

CHAPTER III

THE DIPLOMACY OF THE UNITED STATES IN REGARD TO CUBA

THE Cuban question had its origin in the series of events that have been narrated in the two preceding chapters—the Napoleonic invasion of Spain and the resulting paralysis of Spanish power in America. The declaration of President Monroe, enforced by the well-known attitude of England, dealt the death-blow to Spanish hopes of recovering the Southern continent. Hence the islands of Cuba and Porto Rico, which had remained loyal to the king, were clung to with all the greater tenacity as the sole remains of the imperial possessions over which the successors of Ferdinand and Isabella had ruled for three centuries. The “Ever-faithful Island of Cuba” was rewarded for her loyalty by the concession of certain liberties of trade and invited to send representatives to the Spanish Cortes—a privilege which was subsequently withdrawn. Spain was now too weak to protect her two West Indian dependencies—the remains of her former glory, but her very weakness secured their possession to her. The naval and commercial importance of Cuba, “the pearl of the Antilles,” made it a prize too valuable to be acquired by any one of the great maritime powers without exciting the jealousy and opposition of the others. Henceforth, to borrow the figure of a contemporary journalist, Cuba was to be the trans-Atlantic Turkey,

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trembling to its fall, but sustained by the jealousies of those who were eager to share the spoils.

The strategic importance of Cuba, commanding to a large extent the commerce of the West Indies and of the Central American states, and, what was of vital interest to us, the traffic of the Mississippi valley, attracted at an early period the attention of American as well as of European statesmen. In a letter to President Madison in 1809, Jefferson, in speaking of Napoleon's policy in regard to the Spanish-American colonies, said:

That he would give up the Floridas to withhold intercourse with the residue of those colonies cannot be doubted. But that is no price: because they are ours in the first moment of the first war; and until a war they are of no particular necessity to us. But, although with difficulty, he will consent to our receiving Cuba into our Union, to prevent our aid to Mexico and the other provinces. That would be a price, and I would immediately erect a column on the southern-most limit of Cuba, and inscribe on it a *ne plus ultra* as to us in that direction.¹

President Madison expressed his views on the Cuban question in a letter to William Pinkney, October 30, 1810:

The position of Cuba gives the United States so deep an interest in the destiny, even, of that island, that although they might be an inactive, they could not be a satisfied spectator at its falling under any European government, which might make a fulcrum of that position against the commerce and security of the United States.²

¹ H. A. Washington, "Writings of Thomas Jefferson," Vol. V, p. 443.

² "Madison's Works," Vol. II, p. 488

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This was the first statement in the evolution of a Cuban policy consistently adhered to by the United States until the successes of the Mexican war super-induced larger ideas of the mission and destiny of the Union.

As early as 1817 fears as to the fate of Cuba were raised in the minds of the American public by newspaper reports to the effect that England had proposed a relinquishment of her claim against Spain for the maintenance of the British army during the Peninsular campaign, amounting to £15,000,000, in return for the cession of the island.³ Reports of this nature were circulated for several months on both sides of the Atlantic, but the question did not assume any very great importance until 1819, when the treaty for the cession of the Floridas to the United States was being negotiated with Spain. It was then insisted by the British press that the acquisition of the Floridas would give the United States such a preponderating influence in West Indian affairs as to render necessary the occupation of Cuba by Great Britain as the natural and only off-set.⁴ The Florida treaty was ratified after some delay, which, however, does not appear to have been caused by the British government, as was supposed at the time. The British papers, nevertheless, continued to condemn in strong terms the treaty as well as the inaction of their government in not making it a pretext for the seizure of Cuba.

As the preparations of France for the invasion of Spain in 1823 progressed the fate of Cuba became a

³ Niles's "Register," under date November 8, 1817.

⁴ For a full discussion of the question see the pamphlet by J. Freeman Rattenbury, entitled, "The Cession of the Floridas to the United States of America and the Necessity of Acquiring the Island of Cuba by Great Britain." London, 1819.

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question of absorbing interest in America. There was little hope that the island would continue a dependency of Spain. It was rumored that Great Britain had engaged to supply the constitutional government of Spain with money in her struggle with France and would occupy Cuba as a pledge for its repayment. Both Spanish and French journals spoke of British occupation of Cuba as a matter no longer to be doubted, and the presence in the West Indies of a large British squadron, sent nominally for the purpose of suppressing piracy, seemed to lend color to the reports.⁵ The British press was clamoring for the acquisition of Cuba. The *Packet* declared: "The question then comes to this, shall England occupy Cuba, or by permitting its acquisition by the United States (which they have long desired) sacrifice her whole West India trade? There can be no hesitation as to the answer."

The British government, however, officially disclaimed all designs upon Cuba, but this disclaimer did not fully reassure the American government, and our representatives abroad were instructed to exercise a close scrutiny upon all negotiations between Spain and England. In the spring of 1823 Mr. Forsyth was succeeded by Mr. Nelson at the court of Madrid. In his instructions to the new minister, which went much beyond the usual length and were occupied almost exclusively with a discussion of the Cuban question, John Quincy Adams used the following remarkable words:

"In looking forward to the probable course of events for the short period of half a century, it seems scarcely possible to resist the conviction that the an-

⁵ Niles's "Register," March and April, 1823.

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nexation of Cuba to our Federal Republic will be indispensable to the continuance and integrity of the Union itself." We were not then prepared for annexation, he continued, "but there are laws of political as well as physical gravitation; and if an apple, severed by the tempest from its native tree, cannot choose but fall to the ground, Cuba, forcibly disjoined from its own unnatural connection with Spain, and incapable of self-support, can gravitate only towards the North American Union, which, by the same law of nature, cannot cast her off from its bosom."⁶

President Monroe consulted Jefferson on the subject of Spanish-American affairs and the entanglements with European powers likely to arise therefrom. Jefferson replied, June 11, 1823:

Cuba alone seems at present to hold up a speck of war to us. Its possession by Great Britain would indeed be a great calamity to us. Could we induce her to join us in guaranteeing its independence against all the world, except Spain, it would be nearly as valuable as if it were our own. But should she take it, I would not immediately go to war for it; because the first war on other accounts will give it to us, or the island will give itself to us when able to do so.⁷

During the summer of 1825 a large French squadron visited the West Indies and hovered for several weeks about the coasts of Cuba. This action on the part of the French government, without explanation, excited the alarm of both England and the United States and drew forth strong protests from Mr. Canning and from Mr. Clay. Canning wrote to Gran-

⁶ "H. Ex. Doc. No. 121, Thirty-second Cong., First Sess.; also Brit. and For. St. Pap., Vol. XLIV, pp. 114-236.

⁷ H. A. Washington, "Writings of Jefferson," Vol. VII, p. 288.

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ville, the British minister at Paris, that he could not consent to the occupation of Havana by France, even as a measure of protection against possible attacks from Mexico and Colombia.⁸ Again some two months later he wrote :

As to Cuba you cannot too soon nor too amicably, of course, represent to Villèle the impossibility of our allowing France (or France us, I presume) to meddle in the internal affairs of that colony. We sincerely wish it to remain with the mother-country. Next to that I wish it independent, either singly or in connection with Mexico. But what cannot or must not be, is that any great maritime power should get possession of it. The Americans (Yankees, I mean) think of this matter just as I do.⁹

The expressions of the United States, as to the designs of France, were as emphatic as those of England. Mr. Clay declared "that we could not consent to the occupation of those islands by any other European power than Spain under any contingency whatever."¹⁰

In this connection Canning wished to bring about the signature, by England, France, and the United States, of "ministerial notes, one between France and the United States, and one between France and Great Britain, or one tripartite note signed by all, disclaiming each for themselves, any intention to occupy Cuba, and protesting against such occupation by either of the others."¹¹ The government of the United States held this proposal under advisement, but on France declining, it was dropped.¹² In 1826 when an attack

⁸ "Official Corresp. of Canning," Vol. I, p. 265.

⁹ *Ibid.*, Vol. I, p. 275.

¹⁰ Am. St. Pap., For. Rel., Vol. V, p. 855. Also "Wharton's Digest,"

Sec. 60.

¹¹ Stapleton, "Political Life of Canning," Vol. III, p. 154.

¹² Mr. Clay to Mr. King, October 25, "Wharton's Digest," Sec. 60.

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upon Portugal was feared Canning advised, in case of such an attack, the immediate seizure of Cuba by Great Britain as more effective than half a dozen Peninsular campaigns.¹⁸

The Cuban question was involved in the long debate on the proposal of the executive of the United States to send delegates to the congress of Spanish-American republics assembled at Panama in 1826. This debate occupied the attention of Congress during the winter and spring of 1826, and was engaged in with great earnestness. One of the chief objections to the proposed mission was the fact that the question of Cuba and Porto Rico would come up and that the United States government had already committed itself to the foreign powers on that subject. The report of the Senate committee on foreign relations declared that,

The very situation of Cuba and Porto Rico furnishes the strongest inducement to the United States not to take a place at the contemplated congress, since, by so doing, they must be considered as changing the attitude in which they hitherto have stood as impartial spectators of the passing scenes, and identifying themselves with the new republics.¹⁹

The Southern members were united in their opposition to the Panama mission, and in fact to any closer alliance with the new republics, for the reason that the latter had adopted the principle of emancipation and any further extension of their influence would jeopardize the institution of slavery in the United States. For the same reason they were opposed to the transfer of Cuba to any other European power. If a change from its connection with Spain were neces-

¹⁸ Canning to Earl of Liverpool, October 6, 1826.

¹⁹ Am. St. Pap., For. Rel., Vol. V, p. 863.

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sary they favored annexation by the United States, and meantime they were strongly opposed to the government entering into any engagement with foreign powers or in any way committing itself on the Cuban question.¹⁵

The declaration of Mr. Clay against the interference of England and France in the affairs of Cuba was consistently adhered to under the administrations of Jackson and Van Buren.

