² It looks very much as if Fillmore were planning to lay the blame for its failure on the Senate. On November 18 the Ministers, having elicited nothing further from Fillmore, betook themselves to Everett. They were perplexed by the calm about them and Sartiges observed that "the present administration does not seem to believe in the possibility of war between the United States and Europe as to Cuba, for on December 1, it sends off to Japan the fleet of Commodore Perry."³ But December 1 was to mean much to the Ministers. Everett has well described the manner of drafting the reply, in a letter to a friend:

"On the same day (November 18) I got the decision of the Cabinet which was merely against going into the proposed convention. On the next day, the 19th (after a very hard day in the Department), I took up my lead pencil after seven o'clock in the evening, to sketch the *heads* of a letter on the subject. Instead of heads, I wrote the letter itself, and read it to the President the next morning in the original pencil draft. I wrote it standing at the sideboard in my room at Willard's Hotel, between seven and eight o'clock, without a book or a document of any kind to refer to. Very little alteration was afterwards made in it"⁴;

¹ Bemis, S. F., editor. *The American Secretaries of State*. Ten vols. New York, 1927-9. Vol. VI. Stearns, Foster, *Edward Everett*, p. 121.

² French F.O. Corr. Pol. Etats-Unis, Vol. 108. Sartiges to Drouyn de Lhuys, Washington, November 15, 1852. ³ *Ibid.*

⁴ Frothingham, P. R., *Edward Everett, Orator and Statesman*, Boston, 1925, pp. 335-6. Everett to W. H. Trescott.

and on December 1, 1852, this reply was presented to Mr. Crampton and the Comte de Sartiges. Of the reply, Everett himself has modestly written thus :

“ I have in a very long, and (for me) bold letter to the English and French ministers declined to join their Governments in a tripartite guaranty of Cuba, disclaiming, however, all purpose to appropriate it to ourselves. I have taken this occasion to glance at the entire history of our territorial extension for the last century.”¹

But a study of this great State paper indicates more than a mere refusal to participate in the project, and more than a mere survey of American expansion. Everett made it quite clear, to begin with, that the President did not seek the acquisition of Cuba ; “ at the same time, he considers the condition of Cuba as mainly an American question,” a view contrary to that of the proposed convention. The United States, therefore, declined to adhere to the proposed convention for six main reasons : 1. The Senate would certainly reject it, which “ would leave the question of Cuba in a more unsettled position than it is now.” 2. The pact “ would be of no value unless it were lasting.” As “ its terms express a perpetuity of purpose and obligation,” and, as the Constitution does not permit the treaty-making power to impose a permanent disability on the American Government, the imposition of such a “ permanent disability ” on the Government would be unconstitutional. 3. “ Among the oldest traditions of the Federal Government is an aversion to political alliances with European powers ” for, since the days of Jefferson, the United States had been warned against “ entangling alliances.” 4. The President felt that “ the compact, although equal in its terms, would be very unequal in substance.” Cuba, due to its geographical position, meant more to the United States, in its relation to Mississippi navigation and the

¹ Frothingham, P. R., *op. cit.*, pp. 333-4. Everett to R. C. Winthrop, Washington, December 6, 1852.

Isthmian route to California, than it ever could to distant England or France. Everett cited the situation of American interest in an island at the entrance of either the Thames or the Seine, and referred to American grievances against the Spanish administration in Cuba, declaring England and France would do more good were they to persuade Spain to "modify her administration of the Government of Cuba."

5. The convention would be merely "transitory," for the evolution and growth of the United States cannot be stopped. After an eloquent survey of American expansion in a period wherein Spain stood still, Everett contended that there was no assurance that "twenty years hence France or England will even wish that Spain should retain Cuba," and that American ownership would be far better than a negro republic. 6. Finally, he asserted that the proposed pact would not abolish filibustering, as Malmesbury and Turgot so fondly hoped, but rather "would give a new and powerful impulse" to such expeditions. Everett therefore concluded that, for these reasons, President Fillmore declined the invitation to become a party to the pact, feeling certain that "these friendly powers will not attribute this refusal to any insensibility on his part to the advantages of the utmost harmony between the great maritime states on a subject of such importance. As little will Spain draw any unfavourable inference from this refusal," for the United States definitely affirms its wish "not to disturb the possession of that island by Spain."¹

Crampton sent the report to London with the mere comment that he expected the correspondence soon to be published,² leaving his chief to express any criticisms of Everett's reply, but Sartiges became voluble in his analysis of the reply and observations thereon:

¹ U.S. State Department Archives. Notes from Department. England, Vol. 7. Everett to Crampton, Washington, December 1, 1852. France, Vol. 6. Everett to Sartiges, Washington, December 1, 1852.

