

THE ODYSSEY OF SOME MEXICAN RECORDS

Dr. Herbert E. Bolton in 1913 in his *Guide to Materials for United States History in the Archives of Mexico*¹ refers to correspondence in the Mexican Foreign Office relating to the efforts of the Mexican legation in Washington to recover certain documents which were said to have been removed from Mexico by General Winfield Scott in 1847. He mentions two original letters of Luis de la Rosa, Nos. 19 and 58, which were apparently written to the ministry in 1850, and adds a quotation that the correspondence was undertaken with a view to "recover the various expedientes and papers extracted from the Archives of Mexico by General Scott, and which passed (*passan*) to the Secretariat of State of the United States."² These letters were in the Section Asuntos Varios, Caja 1846-1851 of the Second Series of the Archive of the Secretariat of Foreign Relations. Other papers on the subject dated in 1850 and in 1871-74 were noted in the Section Asuntos Políticos, Caja 1868-1877 of the First Series.³ Bolton gives no indication as to what these documents were nor any statement as to their history.

Some years later Father Mariano Cuevas in his *Historia de la Iglesia en México*⁴ refers to the documents reported to have been removed from Mexico by General Scott. He mentions the matter in connection with a discussion of the manuscripts of the Mexican historian Carlos de Sigüenza y Góngora. When Sigüenza died, he is said to have willed his books and twenty-eight volumes of manuscripts to the Jesuit College of San Pedro and San Pablo. Regarding these manuscripts Cuevas declares:

Since he [Sigüenza] left his best manuscripts bound in twenty-eight volumes to the College of San Pedro and San Pablo of the Company of Jesus, there they remained until the expulsion [of the

¹ Washington, The Carnegie Institution of Washington, 1913.

² P. 261.

³ P. 252.

⁴ Tlaxpam, 1921.

Jesuit Order]. At this time they were transferred to the University but always formed a separate group. This collection of valuable manuscripts was transferred to Washington by General Scott in 1847 and became a part of the Archive of the Department of State, where they were seen by our minister to that country, Don Luis de la Rosa, according to his statement in a confidential letter (Archivo General de la Nación—Asuntos diversos, Caja No. 6, 1846-1851; Carta No. 19). Our government presented claims [for the papers]. The American government promised to return the collection, protesting against the action of Scott; but in effect . . . nothing has been returned.⁵

Dr. Irving Leonard in his volume *Don Carlos de Sigüenza y Góngora*⁶ discusses the twenty-eight volumes of manuscripts and cites the above quotation from Cuevas.⁷ He states: "The Italian investigator, Clavigero, claimed to have consulted some of these [the manuscripts of Sigüenza] in 1759; at that time the total of twenty-eight volumes had fallen to eight or less." In an endeavor to clarify the matter Leonard had an investigation made in Washington, which failed to "locate the material which Cuevas alleges is there." He also adds that the letter cited by Cuevas could not be located at that time in Mexico City. He concludes: "When the Jesuits were expelled in 1767, these books were, presumably, transferred to the University and, it appears, subsequently vanished altogether."

Finally, Frances Parkinson Keyes, in her *The Grace of Guadalupe*,⁸ has the following paragraph referring to these same documents:

After the death of Valeriano, according to Pompa y Pompa,⁹ his manuscript passed first into the hands of Don Fernando de Alva Ixtilxochitl and then into the hands of Don Carlos de Sigüenza y Góngora. . . . On his death Sigüenza willed the Valeriano manuscript to the College of Saint Peter and Saint Paul, whence it was later transferred to the University of Mexico, along with other papers belonging to him. In 1847, during the war between Mexico and the United States, all Sigüenza's papers were taken from the archives of this institution and carried off by the conquerors. Mystery en-

⁵ Vol. I, p. 279.

⁶ Berkeley, 1929.

⁷ Pp. 94-95.

⁸ New York, Messner, Inc., 1941, pp. 177-178.

⁹ Antonio Pompa y Pompa, Archivist of the Basílica of Nuestra Señora de Guadalupe.

shrouds the final fate of Valeriano's document, which has not been seen since, though it has been variously reported as buried in the State Department, the War Department, the National Archives, and several public and private libraries. Its rediscovery would be an event of utmost importance. . . .

The foregoing statements represent the information which was available regarding the removal of manuscripts by General Scott nine decades after the event occurred and in some of them there is repeated the claim that the papers were retained by the Government of the United States and never returned to Mexico. Cuevas attempts to specify the content of the collection removed from Mexico and Mrs. Keyes presents essentially the same idea.