In 1838-39, the British government dispatched special commissioners to Cuba and Porto Rico to report on the condition of the slave trade. The presence of these agents in Cuba gave rise to reports that Great Britain contemplated revolutionizing the island, or at least occupying it for the purpose of suppressing the slave trade. The United States gave Spain to understand that we would not consent to British control in whatever way it might be brought about. Mr. Forsyth wrote to Mr. Vail, our representative at Madrid, July 15, 1840:

You are authorized to assure the Spanish government, that in case of any attempt, from whatever quarter, to wrest from her this portion of her territory, she may securely depend upon the military and naval resources of the United States to aid her in preserving or recovering it.¹⁶

Again, Mr. Webster in January, 1843, wrote to Mr. Campbell, United States consul at Havana:

The Spanish government has long been in possession of the policy and wishes of this government in regard to Cuba,

¹⁵ Benton's "Abridgment," Vol. VIII, pp. 427, 428, and Vol. IX, pp. 90-218.

¹⁶ H. Ex. Doc. No. 121, Thirty-second Cong., First Sess.; also "Wharton's Digest," Sec. 60.

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which have never changed, and has repeatedly been told that the United States never would permit the occupation of that island by British agents or forces upon any pretext whatever; and that in the event of any attempt to wrest it from her, she might securely rely upon the whole naval and military resources of this country to aid her in preserving or recovering it.¹⁷

A copy of this letter was also sent to Washington Irving, our representative at Madrid to make such use of as circumstances might require.¹⁸

During the first period of our Cuban diplomacy the efforts of this government were directed toward preventing the acquisition of the island, or the establishment of a protectorate over it, by Great Britain or France. With the Mexican war, however, and the growing conviction of "manifest destiny," our foreign policy assumed a much bolder and more aggressive character, and during the next fifteen years all manner of schemes for the southward extension of our territory were suggested and many of them actually undertaken. Cuba became an object of desire, not only in the eyes of the slave-holding population of the South as an acquisition to slave territory, but of a large part of the nation, because of its strategic importance in relation to the inter-oceanic transit routes of Central America, which seemed the only feasible line of communication with our rapidly developing interests in California. Consequently various attempts were made to annex the island to the United States, both by purchase from Spain and forcibly by filibustering expeditions.

¹⁷ "Wharton's Digest," Sec. 60.

¹⁸ Mr. Upshur, who succeeded Mr. Webster as secretary of state, wrote to Mr. Irving to the same effect, October 10, 1843.

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In June, 1848, under the administration of President Polk, Mr. Buchanan, secretary of state, wrote to our minister at Madrid, directing him to open negotiations with the Spanish government for the purchase of Cuba. After referring to the dangers of British occupation and to the advantages of annexation, he said: "Desirable, however, as this island may be to the United States, we would not acquire it except by the free will of Spain. Any acquisition not sanctioned by justice and honor would be too dearly purchased." He stated that the President would stipulate for the payment of \$100,000,000, as a maximum price.¹⁹ This offer was rejected by the Spanish government. The minister of state after several months' delay finally replied "that it was more than any minister dare to entertain any such proposition; that he believed such to be the feeling of the country, that sooner than see the island transferred to any power, they would prefer seeing it sunk in the ocean."

Under the Whig administration of Taylor and Fillmore no effort was made for the purchase of Cuba. On August 2, 1849, Mr. Clayton wrote to Mr. Baringer that the government did not desire to renew the negotiation for the purchase of Cuba made by the late administration, since the proposition had been considered by the Spanish government as a national indignity; that should Spain desire to part with Cuba, the proposal must come from her.

About this time active preparations were going on for the invasion of Cuba by an armed expedition under the Cuban patriot Narciso Lopez. On August

¹⁹ Mr. Buchanan to Mr. Saunders, June 17, 1848, H. Ex. Doc. No. 121, Thirty-second Cong., First Sess.; also Brit. and For. St. Pap., Vol. XXVI.

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11, 1849, President Taylor issued a proclamation warning all citizens of the United States against taking part in such expedition and saying, "No such persons must expect the interference of this government in any form on their behalf, no matter to what extremities they may be reduced in consequence of their conduct."²⁰ A few days later the entire force of Lopez was arrested by the United States marshal just as it was on the point of leaving New York.

Nothing daunted, Lopez traveled through the southern and southwestern states secretly enlisting men and making arrangements for their transportation to Cuba. Many men of prominence at the South were in open and avowed sympathy with the enterprise. In the spring of 1850, Lopez called upon Gen. John A. Quitman, governor of Mississippi, who had served with great distinction in the Mexican war, and offered him, in the name of his compatriots, the leadership of the revolution and the supreme command of the army. Quitman's sympathies were thoroughly enlisted in the movement, but he declined the honor on account of the serious aspect of political affairs, particularly what he considered the encroachments of the federal government upon the rights of the states. He made liberal contributions of money, however, and gave Lopez sound advice about his undertaking, insisting that he must have an advance column of at least 2,000 men to maintain a footing on the island until reinforcements could go to their aid.²¹

²⁰ "Messages and Papers of the Presidents," Vol. V, p. 7.

²¹ J. F. H. Claiborne, "Life and Corresp. of John A. Quitman," Vol. II, pp. 55-56, and Appendix, p. 385.

In June the Grand Jury of the United States Circuit Court at New Orleans found a bill against John A. Quitman, John Henderson, Governor of Louisiana, and others, for setting on foot the invasion of Cuba. Quitman's

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Unfortunately for Lopez he did not follow the advice of Quitman. A company of volunteers altogether inadequate for the successful accomplishment of the enterprise was collected at New Orleans. There Lopez chartered a steamer, the *Creole*, and two barks, the *Georgiana* and the *Susan Loud*. Three-fourths of the volunteers had served in the Mexican war. The first detachment comprising 250 men left New Orleans in the bark *Georgiana*, April 25, 1850, under the command of Col. Theodore O'Hara. They proceeded to the island of Contoy off the coast of Yucatan in the territory of Mexico. There they were joined three weeks later by Lopez and 450 followers in the *Creole*. The entire command, with the exception of the crews of the two barks and a few others to guard the stores, embarked in the *Creole* and effected a landing at Cardenas, but the natives did not come to the aid of Lopez and after holding the town for twelve hours he reluctantly reëmbarked and headed for Key West. The *Creole* was pursued by the *Pizarro*, a Spanish war vessel, which steamed into the harbor just as she cast anchor. For a few moments the Spaniards seemed to be on the point of preparing to open fire on the *Creole*, but when they saw the United States custom-house of-

view of state sovereignty did not admit the right of the United States Courts to proceed against the chief executive of a sovereign state. He sought the advice of friends throughout the South as to what course he should pursue. None of them admitted the right of the United States Courts to indict him and several of them advised him that it was his duty to assert the principle of state sovereignty even to the point of calling out the state militia to protect him against arrest. Others advised him to submit under protest so as to avoid an open breach. This course was finally adopted, and when the United States marshal appeared on the 3rd of February, 1851, to take him into custody, he yielded, causing at the same time an address to be issued to the people of Mississippi, in which he resigned the office of governor. After proceedings which lasted two months, Henderson was acquitted and the charges against Quitman and the others dismissed.

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ficers take possession of her they changed their minds and left the harbor.

The two barks, which had been left with a small guard at the island of Contoy, were captured by Spanish warships, taken to Havana, condemned as prizes and the men put on trial for participation in the Lopez expedition. As these men had committed no act of hostility against Spain, and had, moreover, been seized on neutral territory, the United States government at once issued its protest and demanded their release. The Spanish government replied that these men had been described as pirates by the President of the United States in his proclamation warning citizens against joining the expedition and were, therefore, beyond the pale of the protection of the United States. After heated negotiations which lasted several months and seriously threatened the peace of the two countries, the prisoners were released, but it was declared to be an act of grace on the part of the Queen and not a concession to the demands of the United States.²²

Lopez was prosecuted by the United States government for violation of the neutrality laws, but escaped conviction and at once set about organizing another expedition. On August 3, 1851, the third and last expedition of Lopez, consisting of over 400 men, left New Orleans. After touching at Key West the steamer proceeded to the coast of Cuba and landed the expedition at Bahia Honda. The main body under Lopez proceeded into the country where they had been led to expect a general uprising of the Cubans. Col. W. S. Crittenden, who had served with bravery in the Mexican war, was left in command of a smaller

²² Sen. Ex. Doc. No. 41, Thirty-first Cong., Second Sess.

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body to bring up the baggage. This detachment was attacked on the 13th and forced to retreat to the place where they had landed, where about fifty of them obtained boats and tried to escape. They were, however, intercepted off the coast, taken to Havana, sentenced before a military court, and executed on the 16th.

The main body under Lopez was overcome and dispersed by Spanish troops on the 24th. Lopez was taken prisoner, tried, and executed. Many of his followers were killed or died of hunger and fatigue and the rest made prisoners. Upon receipt of this news Commodore Parker was at once ordered to proceed in a frigate to Havana to inquire into the charges against the prisoners executed, and the circumstances of their capture, trial, and sentence. To these inquiries the captain-general replied that he considered those executed as pirates, that they had been so denounced by the President of the United States in his proclamation, that he was not at liberty to furnish a copy of the court records, but would send them to Madrid and to the Spanish minister at Washington.²³

When the news of the executions at Havana reached New Orleans the excitement was intense. The office of the Spanish consul was broken into, portraits of the Queen and Captain-General of Cuba defaced, the Spanish flag torn in pieces, and the consul burned in effigy in LaFayette Square. The consul had to flee from the city for safety and the property of certain Spaniards residing in New Orleans was destroyed. A long correspondence ensued between the two governments. The United States agreed to pay an indemnity

²³ H. Ex. Doc. No. 1, Thirty-second Cong., First Sess.; also 2d Annual Message of Fillmore, December 2, 1851. "Messages and Papers of the Presidents" Vol. V, p. 113.