² F.O. 5/548. Crampton to Malmesbury, No. 198. Washington, December 2, 1852.

“ The Government of the United States categorically declines the proposition. . . . The politico-historical arguments, developed at length to support the refusal, the considerations and assertions presented, are not of a nature to sustain the serious discussion which one would wish to have ” ;

but what Sartiges regrets most is

“ the emphasis which President Fillmore placed on the necessity in which Spain may find itself of selling Cuba to the United States, and the declaration which he makes of the right, which the United States reserves to itself, of acquiring, by right of conquest, that island in the first war which arises between it and Spain.”

In a brilliant exposition of the situation, Sartiges continued :

“ This attitude of menace toward Spain and of defiance toward the European powers, no previous Administration, Whig or Democratic, ever took, and it is because Mr. Fillmore thought that Mr. Pierce wished to take it, that he decided to forestall him, to publish this manifesto addressed less to France and England than to the voters for the presidential election in 1856.”

Sartiges rightly asserted that

“ it is far from the language held with Mr. Crampton and myself, on the same subject and at various conferences by Messrs. Fillmore, Webster, and Everett,”

and now accused the Whigs of repudiating Webster after his death.

Calderon de la Barca, to whom Sartiges and Crampton showed the reply, “ is in consternation, and he thinks that in order to ensure future neutrality as to Cuba, Spain has more need than ever of the aid of her powerful ally France.”¹

Three days later Sartiges forwarded to Drouyn de Lhuys a lengthy report containing “ reflexions ” on the Everett

¹ French F.O. Corr. Pol. Etats-Unis, Vol. 108. Sartiges to Drouyn de Lhuys, Washington, December 2, 1852.

reply. He promptly noted that Everett had forgotten the internal political reasons for postponing the negotiations after elections and had merely ascribed the delay to Webster's illness. Sartiges forgot in this, that, with Webster's death, Fillmore alone knew of the July conversations, and Fillmore was not proclaiming that fact.¹ Sartiges admitted that the European acquisition of Cuba would produce, in America, the same sensation as the American acquisition of an island in the Mediterranean would effect in Europe, but held this was one more argument in favour of the convention. His survey, which was in general a remarkably fair and accurate summary of the American position, concluded with the idea that France and England must accept Everett's reply as finite, and he and Crampton proposed to go no farther in the matter at this time.²

The effect of this document on European thought was naturally more marked than in America, where the trend of public opinion coincided with the policy of the Administration. On December 9, before the reply had reached France, Drouyn de Lhuys had written to Sartiges that, before giving him new instructions, he awaited the Everett reply and the reaction thereto of the British Cabinet:

"Do not forget to evince in your attitude and in your language that which would indicate that we are following this negotiation with as much zeal and interest as England. We dare not fall behind the Government of Her Britannic Majesty in this affair."³

By the twenty-third Drouyn de Lhuys had Everett's reply, and he promptly informed Sartiges that

¹ There is no reference whatever to his quondam approval of the proposals in either the Fillmore MSS., or his printed letters. See the *Fillmore MSS.* Vols. 34-41, inclusive. April 16, 1852—January 10, 1853. The Buffalo Historical Society, Buffalo, New York; also Severance, F. H., editor, *The Millard Fillmore Papers*. Two vols., Publications of the Buffalo Historical Society. Vols. 10-11. Buffalo, N.Y., 1907.

² French F.O. Corr. Pol. Etats-Unis, Vol. 108. Sartiges to Drouyn de Lhuys, Washington, December 5, 1852.

³ *Ibid.*, Drouyn de Lhuys to Sartiges, Paris, December 9, 1852.

“the tone and the form of the document in which the refusal is expressed has caused us some surprise, and I, as did you, find it strange that the language held on this occasion by Mr. Fillmore’s administration exceeds in certain respects what we had expected from a power purely and proudly democratic.”