Recently documents relating to the subject have come to light in the National Archives and it is now possible to tell what documents were transferred to Washington in 1847 and what became of them.

Something of a mystery still surrounds the statements of Bolton and Cuevas that the Mexican legation presented the matter to the Department of State in 1850 and 1871, since a careful examination of the records of the Department for those years does not reveal any mention of the subject of manuscripts removed by General Scott. This is especially puzzling, if the Mexican record that the matter was taken up in those years with the Department of State is correct, when it is observed that a full account regarding certain maps borrowed and used during the Mexican War by General Cadwallader is to be found. The complaint of the owner of these maps, Sr. Moral, was presented to the Department by Sr. de la Rosa. Among the papers of the Department are found the correspondence of the Department with the Mexican Legation and the War Department as well as copies of the correspondence of the Secretary of War with the officials of the Army. This incident was closed in 1851 when the fact of the return of the maps was established by an exhibition of the receipt for them.¹⁰

The clarification of the subject regarding the papers

¹⁰ See letter of Daniel Webster to Luis de la Rosa, February 3, 1851, National Archives, State, Notes to Foreign Missions, Mexico.

brought to Washington by General Scott was begun by the locating of certain records in the files of the Department of Justice, which led to a search, in the files of the Department of State, for additional documents under other dates than those indicated above. The story told by the documents is as follows:

The first reference to the manuscripts, papers, and books which General Scott brought from Mexico is in a letter of Attorney General Caleb Cushing to Secretary of State W. L. Marcy, dated March 2, 1854 (Document 1). This letter was a request of the Attorney General for the transfer of a large number of Mexican manuscripts or printed books from the Department of State to his office for possible use in the adjudication of California land claims.

That the request was complied with is indicated by a communication of Cushing to Marcy of September 19 (Document 2). This letter and its enclosures furnish the contemporary details regarding the nature and content of the materials. Although it is apparent that Cushing made a careful examination, he seems to have been unable to determine all the facts as to how and why the documents and books had been brought from the City of Mexico. It is stated that the collection had been transferred from the War Department to the commission for adjudicating the Mexican claims and later by the commission to the Department of State. From internal evidence, it was ascertained that the materials had come from La Casa Profesa which for many years was the home of the Society of Jesus. In his letter, Cushing described the manuscripts and books, and the enclosures contain detailed lists of them. He divided the materials into two groups, one comprising sundry works on theology, logic, and metaphysics and manuscript materials which apparently had belonged to the Society of Jesus; and the other consisting of printed books relating to history, law, and administration. There is also mention of certain newspapers which do not appear in the list.

With reference to the books included in Group 2 it is obvious that Cushing considered that these were rightfully the property of the United States, although no evidence is

given as to how they were acquired. These books, together with certain other works,¹¹ which were in the Office of the Attorney General, were arranged by Cushing into three groups as follows: (1) Books to be retained in the Library of the Attorney General's Office (Document 4); (2) books to be deposited in the Library of Congress (Document 5); and (3) books to be sent to the Library of the Department of State (Document 6).

Referring to the works on theology, logic, and metaphysics and the manuscripts forming Group 1 of the collection (Document 3), the Attorney General recommended for the consideration of the Secretary of State "the expediency of endeavoring to devise some graceful and convenient method of restoring all these manuscripts to the Society." He had them packed in four boxes, numbered from one to four, in preparation for shipment to Mexico. These four boxes and the books for the Library of the Department of State were in due course transferred to the Department as is shown by the letter of September 25 from Secretary Marcy to Attorney General Cushing (Document 7). Besides acknowledging receipt, Marcy stated that the suggestion as to the restoration of the manuscripts to the Society of Jesus would be respectfully considered. That consideration was given immediately by the Department of State is evident since on October 13 the Secretary wrote to J. Franklin Pierce, the despatch agent in New York City, stating that the four boxes were being sent to him addressed to La Casa Profesa, City of Mexico, in care of the United States Consul at Vera Cruz. The despatch agent was instructed to ship the boxes and to pay the freight to Vera Cruz (Document 8). On the same day an instruction was sent to John T. Pickett, American Consul at Vera Cruz, ordering him to effect the delivery of the said four boxes free of all expenses to the institution for which they were intended (Document 10).