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for injuries to the public property of Spain, but not for the destruction of property belonging to Spanish residents, who were entitled only to the same protection afforded our own citizens.²⁴

A few weeks after the last Lopez expedition the British and French representatives at Washington notified our government that orders had been issued to their squadrons in the West Indies to repel by force any attempts at the invasion of Cuba from any quarter. Our government replied that such action on the part of England and France could "not but be regarded by the United States with grave disapproval, as involving on the part of European sovereigns combined action of protectorship over American waters."²⁵

In order to allay the uneasiness caused by the attempts of filibusters, supposed to be encouraged or at least connived at by the government of the United States, the Spanish government requested Great Britain and France, in January, 1852, to secure the signature by the American government in conjunction with them of an abnegatory declaration with respect to Cuba.²⁶ Accordingly in April, 1852, the British and French ministers at Washington brought the subject to the attention of this government in notes of the same date, suggesting a tripartite convention for the guarantee of Cuba to Spain.²⁷

To this proposal Mr. Webster replied in part as follows:

²⁴ H. Ex. Doc. No. 1, Thirty-second Cong., First Sess.

²⁵ Mr. Crittenden to Comte de Sartiges, October 22, 1851. See also Pres. Fillmore to Mr. Webster and Mr. Webster's reply. 2 Curtis's "Life of Webster," p. 551.

²⁶ Brit. and For. St. Pap., Vol. XLIV, Lord Howden to Earl Granville, January 9, 1852.

²⁷ Comte de Sartiges to Mr. Webster, April 23, 1852. Sen. Ex. Doc. No. 13. Thirty-second Cong., Second Sess.

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It has been stated and often repeated to the government of Spain by this government, under various administrations, not only that the United States have no design upon Cuba themselves, but that, if Spain should refrain from a voluntary cession of the island to any other European power, she might rely on the countenance and friendship of the United States to assist her in the defense and preservation of that island. At the same time it has always been declared to Spain that the government of the United States could not be expected to acquiesce in the cession of Cuba to an European power.

He reminded them, furthermore, that "the policy of the United States 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."²⁸

The matter was again urged upon the United States by the British and French governments in notes to Mr. Webster, dated July 9, 1852, in which the infeasibility of the Spanish title to the island and its bearings upon the neutrality of the proposed Central American canals were dwelt upon. The death of Mr. Webster postponed for some time the answer of the United States, but the proposal was finally rejected in a notable dispatch prepared by Webster's successor, Edward Everett.

With the growth of the slavery conflict, which had now become paramount to all other questions, the annexation of Cuba had become a party issue, and the return of the Democratic party to power, in 1853, was hailed by the southern extremists as a signal for the

²⁸ Mr. Webster to Comte de Sartiges, April 29, 1852. To Mr. Cramp-ton, same date, to same effect.

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acquisition of the long coveted prize. This expectation was further heightened by the declaration of President Pierce, in his inaugural address, that the policy of his administration would "not be controlled by any timid forebodings of evil from expansion," and that the acquisition of certain possessions not within our jurisdiction was "eminently important for our protection, if not in the future essential for the preservation of the rights of commerce and the peace of the world."

William L. Marcy, of New York, was appointed secretary of state and for the mission to Spain the President selected Pierre Soulé of Louisiana, a Frenchman by birth and education, who had been exiled for political reasons. His appointment under the circumstances created unfavorable comment both in this country and in Europe, and his sojourn of several days at Paris on the way to his post at Madrid caused the French government some annoyance. Louis Napoleon advised the court of Madrid not to receive him, as his views on the Cuban question were well known to be of a radical character.

In his instructions to Mr. Soulé, July 23, 1853. Mr. Marcy emphasized the importance of our relations with Spain in view of the rumors of contemplated changes in the internal affairs of Cuba and of the recent interposition of England and France. He directed him to try to negotiate a commercial treaty with Spain favorable to our trade with Cuba, and pointed out the urgent necessity of allowing a "qualified diplomatic intercourse between the captain-general of that island and our consul at Havana, in order to prevent difficulties and preserve a good understanding

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between the two countries."²⁹ The difficulty of settling disputes arising in Cuba had been the subject of frequent remonstrances on the part of the United States. The captain-general was clothed with almost "unlimited powers for aggression, but with none for reparation." He exercised no diplomatic functions and was in no way subject to the authority of the Spanish minister at Washington.

Upon the arrival of Mr. Soulé in Spain, he found that Mr. Calderon, the head of the cabinet, was strongly opposed to any commercial treaty or agreement which would promote intercourse between the United States and the dependencies of Spain, and equally averse to allowing the captain-general any diplomatic powers.³⁰ Mr. Soulé was by nature hot-headed and impetuous and could suffer anything sooner than enforced inactivity. Whatever may have been the intentions of the executive in sending him, he had come to Madrid for the purpose of consummating the long cherished scheme of acquiring Cuba. Accordingly, on February 23, 1854, he wrote to Mr. Marcy that the affairs of the Spanish government were about to reach a crisis, that a change of ministry was imminent, and that contingencies involving the fate of Cuba were likely to arise which might be of great interest to the United States. He, therefore, asked for definite instructions. Relying upon these representations and upon Mr. Soulé's judgment, Mr. Marcy transmitted in due time the necessary powers, authorizing him to negotiate with Spain for the purchase of Cuba, or for its independence, if such an arrange-

²⁹ H. Ex. Doc. No. 93, Thirty-third Cong., Second Sess., p. 3.

³⁰ Mr. Soulé to Mr. Marcy, November 10, and December 23, 1853, and January 20, 1854.

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ment would be more agreeable to Spanish pride, in which event the United States would be willing to contribute substantial aid to the result.

In the meantime, however, the *Black Warrior* affair had strained the relations of the two countries almost to the point of rupture. This case, involving the seizure of an American steamer by Spanish officials at Havana for an unintentional violation or neglect of custom-house regulations, was of an unusually exasperating character.

As soon as the department at Washington was fully informed of this outrage, Mr. Marcy forwarded all the documents in the case to Mr. Soulé and directed him to demand of the Spanish government a prompt disavowal of the act and the payment of an indemnity to the owners of the vessel and of the cargo, the extent of the injury being estimated at \$300,000. On April 8 Mr. Soulé presented a formal demand on the part of his government. No answer to this note having been received, on the 11th he repeated his demands much more emphatically, calling for an indemnity of \$300,000, insisting that all persons, whatever their rank or importance, who were concerned in the perpetration of the wrong, be dismissed from her majesty's service, and finally declaring that non-compliance with these demands within forty-eight hours would be considered by the government of the United States as equivalent to a declaration that her majesty's government was determined to uphold the conduct of its officers.

Mr. Calderon replied, on the 12th, that whenever her majesty's government should have before it the authentic and complete data, which it then lacked, a

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reply would be given to the demand of the United States conformable to justice and right; that the peremptory tone of Mr. Soulé's note suggested to the government of her majesty "a suspicion that it was not so much the manifestation of a lively interest in the defense of pretended injuries, as an incomprehensible pretext for exciting estrangement, if not a quarrel between two friendly powers." To this note Mr. Soulé replied that the suggestion made as to the motives of the United States in seeking redress was "but little creditable to the candor of her Catholic majesty's government, and comes in very bad grace from one who, like your excellency, cannot but be aware that the records of this legation, as well as those of her Catholic majesty's department of state, are loaded with reclamations bearing on grievances most flagrant, which have never been earnestly attended to and were met at their inception with precisely the same dilatory excuses through which the present one is sought to be evaded."

Meanwhile the aspects of the case were altogether changed by a private agreement between the Havana officials and the owners of the *Black Warrior*, by which the ship and her cargo were released. Mr. Soulé continued, however, according to instructions from Washington, to demand compensation for the damages sustained by the owners and passengers not compensated for by the return of the ship and cargo, and also reparation for the insult to the United States flag. The Spanish government, however, refused to recognize any ground for reparation after the restitution of the ship and cargo, and persisted in contradicting, without the support of any evidence whatever, the facts as

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presented by the United States, although they were all certified to in proper legal form.

On June 24 Mr. Marcy wrote that the President was far from satisfied with the manner in which our demands were treated by the Spanish government, but that before resorting to extreme measures he was determined to make a final appeal to Spain for the adjustment of past difficulties and for the guarantee of more friendly relations in the future. Although satisfied with the spirited manner in which Mr. Soulé had performed the duties of his mission, the President was considering the expediency of reinforcing the demands of the United States by the appointment of an extraordinary commission of two distinguished citizens to act in conjunction with him. He instructed him, therefore, not to press the affair of the *Black Warrior*, but to wait until the question of the special commission could be laid before Congress.

During the summer there was a change of ministry in the Spanish government, which, as was not infrequently the case, was attended with more or less serious disorders. In August Mr. Marcy wrote that in view of the unsettled condition of affairs in Spain and for other reasons not stated, the purpose of sending a special mission had, for the present at least, been abandoned. Without pressing matters Mr. Soulé was, nevertheless, to avail himself of any opportunity which might be presented, of settling the affairs in dispute and of negotiating for the purchase of Cuba.

Under the same date he proposed to Mr. Soulé the plan of consulting with Mr. Mason and Mr. Buchanan, our ministers at Paris and London, for the purpose of overcoming any obstacles that England and France

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might interpose. This suggestion led to the celebrated meeting at Ostend and the so-called manifesto.

In accordance with the instructions of the President, Messrs. Soulé, Mason, and Buchanan proceeded to make arrangements for the proposed conference, which was held at Ostend, in Belgium, October 9, 10, 11, 1854. They then adjourned to Aix-la-Chapelle for a week, where the reports of their proceedings were prepared.