Drouyn de Lhuys could but approve Sartiges’ conduct and ask him to keep him informed of the effect of the publication of the documents.¹ In Spain the news caused hardly a ripple, for the Spanish Government was becoming accustomed to the failure of its appeals,² and the only result of a French project to continue negotiations with the United States in March, 1853,³ was to draw Spain closer to France, for the former now felt, as the Comte de Alcoy, the new Foreign Minister expressed it, that “the egotism which directs England to pretend interest for Spain” was merely her desire to keep Cuba out of American hands. Alcoy bitterly asserted that

“what England has never avowed, but what she desires, is the ruin of the colony and that ruin she awaits in the revolt of the slaves. . . . The conduct of France is far different, and we do justice to the loyalty of her actions.”⁴

Yet of the three nations it was England which assumed the most hostile attitude toward the United States as a result of the Everett reply. On December 22, 1852, Walewski informed Drouyn de Lhuys that Malmesbury favoured an immediate joint declaration by England and France that they *would not permit* the United States to take Cuba,⁵ to which Drouyn de Lhuys assented,⁶ but a

¹ French F.O. Corr. Pol. Etats-Unis, Vol. 108. Drouyn de Lhuys to Sartiges, Paris, December 23, 1852.

² *Ibid.*, Espagne, Vol. 842. Aupick to Drouyn de Lhuys, Madrid, January 16, 1853; *ibid.*, Madrid, February 11, 1853.

³ *Ibid.*, Drouyn de Lhuys to Aupick, Paris, March 10, 1853.

⁴ *Ibid.*, Aupick to Drouyn de Lhuys, Madrid, March 16, 1853.

⁵ *Ibid.*, Angleterre, Vol. 687. Walewski to Drouyn de Lhuys, London, December 22, 1852. Etats-Unis, Vol. 108. Drouyn de Lhuys to Sartiges, Paris, December 23, 1852.

⁶ *Ibid.*, Angleterre, Vol. 687. Drouyn de Lhuys to Walewski, Paris, December 23, 1852.

Cabinet crisis in London resulted in the overthrow of the Derby Ministry and the rise of the coalition government of Lord Aberdeen with Lord John Russell in temporary charge of the Foreign Office.¹ It was he, therefore, who, in the words of Foster Stearns, "had the opportunity of exercising his sarcasm on Secretary Everett's rhetoric."² The *London Times* had commented most favourably on Everett's defence of his position, although it could not agree with his policy. As to American intentions on Cuba,

"Mr. Everett's refusal, though justifiable, in our opinion, as a piece of national policy, must nevertheless be conclusive evidence of the truth of the case, and convince the world of the real views of the several parties concerned."³

The *London Spectator*, which after Pierce's election in November had declared "it would be a fatal mistake to pledge this country at least to uphold the perishing interests of Spain against an inevitable doom,"⁴ now lauded Everett's reply. "The position taken up by France and England was grossly irrational,—an attempt to maintain a decayed and sinking power by a paper bulwark against the march of Transatlantic events."⁵ Lord John Russell and the *London Spectator* did not, however, see eye to eye on this question, and on February 16, 1853, he addressed to Crampton a reply wherein, while conceding the right of the United States to reject the pact, he replied at great length and, in Stearns' phrase, "with at least as much irrelevance" to Everett's "geographical and historical disquisitions."⁶

¹ Ward, A. W., and Gooch, G. P., *Cambridge History of British Foreign Policy*, Vol. II, p. 340.

² Bemis, S. F., *American Secretaries of State*, Vol. VI. Stearns, Foster, *Edward Everett*, p. 133.

³ *London Times*, January 22, 1853, p. 4.

⁴ *London Spectator*, Vol. 24, No. 1,271. November 6, 1852, pp. 1053-4.

⁵ *London Spectator*, Vol. 25, No. 1,282. January 22, 1853, p. 70. See also No. 1,311, August 13, 1853, pp. 779-80. The *Spectator* is "startled to find how nearly this country had been dragged into an obligation to insure Spain against the consequences of her own weakness towards foreign powers, or of bad government towards her own subjects."

⁶ Bemis, S. F., *American Secretaries of State*, Vol. VI. Stearns, Foster, *Edward Everett*, p. 134.

Russell would have allowed the reply to pass unchallenged, "had not Mr. Everett entered at large into arguments which the simple nature of the question before him hardly seemed to require." France and England were aware of the growth of the United States, and did not have to be reminded of the old wars. Why

"were these arguments introduced with so much preparation and urged with so much ability? It would appear that the purpose not fully avowed, but hardly concealed, is to procure the admission of a doctrine that the United States have an interest in Cuba to which Great Britain and France cannot pretend."