Consul Pickett replied on November 22 acknowledging

¹¹ In January, 1854, Cushing sent R. S. Spofford to Mexico to purchase books. Spofford returned to New Orleans in February with nine boxes of books. Correspondence regarding the trip and lists of books are in National Archives, Justice, Envelope 1854.

receipt of the instructions and indicating that he would carry them out (Document 11). Toward the end of 1854, the boxes containing the manuscripts and books arrived in Vera Cruz on the schooner *C. A. Libbey* and on December 28 Pickett requested the Collector of Customs of Port to deliver the cases addressed to La Casa Profesa, City of Mexico (Document 13). Shortly before this time the consul at Vera Cruz had experienced difficulty in securing the delivery from the Custom House of certain boxes of books and supplies for the consulates at Tehuantepec, Minatitlán, and Laguna. The Collector had alleged that certain formalities had not been fulfilled and insisted that the boxes in question would be confiscated and sold at public auction. Consul Pickett had reported to the Department regarding these five boxes in his despatch No. 21 of October 9 (Document 9). Although the Department regretted the situation which had arisen in this matter, it instructed the consul on December 5 (Document 12) to renew his request for delivery and, if it were not made, to purchase the boxes at auction and send them forward to their destination. The renewed request for these five boxes was apparently followed a few days later by one for the four boxes for La Casa Profesa. However, the Collector of Customs seems to have done nothing about either request. As a result, on January 25, 1855, Consul Pickett wrote to the American Minister in Mexico, James Gadsden, asking him to put the matter before the Minister of Finance in the hope that the latter might find a solution for the problem (Document 14). No record of the action of Minister Gadsden has been found, but it is clear from the report of Consul Pickett that the minister complied with the request. In a despatch to the Secretary of State of February 21 (Document 16) the consul stated that the collector had received instructions from the Minister of Finance to deliver the nine cases including the four addressed to La Casa Profesa. The date of the delivery is not given, but a letter in Spanish of February 14 addressed by Consul Pickett to the Reverend Father Provincial Don Dionisio Pérez y Callejo, Mexico, advised the latter that the four boxes were being sent to him by the *Línea Aceleranda* (Document 15).

The date of the arrival of the boxes in Mexico City has not been determined, but the fact of the arrival is established by a personal letter of Minister Gadsden to Secretary Marcy dated September 3 (Document 17). The Minister inquired regarding the history of the four boxes and said that "this day they were returned to the Legation for safe keeping," presumably by the Father Provincial. He added that the history was desired "for the satisfaction of the Profesor least [*sic*] they should contain treason, if not heresy." The official reply of Secretary Marcy of September 28 (Document 18) simply informed the minister that the contents of the four boxes had been brought from Mexico City after its capture by the United States Army and that, as it had been decided to restore them, they had therefore been shipped to the indicated address. In view of the satisfactory explanation of this letter it is assumed that after its receipt the boxes were returned to the Father Provincial. No receipt or communication in connection with the redelivery appears in the records of the Department. However, when the American Legation in Mexico was closed in 1858 and the consul was placed in charge of the government property, a detailed list was made of all the property including books, manuscripts, furniture, etc. Consul John Black receipted for the items in the inventory on September 15 of that year. In this inventory there is no indication whatever of the presence in the Legation of any of the materials contained in the four boxes which were forwarded to La Casa Profesa in 1854. The obvious conclusion, therefore, is that the boxes were returned to the Jesuit Society. Thus was ended the odyssey of those Mexican records which General Scott carried from Mexico to Washington in 1847.

Allusion is made above to the twenty-eight volumes of the manuscripts of Sigüenza. It has repeatedly been asserted that these twenty-eight volumes were among the papers which General Scott brought to Washington. From the description of the records which came and were returned it does not appear that this statement is well-founded. Whoever examined the manuscripts in the Office of the Attorney General in 1854 had a good knowledge of Spanish as is revealed by the

translations of titles and the specification of the materials. Many manuscript volumes are listed individually and the general description of the materials in boxes three and four is of such character as practically to preclude the belief that the oft-mentioned twenty-eight volumes of Sigüenza were included. Furthermore, even if the eight of these volumes, which Clavigero said were all that existed in the eighteenth century, had been in the collection in Washington in 1854, it is reasonable to suppose that the person who made the examination for the Attorney General would have noted them and given definite enough information about them so that their presence would have been established. In view of the fact that the documentation printed herewith shows that the manuscripts which Scott brought to Washington were restored and that the list makes no mention of the Sigüenza volumes, it must be inferred that they never were in Washington. In addition, it may be stated that extensive searches among the records of the Department of State, War Department, and the Office of the Attorney General which are now in the National Archives have not revealed the presence of these volumes of Sigüenza, nor any information specifically regarding them. It is, therefore, to be hoped that a "rediscovery" of some of the volumes of Sigüenza as well as the Valeriano manuscript may yet occur in Mexico.

ROSCOE R. HILL.