The greater part of the report is taken up with an enumeration of the advantages that would accrue to the United States from the acquisition of Cuba, and an elaborate exposition of the ways in which the interests of Spain would be promoted by the sale. The only specific recommendation of the report was that a proposal should be made through the proper diplomatic channel to the Supreme Constituent Cortes about to assemble, to purchase Cuba from Spain, the maximum price to be \$120,000,000. The report then proceeds to discuss the question, what ought to be the course of the American government should Spain refuse to sell Cuba? The ministers declared:

After we shall have offered Spain a price for Cuba far beyond its present value, and this shall 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?

Should this question be answered in the affirmative, then, by every law, human and divine, we shall be justified in wresting it from Spain if we possess the power; and this upon the very same principle that would justify an individual in tearing down the burning house of his neighbor if there were no other means of preventing the flames from destroying his own home.

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The report also recommended that all proceedings in reference to the negotiations with Spain "ought to be open, frank, and public." This recommendation, together with the general character of the report, indicates that its authors were rather bent on making political capital of the affair at home than on seriously furthering negotiations at Madrid. As a matter of fact the Ostend Manifesto made Buchanan an acceptable presidential candidate to the southern wing of the Democratic party and played no small part in securing for him the nomination in 1856.³¹

The objectionable features of the report were politely but firmly repudiated by the administration in Marcy's reply to Soulé and Soulé promptly resigned his mission. This fact was generally overlooked at the time, while the unfortunate publicity given to the proceedings at Ostend brought endless censure upon President Pierce and Secretary Marcy.

In spite of the "jingo" policy attributed to the Pierce administration, the complications arising out of the seizure of the *Black Warrior* were not made a *casus belli*, as might easily have been done. After Mr. Soulé's return to the United States the negotiations were continued by his successor. The conduct of the officials concerned in the seizure was disavowed, and the indemnity claimed by the American citizens concerned was paid. The administration closed on terms of comparative friendship with Spain, although there were numbers of claims still unadjusted. The Cuban question figured conspicuously in the campaign of 1856. The platform of the Democratic party was

³¹ The correspondence relating to the *Black Warrior* case and to the Ostend conference is contained in H. Ex. Doc. No. 93, Thirty-third Cong., Second Sess.

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strongly in favor of acquisition, while the new Republican platform stigmatized the Ostend manifesto as the highwayman's plea.

Until the Buchanan administration all negotiations for the purchase of Cuba had been undertaken on the authority of the executive alone. An effort was now made to get the two houses of Congress to concur in an appropriation for this purpose. It was thought that united action on the part of the legislative and executive branches of the government would produce some impression on Spain. Accordingly, in his second, third and fourth annual messages, President Buchanan brought the matter to the attention of Congress, but his appeal met with little encouragement. In January, 1859, Senator Slidell, the chairman of the Senate Committee on Foreign Relations, reported a bill carrying \$30,000,000, to be placed at the disposal of the President as a preliminary sum for the purchase of Cuba.³²

This report created violent opposition, and in February the bill was withdrawn by Mr. Slidell at the urgent request of his friends.

The annexationist and filibustering schemes of the decade immediately preceding the War of Secession were prompted by two motives. The one was the extension of slave territory, or at least the thwarting of the schemes of emancipation for Cuba which Great Britain was urging upon the Spanish government. The other was to secure, by the occupation of this strong strategic position, undisputed control over the proposed interoceanic canal routes of Central America and communication by this means with the new states on the Pacific coast. These motives for annexation

³² Sen. Report No. 351, Thirty-fifth Cong., Second Sess., Vol. I.

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were removed, the one by the abolition of slavery in the United States, and the other by the construction of the great transcontinental railroads which established direct overland communication with the Pacific states. During the period following the civil war, therefore, our policy was mainly concerned in urging upon the Spanish government the abolition of slavery in Cuba, the establishment of a more liberal form of government through independence or autonomy, and the promotion of more untrammelled commercial intercourse with the United States.

The abolition of slavery in the southern states left the Spanish Antilles in the enjoyment of a monopoly of slave labor, which in the production of sugar, especially, gave them advantages which overcame all competition. This led to the formation of a strong Spanish party, for whom the cause of slavery and that of Spanish dominion were identical. These were known as Peninsulars or Spanish immigrants. They were the official class, the wealthy planters and slave-owners and the real rulers of Cuba. On the other hand there was a party composed of Creoles, or native Cubans, whose cry was "Cuba for the Cubans!" and who hoped to effect the complete separation of the island from Spain, either through their own efforts or through the assistance of the United States. Not infrequently in the same family, the father, born and brought up in the Peninsula, was an ardent loyalist, while the son, born in Cuba, was an insurgent at heart, if not actually enlisted in the ranks.

The Spanish revolution of September, 1868, was the signal for an uprising of the native or Creole party in the eastern part of the island. This movement was

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not at first ostensibly for independence, but for the revolution in Spain, the cries being "Hurrah for Prim!" "Hurrah for the Revolution!" Its real character was, however, apparent from the first and its supporters continued for a period of ten years, without regard to the numerous vicissitudes through which the Spanish government passed—the provisional government, the regency, the elective monarchy, the republic, and the restored Bourbon dynasty—to wage a dogged, though desultory warfare against the constituted authorities of the island. This struggle was almost coterminous with President Grant's administration of eight years.

At an early stage of the contest the Spanish authorities conceived it to be necessary to issue certain decrees which were contrary to public law and, in so far as they affected citizens of the United States, in violation of treaty obligations. On March 24, 1869, the captain-general issued a decree authorizing the capture on the high seas of vessels carrying men, arms, munitions, or effects in aid of the insurgents, and declaring that "all persons captured in such vessels without regard to their number will be immediately executed."⁸³ By another decree the estates of American citizens suspected of sympathy with the insurgents were confiscated.⁸⁴ Secretary Hamilton Fish protested against these decrees so far as they affected citizens of the United States, as they were in violation of the provisions of the treaty of 1795.

On July 7, 1869, the captain-general issued another decree closing certain ports, declaring voyages with

⁸³ Sen. Ex. Doc. No. 7, Forty-first Cong., Second Sess.

⁸⁴ *Ibid.*

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arms, ammunition, or crew for the insurgents illegal, and directing cruisers on the high seas to bring into port all vessels found to be enemies. On July 16 Mr. Fish called the attention of the Spanish minister to this decree, saying that it assumed powers over the commerce of the United States that could be permitted only in time of war; that the United States would not yield the right to carry contraband of war in time of peace, and would not permit their vessels to be interfered with on the high seas except in time of war; that if Spain was at war she should give notice to the United States to that effect, and that a continuance of the decree or any attempt to enforce it would be regarded as a recognition by Spain of a state of war in Cuba. This declaration produced a prompt modification of the decree so far as it concerned the search of vessels on the high seas.

As our commercial interests at large, as well as the interests of individual citizens, were deeply affected by the condition of the island, President Grant determined at the beginning of his administration to offer to mediate between Spain and the insurgents. General Daniel E. Sickles was appointed minister to Spain and his instructions, under date of June 29, 1869, directed him to offer to the cabinet at Madrid the good offices of the United States for the purpose of bringing to a close the civil war then ravaging the island and establishing the independence of Cuba. Mr. Fish instructed General Sickles to explain to the Spanish government that he used the term civil war advisedly, not as implying any public recognition of belligerent rights, but a condition of affairs that might not justify withholding much longer those rights from the insur-

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gents.⁸⁵ In reply Spain agreed to accept the good offices of the United States, but on conditions that were impracticable and unsatisfactory. At the same time the Spanish government allowed the purport of General Sickles's note tendering the good offices of the United States to get out, and it was accepted by the press as indicating the purpose of the United States to recognize the Cubans as belligerents if its offer of mediation were refused. No Spanish cabinet could possibly endure the odium of having made a concession to the Cubans under a threat from an outside power. The Spanish government therefore requested the withdrawal of the American note.

After the rejection of the offer of mediation President Grant decided to recognize the Cuban insurgents and in August, 1869, while on his way from New York to New England on the Fall River boat he signed a proclamation of Cuban belligerency which he forwarded to Washington with a note to Secretary Fish, requesting him to sign, seal, and issue it. Mr. Fish disapproved of this step, and while he affixed the seal and signed the document, he did not issue it, but kept it in a safe place to await further developments. Grant's attention was diverted by Wall Street speculations in gold and the crisis that followed on "Black Friday." He failed to notice at the time that the secretary of state did not carry out his instructions, and later he thanked Mr. Fish for having saved him from a serious mistake.⁸⁶

For some time the United States had been urging upon Spain the importance of abolishing slavery in

⁸⁵ House Ex. Doc. No. 160, Forty-first Cong., Second Sess.

⁸⁶ C. F. Adams, "The Treaty of Washington," in "Lee at Appomattox and Other Papers," p. 119.

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Cuba as a necessary condition to the complete pacification of the island. During the fall of 1869 Spain gave repeated assurances to the United States of her readiness to effect emancipation in Cuba as soon as hostilities should cease, but the Spanish government could never be brought to enter into any definite engagement on the subject. In fact as regarded the slavery question the cabinet of Madrid found itself unable to choose between the horns of the dilemma. The United States and Great Britain were urging the immediate abolition of slavery, while the most influential upholders of Spanish rule in Porto Rico as well as in Cuba were the slaveholders themselves. The insurgents on the other hand had abolished slavery by a decree of the assembly of February 26, 1869, promising indemnity to the owners in due time and providing for the enrolment of liberated slaves in the army.³⁷ On January 26, 1870, Mr. Fish wrote to General Sickles:

It becomes more apparent every day that this contest cannot terminate without the abolition of slavery. This government regards the government at Madrid as committed to that result. . . . You will, therefore, if it shall appear that the insurrection is regarded as suppressed, frankly state that this government, relying upon the assurances so often given, will expect steps to be taken for the emancipation of the slaves in the Spanish colonies.

The British representative at Madrid, Mr. Layard, was instructed to second the suggestions of the United States minister in regard to the abolition of slavery in the Spanish colonies.