Such a pretension England must meet. If the United States really sought to prevent European acquisition of Cuba from Spain, the proposed convention would secure that object. But Britain at once refuses to admit that the United States alone were interested in Cuba. Taking up specific points, Russell showed that on the argument of an island at the mouth of the Thames, "an island at an equal distance from the mouth of the Thames" as Cuba from Florida, 110 miles, "would be placed about ten miles north of Antwerp in Belgium." Again, the claim that the treaty would but lead to more filibustering is "not only unfounded, but disquieting," nor would such a convention prevent the Cubans from gaining their independence.

"But a pretended declaration of independence with a view of immediately seeking refuge from revolts on the part of the Blacks, under the shelter of the United States, would justly be looked upon as the same, in effect, as a formal annexation."

Finally, Russell asserted, Great Britain, granting the American right to reject the pact, "must at once resume her entire liberty, and, upon any occasion that may call for it, be free to act, either singly or in conjunction with other Powers, as to her may seem fit."¹ It is interesting to note that Stearns maintains, and not without reason,

¹ F.O. 5/561. Lord John Russell to Crampton, No. 21. London, February 16, 1853.

that "the obvious impossibility" of adopting the proposals of Miraflores in July, 1852, for a dual declaration by England and France, "may help to explain something of the spleen in Lord John Russell's reply to Everett."¹ Be that as it may, there was no appeal from Everett's letter. Russell had blustered about it, to which Everett, already out of office, wrote a dignified personal reply,² but the allied ministers in Washington knew that the matter was closed. On February 17 Russell told Walewski that Everett's reply must be refuted as it was dangerous to allow his singular legal principles to be established, to which attitude Walewski said France agreed. They therefore resolved together to edit a joint reply.³ Drouyn de Lhuys, however, preferred separate replies,⁴ and his views prevailed. On February 22 Lord John Russell surrendered his temporary charge of the Foreign Office to Earl Clarendon,⁵ who, on being shown the proposed French answer to Everett's reply, deemed it "excellent." "The American Government," he wrote, "will see that France and England without adopting precisely the same language in their notes are animated by the same spirit and have the same objects in view." He therefore asked Walewski: "When will your Government send their note, as I should like ours to go at the same time?"⁶ On March 10 Drouyn de Lhuys sent to Sartiges the French answer to Everett's reply, in which the former acknowledged that France and England could do nothing further, but

"we reserve completely our opinion on the doctrines which he (Everett) took occasion to present with undue solemnity. We

¹ Bemis, S. F., *American Secretaries of State*, Vol. VI. Stearns, Foster, *Edward Everett*, p. 135.

² Frothingham, P. R., *op. cit.*, p. 339.

³ French F.O. Corr. Pol. Angleterre, Vol. 688. Walewski to Drouyn de Lhuys, London, February 17, 1853.

⁴ *Ibid.*, Drouyn de Lhuys to Walewski, Paris, February 24, 1853.

⁵ Ward, A. W., and Gooch, G. P., *Cambridge History of British Foreign Policy*, Vol. II, p. 340.

⁶ French F.O. Corr. Pol. Angleterre, Vol. 688. Private note of Clarendon to Walewski, London, March 2, 1853.

do not challenge the right of the Washington Cabinet to adopt such a view as it made known to us. We reserve, on our part, all our rights to regulate our decisions and movements if our interest so dictates. But we regret none the less to find the Government of the United States indisposed to join with England and ourselves in preventing every difficulty on the subject of Cuba by an arrangement in which the dignity of none of the contracting powers would suffer.”¹

Two weeks later, in view of Pierce’s annexationist inaugural address,² he instructed Sartiges to lay the facts concerning the pact before Marcy, the new Secretary of State,³ and on April 17 Sartiges and Crampton called on Marcy and left the notes of their respective governments.⁴ But they had seen the trend of affairs and, a week later, Sartiges reported that he did not expect a reply from Marcy,⁵ as he considered the subject closed.

The tripartite issue was indeed dead. But the suspicions of American policy which her refusal entailed, were seriously to affect her future relations with Europe. The Fillmore administration, however, had succeeded, in its declining days, in escaping the dangers of the pact. Fillmore himself had kept the secret of those July conversations well, and had managed to make the transition in policy without unduly exciting the suspicions of Crampton and Sartiges, but the inquisitive Senate had discovered the Anglo-French interest in Cuba in particular and in the western hemisphere in general, and now sought the reason.

Everett had presented his reply to Crampton and Sartiges on December 1. Five days later the short session

¹ French F.O. Corr. Pol. Etats-Unis, Vol. 109. Drouyn de Lhuys to Sartiges, Paris, March 10, 1853.