Washington, D. C.

DOCUMENTARY APPENDIX

Document 1

Caleb Cushing, Attorney General, to William L. Marcy, Secretary of State.

Attorney General's Office
March 2, 1854.

Sir: I learn that a large number of Mexican manuscripts or printed books, among which, are said to be some of use in the adjudication of California Land claims, are stored in the State Department, and

I request of you to allow them to be transferred, for the present, to this office for examination.

I have the honor, etc.

[National Archives, State, Miscellaneous Letters, original]

Document 2

Caleb Cushing, Attorney General, to W. L. Marcy, Secretary of State.

Washington, September 19, 1854.

Sir: I have examined the printed and manuscript Mexican matter, transferred from the War Department to the late Commission for adjudicating Mexican claims, and from that to the State Department.

It is apparent, from internal evidence, that all this matter has passed,—I do not know, by whose agency—from the City of Mexico to the United States, probably during the late war, at which time it must have been found in the edifice in Mexico, commonly called “*La Profesa*,” which was formerly an establishment of the Society of Jesus, and a portion of which has been since occupied as the office of the Accountant General of the Army, both in the time of the Spanish Vice-royalty and in that of the Mexican Republic.

The manuscript matter consists of three classes:

First:—Sundry works on Theology, Logic & Metaphysics, which evidently constituted a part of the Library of the Jesuits, and Secondly:—A large number of Account-Books and other documentary evidences of property, at one time belonging to the Society of Jesus, and administered at the establishment of “*La Profesa*,” and: Thirdly—Of some miscellaneous registers, appertaining to the religious business of the Society.

A descriptive Catalogue of all the manuscript matter is annexed and marked A. I have caused all these manuscripts to be boxed up in boxes, numbered from 1 to 4, (inclusive) and I beg leave to suggest for your consideration, the expediency of endeavoring to devise some graceful and convenient method of restoring all these manuscripts to the Society, which has recently been reinstated in its rights by the Mexican Government.

The printed matter may be classified as follows, namely:

1st A large number of bound newspapers of the City of Mexico and of other cities of the Mexican Republic.

2nd A number of books, chiefly consisting of printed ordinances, decrees and other varieties of Statute law, either of Spain, or of the Mexican Republic.

3d Some few books of history, politics or statistics.

4th A large number of the official reports of successive heads of Department of the Mexican Republic, being unbound and precisely corresponding to what, with us, are called "Documents of Congress."

5th A large quantity of miscellaneous pamphlets, odd volumes of serial publications and other printed matter of that description, such as ordinarily accumulates in any Bureau or other public office of the Government.

The whole of this printed matter, indeed, is evidently such as had gradually accumulated, for a long series of years, in the office of the "Contaduria," and most of which had been thrown aside into some loft or storeroom, as not of sufficient value to be bound and placed on shelves. In many cases, there are duplicate and even triplicate copies.

In accordance with your permission, I have made selections from these books as follows.

1st The Catalogue, hereto annexed and marked B. is of books, which I have placed in the Library of the Office of the Attorney General.

2nd The Catalogue, hereto annexed marked C, is of books, including the same books as the foregoing and many others which I have deposited in the Law Library of Congress.

The effect of this distribution will be, that copies of all the law-books of value—not previously existing in the Library of Congress, are deposited there & duplicate copies of some of these law-books in the office of the Attorney General and the historical works in the Library of the Department of State.

I propose also to retain in the office of the Attorney General one series of the newspaper, the "Diario del Gobierno" because of its containing the first publication of the laws of the Mexican Republic.

All the rest of the matter, including the mass of newspapers and pamphlets, and the duplicate copies or broken editions of law-books, together with the manuscripts in boxes, are returned herewith to the Department of State.

I have the honor, etc.

[National Archives, Justice, Envelope 1854. original and office copy]

Document 3

[Catalogue] A

Box No. 2

No. of Works	List of Works on Theology	No. of Volumes
1	Treatise on the "Divine Will".....	1
2	" " the "Divine Faith".....	1

3	A Small Volume of essays on "Theology".....	1
4	Scholastic Dissertations on "God".....	1
5	Treatise on "Christ".....	1
6	Dissertation on "Religion".....	1
7	" " "Theology".....	1
8	Controversies on the Subject of "Religion".....	1
9	A compend of Treatises on "Theology".....	1
10	Essay on the "perfections of Christ".....	1
11	Treatise on "Natural Theology".....	1
12	Dissertations on the "Divinity of God".....	1
13	Preliminary Definitions of "Providence and Predestination"	1