³⁷ Sen. Ex. Doc. No. 113, Forty-first Cong., Second Sess.

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From the outbreak of the insurrection the Cuban patriots had the sympathy of the great mass of the American people, and that of the administration, although the latter was kept within the bounds of public law and treaty obligation, so as to avoid giving offense to Spain. The government did all that treaty obligations demanded of it to prevent the violation of the neutrality laws. Numbers of filibustering expeditions did, however, escape from American ports, and those that were arrested at the instance of the Spanish government through its representatives in this country usually escaped conviction in our courts for want of evidence.

In June, 1870, the question of granting belligerent rights to the Cubans was brought before Congress in the form of a joint resolution introduced into the House. Personally General Grant sympathized with the Cubans and was disposed to grant them the rights of belligerents, but his judgment was again overruled by the counsels of Mr. Fish. On June 13, during the heat of the debate on the question of belligerency, the President sent to Congress a message embodying the views of the executive. At Mr. Fish's instance the message took the ground that the facts did not justify the recognition of a state of war, although Mr. Fish himself had made use of the term civil war in his instructions to General Sickles. The Secretary had almost to force the President to sign this message, though General Grant was afterwards satisfied as to the wisdom of the measure.⁸⁸ The message said in part:

⁸⁸ Private journal of Mr. Fish, quoted by Prof. J. B. Moore in the *Forum*, May, 1896.

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The question of belligerency is one of fact not to be decided by sympathies with or prejudices against either party. The relations between the parent state and the insurgents must amount, in fact, to war in the sense of international law. Fighting, though fierce and protracted, does not alone constitute war; there must be military forces acting in accordance with the rules and customs of war—flags of truce, cartels, exchange of prisoners, etc.—and to justify belligerency there must be, above all, a *de facto* political organization of the insurgents sufficient in character and resources to constitute it, if left to itself, a state among nations capable of discharging the duties of a state, and of meeting the just responsibilities it may incur as such toward other powers in the discharge of its international duties.

This message provoked a long and animated discussion in the House next day and sharp criticism on the part of the Cuban sympathizers of the President's conduct in thus "intruding himself into the House for the purpose of controlling their deliberations." The debate continued until June 16, when the resolution passed the House by a vote of 80 to 68.³⁹ It was taken up by the Senate, discussed and amended, but finally lost.

The conclusion of an agreement on February 12, 1871, for the submission to a mixed commission of claims of American citizens arising in Cuba,⁴⁰ took away all our pressing grievances against Spain and for more than two years our diplomatic relations were on a comparatively friendly basis. Good feeling between the two countries was further promoted by the proclamation of the Spanish republic in 1873 and by

³⁹ Congressional Globe, Forty-first Cong., Second Sess., p. 4438.
⁴⁰ "Treaties and Conventions of the United States" (Malloy's Ed.), Vol. II, p. 1661.

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the prompt action of General Sickles in extending to it the recognition of the United States. After striving in vain for more than two years to reconcile and unite the contending factions of Spain, King Amadeus on February 11, 1873, abdicated the royal authority and returned to the nation the powers with which he had been intrusted. The Cortes at once proclaimed a republic. General Sickles had on January 30 telegraphed to Washington for instructions in case the republicans should succeed in their efforts. On the day after the abdication, he received directions to recognize the republican government when it was fully established and in possession of the power of the nation. Three days later, in the uniform of a major-general of the United States army he was given an audience by the president of the assembly and formally recognized the republic.

On March 6, Congress by joint resolution, in behalf of the American people, tendered its congratulations to the people of Spain. It seemed at last as if our relations with Spain were on a good footing. General Sickles urged upon the new republican government the abolition of slavery and the concession of self-government to Cuba.

But such cordial relations did not long continue. On October 31, 1873, the steamer *Virginus*, sailing under American colors and carrying a United States registry, was captured on the high seas by the *Tornado*, a Spanish war vessel, and on the afternoon of the first of November taken into the port of Santiago de Cuba. The men and supplies she bore were bound for the insurgents, but the capture did not occur in Cuban waters. General Burriel, the commandant of

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the city, summoned a court-martial, and in spite of the protests of the American consul, condemned to death at the first sitting four of the passengers, General W. A. C. Ryan, an Irish patriot and three Cubans. They were shot on the morning of November 4. On the 7th twelve other passengers were executed and on the 8th, Captain Fry and his entire crew, numbering thirty-six, making the total number of executions fifty-three. As soon as news of the capture reached Madrid, General Sickles called upon President Castelar and represented to him the difficulties that might arise in case the ship had been taken on the high seas bearing United States colors. Upon General Sickles's suggestion the President of the Spanish republic at once telegraphed to the captain-general to await orders before taking any steps in regard to the captured vessel and crew.

In accordance with instructions from Mr. Fish, General Sickles on November 14 protested by note against these executions as brutal and barbarous and stated that ample reparation would be demanded. The next day he received from the minister of state an ill-tempered reply, rejecting the protest as inadmissible when neither the cabinet at Washington nor that of Madrid had sufficient data upon which to ground a complaint. On the day this reply was received General Sickles, following out telegraphic instructions from Washington, made a formal demand by note for the restoration of the *Virginius*, the surrender of the survivors, a salute to the United States flag, and the punishment of the guilty officials. In case of a refusal of satisfactory reparation within twelve days, General Sickles was instructed by his government, at the expi-

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ration of that period, to close the legation and leave Madrid.

The formal reply to General Sickles's demand for reparation was received November 18. The Spanish government declared that it would make no reparation until satisfied that an offense had been committed against the flag of the United States, and that when so convinced through her own sources of information or by the showing of the United States, due reparation would be made.

The representations made at Washington by the Spanish minister were of a much more satisfactory character than those made to General Sickles at Madrid. Mr. Fish, therefore, instructed General Sickles to remain at his post until the 26th, and if no accommodation were reached by that time he could demand his passports. By the time this dispatch reached Madrid General Sickles had already asked for his passports, but had not received the reply of the Spanish government. On the 26th he received a note from the Spanish minister asking for a postponement to December 25 and promising that if by that time Spain could not show that she had the right on her side—i.e., that the *Virginus* was not entitled to sail under the United States flag—she would comply with the demands of the United States. General Sickles replied that he could not accept such a proposal, but that he would inform his government of it and take the responsibility of deferring his departure.

Meanwhile the Spanish minister at Washington had proposed arbitration, but Mr. Fish declined to submit to arbitration the question of an indignity to the United States flag. The minister then asked for a

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delay, but Mr. Fish told him that delay was impossible in view of the approaching meeting of Congress. Unless settled beforehand the question would have to be referred to Congress. This firm stand brought the Spanish minister to time and on November 27 a proposition was submitted and accepted by Mr. Fish, by the terms of which Spain stipulated to restore the vessel forthwith, to surrender the survivors of her passengers and crew, and on the 25th of December to salute the flag of the United States. If, however, before that date Spain should prove to the satisfaction of the United States that the *Virginus* was not entitled to carry the flag of the United States, the salute should be dispensed with, but in such case the United States would expect a disclaimer of intent of indignity to its flag.

The Spanish envoy submitted to the state department a large number of documents and depositions to show that the *Virginus* had no right to sail under the United States flag. These were referred to the attorney-general, and on December 17 he gave his opinion that the evidence was conclusive that the *Virginus*, although registered in New York on September 26, 1870, in the name of one Patterson, who made oath as required by law that he was the owner, was in fact the property of certain Cubans and was controlled by them. In conclusion the attorney-general said:

Spain, no doubt, has a right to capture a vessel, with an American register, and carrying the American flag, found in her own waters assisting, or endeavoring to assist, the insurrection in Cuba, but she has no right to capture such a vessel on the high seas upon an apprehension that, in violation of the neutrality or navigation laws of the United States, she

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was on her way to assist said rebellion. Spain may defend her territory and people from the hostile attacks of what is, or appears to be, an American vessel; but she has no jurisdiction whatever over the question as to whether or not such vessel is on the high seas in violation of any law of the United States. Spain cannot rightfully raise that question as to the *Virginus*, but the United States may, and, as I understand the protocol, they have agreed to do it, and, governed by that agreement and without admitting that Spain would otherwise have any interest in the question, I decide that the *Virginus*, at the time of her capture, was without right, and improperly carrying the American flag.⁴¹

This decision was communicated to the Spanish authorities and, according to the agreement, the salute to the United States flag was dispensed with, and on January 3, 1874, the Spanish minister, on behalf of his government, expressed a disclaimer of an intent of indignity to the flag of the United States. Spain later paid indemnities to Great Britain and the United States for the families of those who had been executed.

Meanwhile General Sickles offered his resignation by cable in consequence of certain reports that his conduct had been disapproved. Mr. Fish replied that such reports were unauthorized, that no dissatisfaction had been expressed or intimated and that it was deemed important that he remain at his post. Ten days later, General Sickles requested that the telegram tendering his resignation and the reply be published. Mr. Fish declined to do so, as the resignation was hypothetical. On December 20, General Sickles again tendered his resignation and it was accepted.

After the settlement of the *Virginus* affair the gov-

⁴¹ The correspondence relating to the case of the *Virginus* is in *Foreign Relations for the years 1874, 1875, and 1876.*

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ernment of the United States addressed itself once more to the task of forcing a settlement of the Cuban question in general. In his instructions to Mr. Cushing, who succeeded General Sickles, Secretary Fish expressed the policy of the administration at considerable length. After reviewing the main facts of the insurrection which had then lasted more than five years, with little or no change in the military situation, and after referring to the rejection by Spain of the offers of mediation made by the United States at an early day of the trouble, he said :

In these circumstances, the question what decision the United States shall take is a serious and difficult one, not to be determined without careful consideration of its complex elements of domestic and foreign policy, but the determination of which may at any moment be forced upon us by occurrences either in Spain or in Cuba.