² *Ibid.*, Sartiges to Drouyn de Lhuys, Washington, March 7, 1853.

³ *Ibid.*, Drouyn de Lhuys to Sartiges, Paris, March 24, 1853.

⁴ *Ibid.*, Sartiges to Drouyn de Lhuys, Washington, April 18, 1853. Drouyn de Lhuys approved of this policy. *Ibid.*, Drouyn de Lhuys to Sartiges, Paris, April 14, 1853; for Crampton, see F.O. 5/564. Crampton to Clarendon, No. 89, Washington, April 18, 1853.

⁵ French F.O. Corr. Pol. Etats-Unis, Vol. 109. Sartiges to Drouyn de Lhuys, Washington, April 24, 1853.

of the Thirty-second Congress opened with the reading of President Fillmore's final message. The November elections had been decided overwhelmingly in favour of Pierce and his expansionist programme and Fillmore's sole reference to Cuba, *per se*, was to the noticeable lack of authority on the part of the Captain-General of Cuba to treat with foreign governments, and the resultant laxity and inefficiency in dealing with the problems of international commercial intercourse. Fillmore paid more attention, however, to the refusal of the proposed tripartite pact in phrases written entirely by Everett.¹ Declaring that it had been rejected "for reasons which it would occupy too much space in this communication to state in detail, but which led me to think that the proposed measure would be of doubtful constitutionality, impolitic, and unavailing," Fillmore sought earnestly, however, to assure France and England that "the United States entertain no designs against Cuba; but that, on the contrary, I should regard its incorporation into the Union at the present time as fraught with serious peril." The danger, he concluded, lay in the possibility of racial and economic conflict for

"it would bring into the Confederacy a population of a different national stock, speaking a different language, and not likely to harmonize with the other members. It would probably affect in a prejudicial manner the industrial interests of the South, and it might revive those conflicts of opinion between the different sections of the country which lately shook the Union to its center, and which have been so happily compromised."²

For the next two weeks the Senate debated the succession to Henry Clay in Kentucky, the President's Message to Congress, and the question of congressional compensation. But they were not satisfied with the official explanation of the tripartite negotiations. On December 23, 1852, there-

¹ Frothingham, P. R., *op. cit.*, p. 333.

² Richardson, J. D., *Messages and Papers of the Presidents*, Vol. V, pp. 164-6.

fore, Senator James M. Mason of Virginia, Chairman of the Senate Committee on Foreign Relations, submitted a resolution requesting the President to communicate to the Senate copies of the official correspondence from England and France, concerning the tripartite convention, as well as the reply, "referred to in his annual message."¹ Mason justified his action, first by Fillmore's neglect to explain *why* the proposals had been rejected; and second, by his reply to England and France that "I should regard its incorporation into the Union at the present time as fraught with serious peril."² After lengthy debate, the motion was passed on January 3, 1853,³ and the next day Fillmore transmitted the papers concerned.⁴ It is interesting to note a few features in the papers as sent.⁵ Everett, in his accompanying note, wrote: "The early portion of the correspondence was, at the request of this department and for temporary reasons which have ceased to exist, regarded as confidential." These reasons, of course, were the campaign of 1852, which Webster and Fillmore had utilized as a cause for delay, but which now remained unmentioned. Again in the text, nothing appeared between the correspondence of July 8 and Everett's note of December 1 to indicate in the slightest either Fillmore's remarks as to the election, or the appeals of Crampton and Sartiges in November before Everett's reply.

In the annals of American History, the tripartite proposals have always been construed as the effort of England and France, at the request of Spain, to prevent the annexationist will of the American Government as to Cuba; proposals stubbornly rejected at all times by the American administration, whose position was best expressed in Everett's famous reply. The evidence found in the British

¹ *Congressional Globe*, 32nd Congress, 2nd Session, p. 139.

² *Ibid.*, pp. 139-40.

³ *Ibid.*, p. 184.

⁴ Richardson, J. D., *Messages and Papers of the Presidents*, Vol. V, p. 183.

⁵ See *Senate Executive Documents*, 32, 2, Document No. 13.

Foreign Office records, and still more so in the recently opened French archives, definitely indicates not only Palmerston's statesmanship and essential fairness toward the American position, but especially the secret campaign strategy and the quondam approval of the treaty project, of President Millard Fillmore and Secretary of State Daniel Webster.