Works on Logic

1	Essay on the "Operations of the Mind".....	4
2	Treatise on "Philosophy".....	3
3	Essay on "Natural Philosophy".....	3
4	A compendium of "Examinations into Logical Analysis"	1
5	Scholastic Dissertations on the "Logic of Aristotle".....	3
6	Treatise on "Rational Philosophy".....	1
7	Essay on the "Necessity of Science".....	1
8	Dissertation on the Soul and a Treatise on Versification and Style.....	1
9	Treatise on "Logic".....	3
10	Essay on the "Means of Knowledge".....	4
11	Treatise on the "Logic of Terms".....	2
12	Dissertation on the "existence of Matter and on the beginning of Man".....	Page 2 1
13	Treatise on the "Unity and utility of Logic".....	1
14	Treatise on the "Division of Terms &c.".....	1
15	Essay entitled "What is a logical proposition".....	1
16	Of the "intrinsic attributes of Man," and an essay on "Matter"	1
17	Treatise on the "Thomistica Philosophia".....	1
18	Essay on the "Appreciation of Glory".....	1
19	Dissertation on "Practical Science".....	1

Metaphysical Works

1	Essay on the "Metaphysics of Aristotle".....	1
2	Treatise on "Universal Metaphysics".....	3
3	" " the "Unity of Metaphysics".....	1

Box No. 1

1	Index of Books of Accounts, public documents and letters belonging to the Jesuits.....	1
2	Powers of Attorney, public Records in relation to the Jesuits, and wills for the distribution of moneys to pay for masses—from the year 1668 to the end of of October 1701.....	1
3	Powers of Attorney and wills for the distribution of moneys to pay for masses, from the year 1579 to 1700	1
4	Powers of Attorney &c. &c. from 1572 to 1652.....	1
5	Powers of Attorney &c. from 1651 to 1685.....	1
		Page 3
6	Process of possessions belonging to S.J. and an alphabetical inventory of Said possessions.....	1
7	Account Book of the Jesuits, dating from their departure from Seville in May 1572, up to their residence in Mexico in 1627.....	1
8	Alphabetical Catalogue of the names of the Fathers and Brothers of the S.J. in the Province of Mexico. This catalogue was taken to Rome (July 1st 1768) by P. Andrea Xaverius Garcia.....	1
9	Public Documents relating to the Society of Jesus from 1693 to 1700.....	1
10	Books of Entries and expenses of the Sugar estates of Quantepec, for the year 1690.....	1
11	Book of Entries and expenses of the sugar estate of Chicomocelo, for the year 1690.....	1
12	Book of expenses, written by the Proctor of the Society of Jesus.....	1
13	Summary of the titles of all the farms, large and small, belonging to the Jesuits.....	1
14	Lineage and Heraldry of the family of "Covarrubias"	1
15	Expenses of the Society of Jesus from the 1st of May 1736 to 1760 (inclusive).....	1
16	Circulars to Missionaries.....	1
17	Longer Catechism in Manuscript.....	1

Boxes Nos.

3 & 4

Page 4

Account Books, lists of names of Members and other papers, connected with S.J. comprising in all about 100 volumes

* * * *

Number of Books List of Printed Books No. of Volumes

- 1 5 Copies of the 1st Volume of "Marine ordinances for the Philippine Islands"..... 1
 - 2 Odd Volumes of the "Compilation of the laws of the Kingdoms of the Indies"..... 2
 - 3 Memorial on the Weights and Measures of the Philippine Islands 1
 - 4 2 Copies of the "ordinances of the Navy"..... 1
 - 5 Marianna's "History of Spain"..... 2
 - 6 5 Copies of "Tactics of the Mexican Infantry"..... 1
 - 7 2 Copies of the 5th Volume of the "Decrees and ordinances of the ordinary assembly of the States"
 - 8 Judgments of Courts-Martial of Spain and the Indies
—4 odd volumes with 2 volumes of Appendices... 6
 - 9 Royal ordinances for the government of the Spanish Navy 1
 - 10 General Balance of the Commerce of the Ports of the Mexican Republic for 1826 and 1827..... 2
 - 11 2 Copies of the "General Prices and rates of Maritime Custom-Houses 1
- Page 5
- 12 Critical examination of the libel, published in the "Commercial Gazette" at Lima by Jose Maria Obando 2
 - 13 Instructions for the Management and movements of Squadrons 1
 - 14 2 Copies of the "Design of the Civil Code," presented to the Second Constitutional Congress of the Independent State of Zacatecas..... 1
 - 15 The law-Suits, which were prosecuted and terminated against the Members of the conspiracy of "Padre Arenas" 1
 - 4 copies of the 1st Volume. No other volumes to be found.
 - 16 Process drawn up and presented by the Grand Jury to the ministers of Don Anastasio Bustamente.... 1
 - 17 A small Volume on Tariff..... 1