Withal the President cannot but regard independence, and emancipation, of course, as the only certain, and even the necessary, solution of the question of Cuba. And, in his mind, all incidental questions are quite subordinate to those, the larger objects of the United States in this respect.

It requires to be borne in mind that, in so far as we may contribute to the solution of these questions, this government is not actuated by any selfish or interested motive. The President does not meditate or desire the annexation of Cuba to the United States, but its elevation into an independent republic of freemen, in harmony with ourselves and with the other republics of America.⁴²

For some months Mr. Cushing was occupied with the settlement of the indemnities in the *Virginius* case. After nearly two years had elapsed since the instructions above quoted, the Grant administration deter-

⁴² *Foreign Relations*, 1874-75, p. 859.

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mined, in view of the unchanged condition of the Cuban struggle, to bring matters to an issue and to force, if need be, the hand of the Spanish government. On November 5, 1875, Mr. Fish addressed a long letter of instruction to Mr. Cushing. After reviewing the course of the insurrection, the interests of the United States affected thereby, the numerous claims arising therefrom, many of them still unsettled, the persistent refusal of Spain to redress these grievances and the general neglect on her part of treaty obligations, he concluded :

In the absence of any prospect of a termination of the war, or of any change in the manner in which it has been conducted on either side, he (the President) feels that the time is at hand when it may be the duty of other governments to intervene, solely with a view to bringing to an end a disastrous and destructive conflict, and of restoring peace in the island of Cuba. No government is more deeply interested in the order and peaceful administration of this island than is that of the United States, and none has suffered as the United States from the condition which has obtained there during the past six or seven years. He will, therefore, feel it his duty at an early day to submit the subject in this light, and accompanied by an expression of the views above presented, for the consideration of Congress.

Mr. Cushing was instructed to read this note to the Spanish minister of state. At the same time a copy was sent to General Robert C. Schenck, United States minister at London, with instructions to read the same to Lord Derby, and to suggest to him that it would be agreeable to the United States if the British government would support by its influence the position assumed by the Grant administration. In the course

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of a few days copies of this note were sent to our representatives at Paris, Berlin, Vienna, Rome, Lisbon, and St. Petersburg, with instructions to communicate its purport orally, or by reading the note, to the governments to which they were accredited and to ask their intervention with Spain in the interests of terminating the state of affairs existing in Cuba.

As the result of Mr. Cushing's friendly representations and in view of the President's message discountenancing recognition of either independence or belligerency, the Spanish minister, Mr. Calderon, received the communication of November 5 threatening intervention, in good part, and expressed his intention of answering it after he should have had time to consider it carefully.

The reply of Great Britain was given to General Schenck in an interview with Lord Derby on January 25, 1876. It was in substance that he was convinced that Spain would not listen to mediation, and that the British government was not prepared to bring pressure to bear upon her in case she refused; that the Spanish government hoped to finish the Carlist war in the spring and would then be in a position to put forth its whole military strength for the reduction of Cuba; in conclusion, therefore, Lord Derby thought "that if nothing were contemplated beyond an amicable interposition, having peace for its object, the time was ill-chosen and the move premature." The answers of the other powers were unsatisfactory or evasive, none of them being willing to bring pressure to bear upon the government of young Alfonso, while the Carlist war was on his hands.

The answer of Spain was finally given in the form

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of a note dated February 3, 1876, addressed to the representatives of Spain in other countries, including the United States, communicated to Mr. Cushing February 19. This answer, written by Mr. Calderon was in good temper. He stated that the insurrection was supported and carried on largely by negroes, mulattoes, Chinese, deserters, and adventurers; that they carried on a guerrilla warfare from their mountain retreats, that Spain had sufficient forces in the island to defeat them in the field; that the triumph of Spain would soon be followed by the total abolition of slavery and the introduction of administrative reforms. The number of vessels of war and troops in Cuba was enumerated to show that Spain was putting forth a reasonable effort to bring the rebellion to a close, and statistics were quoted to show that the trade between Cuba and the United States, as well as the general trade of the island, had actually increased largely since the outbreak of the insurrection. Finally he declared that while individual foreigners had suffered, Spain had done justice to all claims presented.

In conversation with Mr. Cushing, Mr. Calderon intimated that Spain, although she would resist to the uttermost armed intervention, might be willing under certain circumstances to accept the mediation of the United States in Cuba, and he invited a frank statement of what the United States would advise or wish Spain to do with regard to Cuba. In reply to this suggestion, Mr. Fish, after disclaiming on the part of the United States all intention of annexing Cuba, stated the following points as the wish of his government:

- (1) The mutual and reciprocal observance of treaty

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obligations, and a full, friendly, and liberal understanding and interpretation of all doubtful treaty provisions, wherever doubt or question might exist.

(2) Peace, order, and good government in Cuba, which involved prompt and effective measures to restore peace, and the establishment of a government suited to the spirit and necessities of the age.

(3) Gradual but effectual emancipation of slaves.

(4) Improvement of commercial facilities and the removal of the obstructions then existing in the way of trade and commerce.

In reply to these suggestions Mr. Calderon handed Mr. Cushing a note, dated April 16, 1876, in which he represented that his majesty's government was in full accord with Mr. Fish's suggestions.

This assurance on the part of the Spanish government completely thwarted Mr. Fish's plans, and, together with Lord Derby's reply, put all further attempts at intervention out of the question.

The substance of Mr. Fish's note threatening intervention appeared unofficially in the press of Europe and America in December, 1875, and attracted such general attention that in January the House asked for the correspondence. In reply Mr. Fish submitted to the President for transmission the note of November 5, together with a few carefully chosen extracts from the correspondence between himself and Mr. Cushing,⁴³ but nothing was given that might indicate that the United States had appealed to the powers of Europe to countenance intervention. As rumors to this effect had, however, appeared in the press, the House called the next day for whatever correspon-

⁴³ House Ex. Doc. No. 90, Forty-fourth Cong., First Sess.

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dence had taken place with foreign powers in regard to Cuba. Mr. Fish replied that "no correspondence has taken place during the past year with any European government, other than Spain, in regard to the island of Cuba," but that the note of November 5 had been orally communicated to several European governments by reading the same.⁴⁴ This was putting a very strict and a very unusual construction upon the term "correspondence," to say the least. The dispatches, notes, and telegrams that pass between a government and its representatives abroad are the generally recognized means of communicating with foreign powers, and are always spoken of as the correspondence with those powers. The whole affair reveals a curious lack of candor and of courage on the part of Mr. Fish. He was trying to shield either the administration or himself, and did not wish the American public to know that he had reversed the time-honored policy of the state department by appealing to the powers of Europe to intervene in what had been uniformly treated, from the days of John Quincy Adams and Henry Clay, as a purely American question.

This correspondence was suppressed for twenty years. On March 24, 1896, the Senate called for "copies of all dispatches, notes, and telegrams in the department of state, from and after the note from Secretary Fish to Mr. Cushing of November 5, 1875, and including that note, until the pacification of Cuba in 1878, which relate to mediation or intervention by the United States in the affairs of that island, together with all correspondence with foreign governments relating to the same topic." On April 15 President

⁴⁴ House Ex. Doc. No. 100, Forty-fourth Cong., First Sess.

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Cleveland transmitted the "correspondence" called for, which forms a document of 137 pages.⁴⁵

The Cuban struggle continued for two years longer. In October, 1877, several leaders surrendered to the Spanish authorities and undertook the task of bringing over the few remaining ones. Some of these paid for their efforts with their lives, being taken and condemned by court-martial by order of the commander of the Cuban forces. Finally, in February, 1878, the terms of pacification were made known. They embraced representation in the Spanish Cortes, oblivion of the past in respect of political offenses committed since the year 1868, and the freedom of slaves in the insurgent ranks.⁴⁶ In practice, however, the Cuban deputies were never truly representative, but were men of Spanish birth designated usually by the captain-general. By gradual emancipation slavery ceased to exist in the island in 1885. The powers of the captain-general, the most objectionable feature of Spanish rule, continued uncurtailed.

In February, 1895, the final insurrection against Spanish rule in Cuba began, and soon developed the same features as the "Ten Years' War." The policy of Maximo Gomez, the insurrectionary chief, was to fight no pitched battles but to keep up incessant skirmishes, to destroy sugar plantations and every other source of revenue with the end in view of either exhausting Spain or forcing the intervention of the United States. With the opening of the second year of the struggle, General Weyler arrived in Havana as governor and captain-general, and immediately in-

⁴⁵ Sen. Ex. Doc. No. 213, Fifty-fourth Cong., First Sess.

⁴⁶ Sen. Ex. Doc. No. 79, Forty-fifth Cong., Second Sess.

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augurated his famous "Reconcentration" policy. The inhabitants of the island were directed by proclamation to assemble within a week in the towns occupied by Spanish troops under penalty, if they refused, of being treated as rebels. The majority of those who obeyed the proclamation were women and children who, as a result of being cooped up in crowded villages under miserable sanitary conditions and without adequate food, died by the thousands.⁴⁷ In the province of Havana alone 52,000 perished.

Public opinion in the United States was thoroughly aroused by the execution of policies which not only excited sympathy for the unfortunate inhabitants of Cuba, but which paralyzed the industries of the island and destroyed its commerce. American citizens owned at least fifty millions of property in the island, and American commerce at the beginning of the insurrection amounted to one hundred millions annually. Furthermore, numbers of persons claiming American citizenship were thrown into prison by Weyler's orders. Some of them were native Americans, but the majority were Cubans who had sought naturalization in the United States in order to return to Cuba and claim American protection.

Other Cubans, including many who were still Spanish subjects, established themselves in American ports and furnished the insurgents with arms and supplies. On June 12, 1895, President Cleveland issued a proclamation calling attention to the Cuban insurrection and warning all persons within the jurisdiction of the United States against doing any of the acts prohibited by the American neutrality laws. Notwithstanding

⁴⁷ Sen. Doc. No. 25, p. 125, Fifty-eighth Cong., Second Sess.