18	Official Notices of the State of "Chihuahua".....	1
19	Historical Notice of "Soconusco" and of its incorporation with the Republic of Mexico.....	1
20	The Career of Political Economy.....	1
21	Ordinances, rules, and instructions for the management of the Military Marine of the United States, translated into Spanish by I. M. A. Allen.....	1
		Page 6
22	Royal ordinances for the establishment of Commissary Generals of the Army and Kingdom of New Spain	1
23	Tables for the reduction of Gold and Silver.....	1

[National Archives, Justice, Envelope 1854]

Document 4

Catalogue B

Books deposited in the Library of the Office of the
Attorney General

3 vol	Nueva Recopilacion
2 vol	Ordenanzas de la Armada Naval
1 vol	Reglamento del Monte Pio Militar
1 vol	Ordenanzas del Consejo Real de las Indias
1 vol	Ordenanzas de la Mineria
1 vol	Ordenanzas de Intendentes de Nueva Espana
2 vol	Ordenanzas de la Marina
6 odd vol	Galvan, Coleccion de Decretos
5 odd vol	Colon, Juzgados Militares
1 vol	Ordenanzas de los Montes
1 vol	Ordenanzas Naval de 1802
1 vol	Ordenanzas de Milicia de 1823
1 vol	Azcarate, Practica de Juicios Militares
2 vol	Ordenanza Militar
10 vol	Coleccion de Ordenanzas Militares
1 vol	Piquero, Instruccion Sobre las Contribuciones directas
1 vol	Proyecto delCodigo Civil de Zacatecas
1 vol	Causa Criminal de A. L. de Santa Anna
1 vol	Sumario de la Constitucion de Inglaterra
2 vol	Leyes de Yucatan

[National Archives, Justice, Envelope 1854]

Document 5

Catalogue C

Books deposited in the Library of Congress

No. of vol.

- 1 Súmario de la Constitucion de Inglaterra
 2 Ordenanzas de la Armada Naval
 1 Ordenanzas de Correos
 1 Ordenanzas Naval de 1802
 1 Ordenanzas de las Matriculas
 1 Ordenanzas de los Montes
 1 Reglamentos de la Artilleria para las Indias
 Reglamentos de la Milicia
 2 Ordenanzas Militares
 1 Reglamentos de Monte Pio Militar
 1 Codice Penal de Santa Cruz
 1 Proceso de Don Anastasio Bustamente
 1 Proceso de Don A. L. de Santa Anna
 1 Arancel de las Aduanas
 1 Reglamento del Tribunal de Cuentas
 2 Leyes del Estado de Yucatan
 1 " " " de S. Luis Potosi
 2 " " " de La Puebla
 1 Codice del Estado de Zacatecas
 1 Decretos del Estado de Oajaca
 1 Guia de la Hacienda
 1 Larrainzar, Noticias de Soconusco
 1 Escudero, Noticias de Chihuahua
 1 Reglamentos Sultos del Ejercito Mexicano
 4 Decretos del Estado de Michoacan
 1 " " " de Mexico
 fol Usteriz, Teorica de Comercio
 fol Ribadeneyra, Patronato Indiano
 fol Decretos sobre Contribuciones directas
 Leyes para el Arreglo de la Instruccion publica en
 el Distrito Federal..... 1 vol.
 Instrucciones de Monte Pio Militar..... 1 vol.
 Question de Francia..... 1 vol.
 Arrillaga, Recopilacion (unbound)..... 14 vol.

Document 6

Catalogue D

Books to be Sent to the Library of the Department

No. of vol.

- 2 Marianna, Historia de Espana
- 1 Proceso de Bustamente
Recopilacion de las Leyes de las Indias, 2 odd volumes
- 1 Ordenanzas de Intendentes de N. Espana
Ordenanzas de la Marina, 1 copy of 1st vol.
- 7 Reales ordenanzas de la Marina
- 1 Noticias Estadisticas de Chihuahua
- 2 Examen critico del libelo de J. M. Obando
- 1 Causas que se han seguido, y terminado contra los comprendidos
en la conspiracion de Padre Arenas. 1 odd vol.
- 1 Balanza General de los puertos de Mexico
Tactica de Infanteria Ligera. 5 cop. of 1st vol.
- 1 Tablas para la reduccion del oro y la Plata
- 1 Tarifa de los Sueldos liquidos del Ejercito
- 1 Noticia Historica de Soconusco
- 1 Arancel General de Aduanas maritimas
- 1 Ordenanzas de los Montes
Vida de Leopold 1º, 2 odd vol.

[National Archives, Justice, Envelope 1854]

Document 7

W. L. Marcy, Secretary of State, to Caleb Cushing, Attorney General.

Washington, September 25, 1854.

Sir: I have had the honor to receive your communication of the 19th instant, and the Mexican books and documents to which you therein refer as returned to this Department.

Your suggestion in regard to transmitting a portion of them to the Jesuits' Society in Mexico, will receive respectful consideration.

I have the honor, etc.

[National Archives, Justice, Envelope 1854, original; State, Domestic Letters, office copy]

Document 8

W. L. Marcy, Secretary of State, to J. Franklin Pierce,
Despatch Agent, New York.

Washington, October 13, 1854.

Sir: Four boxes have been sent from this Dept. directed to "La Casa Profesa," City of Mexico, care of United States Consul, Vera Cruz, on which you will please pay the freight to the latter city.

I am, etc.

[National Archives, State, Domestic Letters]

Document 9

J. T. Pickett, United States Consul, to W. L. Marcy, Secretary of State.

No. 21

Consulate of the United States
Vera Cruz, October 9, 1854.

Sir: I have the honor to enclose remaining half of Register of Bark "Brazileiro" of New York—wrecked near this port on Sept. 1st.

Although having already hitherto fatigued the Department of State and the Legation at Mexico with complaints of the conduct of Mexican officials I must nevertheless be permitted to lay before you the following circumstance.

Some two months since I received from the Dispatch Agent in New York four cases marked "Department of State" and addressed—three of them—to "U. S. Consul, Tehuantepec"; and the other to "U. S. Consul, Minatitlan." Proceeding to ship said cases to their destination I was in the first instance not allowed to do so because the vessel upon which it was proposed to embark them was not under Mexican colors, and the Collector of Customs declared it would be to permit the coasting trade to foreign vessels. Admitting the strict legality of that decision—though scarcely conceiving the law could apply to U. S. property consisting (it is presumed) of a few books designed for the official instruction of Consuls—the cases were remanded to public warehouse.

In a few weeks a Mexican vessel offered for the same port (Minatitlan) and I made a fresh effort to get the cases off, but met with like ill success. Knowing that such things are always best arranged by personal interview I called upon the Collector for an explanation. He then informed me that, as the cases had been entered upon the manifest of the vessel which had brought them from New York it would be necessary to get a special permit from the "Supreme

Government" to allow them to be shipped to their destination, and that, if I would address him a request he would send it to Mexico and endeavor to procure such permission. I accordingly wrote him the desired note.

A month passed by and only a day or two since I received a note from "His Excellency" the Collector informing me that, the "Supreme Government" had declared that, as the cases had not been accompanied by certificates of the Mexican Consul in New York he, the Collector, must proceed with them according to law. "His Excellency" therefore proceeds to inform me that, he is very much grieved not to be able to dispatch the cases, and that he intends to enforce the penalties of the law against them,"—which means they will be seized, confiscated and sold, and possibly myself subjected to a heavy fine!

I am aware, Sir, this is a very trifling matter, but it is a faithful indication of the feeling of the "Supreme Government" at Mexico against that at Washington. Since my administration of this Consulate I have received and dispatched several such consignments from the Dispatch Agent under precisely similar circumstances without any difficulties being interposed. . . .

I forward dispatches from the Legation by this mail. Since their receipt we have rumors of *pronunciamentos* in Guadalajara and Sonora.

Persons of many years acquaintance with Mexican politics are beginning to look for the speedy arrival of "His Most Serene Highness" at this his—favorite stronghold for the purpose of again retiring into "voluntary" exile.

I have the honor, etc.

[National Archives, State, Consular Despatches, Vera Cruz]

Document 10

W. L. Marcy, Secretary of State, to John T. Pickett, United States Consul, Vera Cruz.

Washington, October 13, 1854.

Sir: Four boxes have been this day forwarded to the Despatch Agent at New York, addressed to "La Casa Profesa, City of Mexico, care of the U. S. Consul at Vera Cruz."

The Department is desirous that these Boxes should reach their destination free of all expense to the Institution for which they are intended.

The Despatch Agent at New York will pay all charges thereon as far as Vera Cruz, and I will thank you to do likewise in respect

to such as may accrue in Vera Cruz and for their transportation from thence to the City of Mexico.

Your draft for the amount thus expended will be duly honored.