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all the efforts of the administration, illegal expeditions were continually being fitted out in the United States, and while the great majority of them were stopped by port officials or intercepted by the navy, some of them succeeded in reaching the coasts of Cuba. President Cleveland's proclamation recognized insurgency as a status distinct from belligerency. It merely put into effect the neutrality laws of the United States. It did not recognize a state of belligerency and therefore did not bring into operation any of the rules of neutrality under international law. President Cleveland consistently refused to recognize the Cubans as belligerents. In February, 1896, Congress passed a joint resolution, by a vote of 64 to 6 in the Senate and 246 to 27 in the House, recognizing a state of war in Cuba, and offering Spain the good offices of the United States for the establishment of Cuban independence. Notwithstanding the overwhelming majority which this resolution had received, the President ignored it, for it is a well recognized principle that Congress has no right to force the hand of the President in a matter of this kind. It amounted merely to an expression of opinion by Congress.

In April, 1896, Secretary Olney addressed a note to the Spanish minister in which the United States offered to mediate between Spain and the insurgents for the restoration of peace on the basis of autonomy. Spain rejected this offer, claiming that Cuba already enjoyed "one of the most liberal political systems in the world," and suggesting that the United States could contribute greatly to the pacification of the island by prosecuting "the unlawful expeditions of some of its citizens to Cuba with more vigor than in the

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past."⁴⁸ In his last annual message to Congress, President Cleveland reviewed the Cuban situation at length and, in conclusion, declared:

When the inability of Spain to deal successfully with the insurgents has become manifest and it is demonstrated that her sovereignty is extinct in Cuba for all purposes of its rightful existence, and when a hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject-matter of the conflict, a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations, which we can hardly hesitate to recognize and discharge.

The McKinley administration, which began March 4, 1897, soon directed its attention to the Cuban question. It was unfortunate that with this question rapidly approaching a crisis the State Department was in feeble hands. John Sherman, the veteran senator from Ohio, was appointed secretary of state by McKinley in order to make a place in the Senate for Mark Hanna, who had so successfully conducted McKinley's campaign. General Woodford was sent to Madrid to succeed Hannis Taylor, and he was instructed to tender again the good offices of the United States, to remind Spain of the resolution passed by the previous Congress, and to warn her that another Congress was soon to assemble.⁴⁹ Six days after the receipt of General Woodford's note the Spanish ministry resigned, and on October 14 the liberal ministry of Sagasta assumed office. Its first act was to recall

⁴⁸ Spanish Dipl. Corresp. and Docs. (translation, Washington, 1905), pp. 7, 8.

⁴⁹ Foreign Relations, 1898, p. 568.

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General Weyler, and to appoint General Blanco to succeed him as governor and captain-general of Cuba. The new ministry promised to grant autonomy to Cuba, and President McKinley in his message of December 6, 1897, declared his intention of allowing time for the new policy to be tested.

It was soon evident that the grant of autonomy had come too late. The Cubans would no longer be satisfied with anything short of independence. On January 13, 1898, there was serious rioting in Havana, deliberately planned as a demonstration against the autonomy scheme, and Consul-General Fitzhugh Lee cabled his government that it was evident that autonomy would prove a failure, that he doubted whether Blanco could control the situation, and that it might be necessary to send warships for the protection of Americans in Havana. The suggestion as to warships met with a prompter response than General Lee had expected. The United States battleship *Maine* was immediately dispatched to Havana, where she arrived January 25 and was assigned an anchorage by the port officials.⁶⁰ While she was lying quietly at anchor in Havana harbor, attention was suddenly diverted from Cuba to Washington by the Dupuy de Lôme incident. On February 9, 1898, the *New York Journal* published in facsimile a letter from the Spanish minister at Washington to a friend in Cuba which severely criticized President McKinley's policy and referred to him as "a would-be politician who tries to leave a door open behind him while keeping on good terms with the jingoes of his party." The letter was genuine, though surreptitiously acquired, and was of such a character

⁶⁰ *Foreign Relations, 1898*, p. 1025.

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that it could not be overlooked. When called on for an explanation, Señor de Lôme admitted having written the letter but questioned the accuracy of the translation. He claimed that the language which he had used was permissible under the seal of private correspondence. When General Woodford, acting under instructions from Washington, informed the Spanish minister of foreign affairs that the President expected the immediate recall of Señor de Lôme, he was informed that the latter's resignation had already been accepted by cable.⁵¹

Before the excitement over this incident had subsided, the battleship *Maine* was suddenly blown up in Havana harbor on the night of February 15, and two of her officers and two hundred and fifty-eight of her crew were killed. After a careful examination of witnesses and of the wreck, an American naval court of inquiry reported that the destruction of the ship was due to a submarine mine.⁵² A Spanish board of inquiry, after examining a number of witnesses who had seen or heard the explosion, made a brief report the following day to the effect that the ship had been destroyed by an explosion in the forward magazine. It is generally admitted that the American report was correct, but the responsibility for the mine has never been disclosed.

As soon as the report of the court of inquiry was made public, the American people, who had displayed great self-control, threw aside all restraint and the country witnessed an outburst of patriotic fervor such as had not been seen since 1861. "Remember the

⁵¹ Foreign Relations, 1898, pp. 1007-1020.

⁵² Sen. Doc. No. 207, Fifty-fifth Cong., Second Sess.

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Maine” became a watchword, and the demand for war was overwhelming. President McKinley decided, however, to make one more effort at a diplomatic settlement. He proposed an armistice between Spain and the insurgents pending negotiations for a permanent adjustment through the friendly offices of the President of the United States. In reply the Spanish government made counter-propositions to the effect that the questions arising out of the destruction of the *Maine* be submitted to arbitration and that the pacification of the island be left to a Cuban parliament. Meanwhile, the governor-general would be authorized to accept a suspension of hostilities, provided the insurgents should ask for it and agree to disarm. This was simply an invitation to the insurgents to submit, in which case Spain would consider what degree of autonomy was needed or practicable. The President considered the Spanish reply as a rejection of his proposal and determined to submit the entire question to Congress.⁵³ This meant war, for public feeling in America was at the highest pitch of excitement, the “yellow” press was clamoring for war, and it was with the greatest difficulty that the President, who really wanted peace, had held Congress in check. The message to Congress was held back a few days in consequence of a telegram from General Lee, who urged that he be given time to get Americans safely out of Havana. During this period of delay the representatives of Germany, Austria-Hungary, France, Great Britain, Italy, and Russia made a formal appeal to the President for peace, and the Pope persuaded the Queen of Spain to authorize General Blanco to sus-

⁵³ Foreign Relations, 1898, p. 731.

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pend hostilities. This concession did not meet fully the American ultimatum and seemed too much like another play for time. The Spanish minister was, therefore, simply informed that the President would notify Congress of this latest communication. President McKinley was later severely criticized for not giving greater consideration to this note and for merely alluding to it in his message instead of transmitting it in full. Had he given it greater consideration, war might have been delayed a few months, but it would not have been averted, for Spain was not willing to make concessions that the Cubans at this late date would have regarded as satisfactory.

In his message to Congress of April 11, 1898, President McKinley referred to the *Maine* only incidentally as "a patent and impressive proof of a state of things in Cuba that is intolerable." He suggested forcible intervention as the only solution of the question and declared that it was justified, not only on grounds of humanity, but as a measure for the protection of the lives and property of American citizens in Cuba, and for the purpose of putting a stop to a conflict which was a constant menace to our peace.⁵⁴ Two days later the House passed a resolution by vote of 324 to 19, directing the President to intervene at once to stop the war in Cuba with the purpose of "establishing by the free action of the people thereof a stable and independent government of their own in the island." On the same day the Senate Committee on Foreign Relations reported a resolution demanding the immediate withdrawal of Spain from the Island of Cuba, but the minority report urging in addition the immediate rec-

⁵⁴ Richardson, "Messages and Papers of the Presidents," Vol. X, p. 147.

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ognition of the Cuban republic as then organized was at first embodied in the Senate resolution by a vote of 67 to 21. It was feared by members of the Senate that if we liberated Cuba without first recognizing the so-called republic of Cuba, the island would inevitably be annexed by the United States. After two days of hot debate, the Senate reconsidered, and the House resolution prevailed. On April 19, the anniversary of the battle of Lexington and of the first bloodshed of the Civil War in the streets of Baltimore, the fateful resolutions were adopted in the following terms:

Resolved by the Senate and House of Representatives of the United States in Congress assembled,

First, That the people of the island of Cuba are, and of right ought to be, free and independent.

Second, That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba, and withdraw its land and naval forces from Cuban waters.

Third, That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States to such extent as may be necessary to carry these resolutions into effect.

Fourth, That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.⁵⁸

As soon as these resolutions were approved by the President, the Spanish minister asked for his pass-

⁵⁸ "U. S. Statutes at Large," Vol. XXX, p. 738.

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ports, thus severing diplomatic relations, and Woodford was directed to leave Madrid. The North Atlantic Squadron, then at Key West under command of Rear-Admiral William T. Sampson, was immediately ordered to blockade the northern coast of Cuba, and Commodore George Dewey was ordered from Hong Kong to Manila Bay for the purpose of capturing or destroying the Spanish fleet. During the war that followed, foreign public opinion, outside of England, was decidedly hostile to the United States, but in the face of the victories of Santiago and Manila Bay this sentiment underwent a marked change, and Spain abandoned whatever hopes she had cherished of European intervention. By the end of July, 1898, the American as well as the European press was beginning to ask why the war should not be brought to a close.

After the surrender of Santiago General Miles embarked for Porto Rico with a force of 16,000 men, and in a two-weeks' campaign overran most of that island with the loss of three killed and forty wounded. A large number of troops had also been sent to the Philippines. It was evident, therefore, that while the war had been undertaken for the liberation of Cuba, the United States did not feel under any obligation to confine its military operations to that island. Having met all the demands of honor, Spain asked the French government to authorize the French ambassador at Washington to arrange with the President of the United States the preliminary terms of peace. The negotiations begun on July 26 resulted in the protocol of August 12, in which Spain agreed to the following demands: first, the immediate evacuation of Cuba and the relinquishment of Spanish sovereignty; second,

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the cession of Porto Rico and one of the Ladrões by way of indemnity; and third, the occupation by the United States of "the city, bay and harbor of Manila pending the conclusion of a treaty of peace which shall determine the control, disposition, and government of the Philippines." ⁵⁶

By the terms of the protocol Paris was selected as the place of meeting for the peace commissioners, and here negotiations were opened on October 1. The United States delegation was composed of William R. Day, who resigned the office of Secretary of State to head the mission; Cushman K. Davis, Chairman of the Senate Committee on Foreign Relations; William P. Frye, President *pro tem* of the Senate; Senator George Gray of Delaware; and Whitelaw Reid, editor of the *New York Tribune*; with John Bassett Moore, Assistant Secretary of State, as Secretary. An entire month was taken up with the Cuban question, the Spanish commissioners striving in vain to saddle the Cuban debt either on the United States or on the people of Cuba. The Philippine question occupied most of the next month. When the commissioners were appointed, President McKinley had not fully made up his mind on this important question. His first intention seems to have been to retain the bay and city of Manila as a naval base and a part or possibly the whole of Luzon. Public sentiment in the United States in favor of acquiring the whole group made rapid headway, and after an extended trip through the South and West, during which he sounded opinion on this question, the President instructed the

⁵⁶ Spanish Dipl. Corresp. and Docs., p. 206; *Foreign Relations*, 1898, p. 819.

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commissioners to demand the entire group. The commissioners were later authorized to offer \$20,000,000 for the cession. This offer, which was recognized by the Spanish commissioners as an ultimatum, was finally accepted under protest. On other points the United States secured what had been demanded in the protocol, and the treaty was signed December 10, 1898.⁵⁷

The treaty was submitted to the Senate January 4, 1899, and precipitated a memorable debate which lasted until February 6. The principal opposition came from Senator Hoar of Massachusetts, who declared that the proposal to acquire and govern the Philippine Islands was in violation of the Declaration of Independence, the Constitution, and the whole spirit of American institutions. The treaty could not be ratified without the aid of Democrats, and the result was in doubt when Bryan went to Washington and advised his friends in the Senate to vote for ratification, saying that the status of the Philippines could be determined in the next presidential campaign. The outbreak of hostilities between the Filipinos and the American troops occupying Manila put an end to the debate, and on February 6 the treaty was ratified.

When the United States demanded the withdrawal of Spain from Cuba, it was with the declaration that "The United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people." Never has a pledge made by

⁵⁷ Senate Doc. No. 62, Fifty-Fifth Cong., Third Sess.

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a nation under such circumstances been more faithfully carried out. The administration of Cuba during the period of American military occupation was a model of its kind. General Leonard Wood, the military governor, and his associates found the cities and towns crowded with refugees and reconcentrados, and governmental affairs in a state of the utmost confusion. They established order, relieved distress, organized hospitals and charitable institutions, undertook extensive public works, reorganized the system of public schools, and put Havana, Santiago, and other cities in a sanitary condition. In a hospital near Havana Major Walter Reed, a surgeon in the United States army, demonstrated the fact that yellow fever is transmitted by the bite of a mosquito. This discovery was at once put to the test in Havana, and the city was rendered free from yellow fever for the first time in one hundred and forty years.⁶⁸

In the organization of a government for the island, the first step was to take a census of the inhabitants, determine the proper basis of suffrage, and hold municipal elections for the purpose of organizing local government. This work having been successfully accomplished, a constitutional convention, summoned by General Wood, convened in the city of Havana, November 5, 1900. By February 21, 1901, the convention had agreed upon a constitution modelled in general after that of the United States. The new constitution provided for the recognition of the public debts contracted by the insurgent government, but was silent on the subject of future relations with the United States. This subject had been brought to the

⁶⁸ Report of the Military Governor of Cuba, 8 vols., 1901.

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attention of the convention early in February by General Wood, who had submitted for incorporation in the constitution certain provisions which had been drafted in Washington. The convention objected to these proposals on the ground that they impaired the independence and sovereignty of the island, and that it was their duty to make Cuba "independent of every other nation, the great and noble American nation included."

The United States, however, had no intention of withdrawing from the island until this matter was satisfactorily adjusted. A provision, known as the Platt Amendment, was therefore inserted in the army appropriation bill of March 2, 1901, directing the President to leave the control of the island to its people so soon as a government should be established under a constitution which defined the future relations with the United States substantially as follows:

I. That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

II. That said government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking fund provision for the ultimate discharge of which, the ordinary revenues of the island, after defraying the current expenses of government shall be inadequate.

III. That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property,

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and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

IV. That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

V. That the government of Cuba will execute, and as far as necessary extend, the plans already devised or other plans to be mutually agreed upon, for the sanitation of the cities of the island. . . .

VI. That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

VII. That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

VIII. That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.⁶⁹

These articles, with the exception of the fifth, which was proposed by General Leonard Wood, were carefully drafted by Elihu Root, at that time Secretary of War, discussed at length by President McKinley's cabinet, and entrusted to Senator Platt of Connecticut, who offered them as an amendment to the army appropriation bill. In order to allay doubts expressed by members of the convention in regard to the third article, General Wood was authorized by Secretary Root to state officially that the intervention described in this article did not mean intermeddling in the af-

⁶⁹ U. S. Statutes at Large, Vol. XXXI, p. 897.

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fairs of the Cuban government, but formal action on the part of the United States, based upon just and substantial grounds. With this assurance the convention adopted the Platt amendment June 12, 1901, and added it as an appendix to the constitution.

On May 20, 1902, Tomas Estrada Palma was inaugurated as first president of the Republic of Cuba, and General Wood handed over to him the government of the island.⁶⁰ The Americans left a substantial balance in the Cuban treasury. The total receipts for the entire period were \$57,197,140.80, and the expenditures \$55,405,031.28. The customs service, which furnished the principal part of the revenues during the period of military occupation, was ably administered by General Tasker H. Bliss.⁶¹

While the Platt amendment determined the political relations that were to exist between Cuba and the United States, there had been no agreement on the subject of commercial relations. The sugar industry, which had been almost destroyed by the insurrection, was dependent upon the willingness of the United States to arrange for a reduction of its tariff in favor of the Cuban product. Otherwise Cuban sugar could not compete with the bounty-fed beet sugar of Europe or with the sugars of Porto Rico and Hawaii, which were now admitted to the American market free of duty. President Roosevelt had hoped to settle this question before the withdrawal of American troops, and he had urged upon Congress the expediency of providing for a substantial reduction in tariff duties on

⁶⁰ Documentary History of the Inauguration of the Cuban Government, in Annual Report of the Secretary of War, 1902, Appendix A.

⁶¹ Documentary History of the Inauguration of the Cuban Government, in Annual Report of the Secretary of War, 1902, Appendix B.

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Cuban imports into the United States, but a powerful opposition, composed of the beet-sugar growers of the North and West and of the cane-sugar planters of Louisiana, succeeded in thwarting for two years the efforts of the administration to do justice to Cuba. All attempts to get a bill through Congress failed.⁶²

In the meantime a reciprocity convention was agreed upon in the ordinary diplomatic way December 11, 1902, under which Cuban products were to be admitted to the United States at a reduction of twenty per cent. As the Senate failed to act on this treaty before the 4th of March, 1903, President Roosevelt convened an extra session of the Senate which ratified the treaty with amendments, and with the very unusual provision that it should not go into effect until approved by Congress. As the House was not then in session, this meant that the treaty had to go over until the fall. The Cuban situation grew so bad that the President finally convened Congress in extra session November 9, 1903. In a special message he urged prompt action on the treaty on the ground that the Platt amendment had brought the island of Cuba within our system of international policy, and that it necessarily followed that it must also to a certain degree come within the lines of our economic policy. The House passed the bill approving the treaty November 19 by the overwhelming vote of 335 to 21, but the Senate, although it had already ratified the treaty, permitted the extra session to expire without passing the measure which was to give the treaty effect. When the new session began December 7, the Cuban treaty bill was made the special order in the

⁶² Senate Docs. Nos. 405 and 679, Fifty-Seventh Cong., First Sess.

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Senate until December 16, when the final vote was taken and it passed. Under the reciprocity treaty commercial relations with Cuba were established on a firm basis and the volume of trade increased rapidly.

In August, 1906, President Palma was reëlected for another term, but the Cubans had not learned the primary lesson of democracy, submission to the will of the majority, and his opponents at once began an insurrectionary movement which had for its object the overthrow of his government. About the middle of September President Roosevelt sent Secretary Taft to Havana for the purpose of reconciling the contending factions, but Mr. Taft's efforts proved unavailing and President Palma resigned. When the Cuban Congress assembled, it was found impossible to command a quorum. Under these circumstances Secretary Taft assumed control of affairs on September 29 and proclaimed a provisional government for the restoration of order and the protection of life and property. A body of United States troops under command of General Franklin Bell was sent to Cuba to preserve order and to uphold the provisional government. On October 3, 1906, Secretary Taft was relieved of the duties of provisional governor in order that he might resume his duties in Washington, and Charles E. Magoon was appointed to take his place at Havana.⁶³ In his message to Congress December 3, 1906, President Roosevelt declared that while the United States had no desire to annex Cuba, it was "absolutely out of the question that the island should continue independent" if the "insurrectionary habit"

⁶³ Secretary Taft's report on the Cuban situation was sent to Congress December 17, 1906.

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should become "confirmed." The second period of American occupation lasted a little over two years, when the control of the government was again restored to the people of the island and the American troops were withdrawn.