I am, etc.

[National Archives, State, Consular Instructions]

Document 11

J. T. Pickett, United States Consul, Vera Cruz to W. L. Marcy,
Secretary of State.

No. 23

Vera Cruz,
November 22, 1854.

Sir: I have the honor to acknowledge receipt of your communication of 13th. October relating to Four Boxes addressed to "*La Casa Profesa*, City of Mexico," your instructions with regard to which will be carefully obeyed when said Boxes arrive. . . .

I have the honor, etc.

[National Archives, State, Consular Despatches, Vera Cruz]

Document 12

W. L. Marcy, Secretary of State, to John T. Pickett, United States
Consul, Vera Cruz.

Washington, December 5, 1854.

Sir: Your despatches to No. 25, inclusive have been received, your drafts, of which advice is given in No. 20, duly honored.

The Department regrets to learn from your No. 21, that the four cases addressed to our Consuls at Tehuantepec and Minatitlan, containing Books &c., for their Consular offices, have been detained by the Collector of the Customs at Vera Cruz, and that he is required by his Government, because of their not being accompanied by certificates of the Mexican Consul in New York, to enforce the penalties of the law against them, which means, as you say, that they will be seized, confiscated and sold. It is hardly believed that such an extreme measure will be enforced, but if upon another application for the delivery of the cases to you, which you are now requested to make, the Collector shall still refuse to give them up, you will then purchase them in at the sale on account of this Government, and forward them to their destination.

Instead of taking advantage of the opportunity afforded in this case, of manifesting a friendly and courteous feeling towards this Government, it would seem that the Mexican Government is only willing to improve it, to evince a contrary disposition. The matter, however, is not deemed of sufficient importance to be made the sub-

ject of a formal complaint, and for that reason you are requested to pursue the course above directed.

I am, etc.

[National Archives, State, Consular Instructions]

Document 13

J. T. Pickett, United States Consul, to Collector of Customs, Port of Vera Cruz.

Consulate of the United States
Vera Cruz, December 28, 1854.

By the Schooner "C. A. Libbey" entered this port a few days since from New York I have received Four Cases addressed to "*La Casa Profesa* City of Mexico," sent by the Government at Washington; and which I am instructed to forward free of all expense to the *Profesa*. By the same vessel there has also arrived one Case addressed to the "United States Legation, City of Mexico"—which is likewise sent by the Government at Washington.

I have therefore most respectfully to request that I may be allowed to receive and dispatch these several cases to their respective destinations.

I have the honor, etc.

[National Archives, State, Vera Cruz Consulate, Miscellaneous Letters, 1854-1887]

Document 14

J. T. Pickett, United States Consul, to J. Gadsden, Envoy extraordinary and Minister Plenipotentiary of the United States, Mexico.

Consulate of the United States
Vera Cruz, January 25, 1855.

Sir: I beg to inform you that there is detained in the Custom House Stores of this port the following property of the U. S. viz:

- 3 cases addressed to U. S. Consul Tehuantepec
- 1 case addressed to U. S. Consul Minatitlan
- 1 case addressed to U. S. Consul Laguna
- 4 cases addressed to *La Casa Profesa*, Mexico

All of which the Collector of Customs refuses to deliver up for want of the Consular certificates which he contends should have accompanied them.

I have proved the fruitlessness of endeavoring to convince the Collector that Books (for such I understand to be the contents of all the Cases) sent by the Government of the U. S. to its Agents abroad

for their guidance and instruction should not be subject to the same rigid rules affecting mere private or ordinary commercial property. So likewise with regard to the Cases designed as a donation to *La Casa Profesa*.

Failing to procure a release of the detained property I am constrained to present the circumstances to the Legation; trusting you will lay the matter before His Excellency the Minister of Finance in the hope that his sense of justice and courtesy will move him to issue an order for the restoration of the property to this Consulate: to the end that the Cases may be forwarded to their respective destinations.

I have the honor, etc.

[National Archives, State, Vera Cruz Consulate, Miscellaneous Letters, 1854-1887]

Document 15

J. T. Pickett, United States Consul, to R. P. P. D. Dionisio Perez y Callejo, Mexico.

Consulado de los E. U. de America
Vera Cruz, Febrero 14, 1855.

Mi respetable Sr.: Con los carros de la "Linea Aceleranda" remito a U.S. los bultos siguientes con el rotulo que al margen se espresa los cuales se servira mandar recoger.

La Casa Profesa

Mexico

4 Cuatro Cajas

Sin otro asunto, tengo el honor de ofrecerte mis respetos y atento B.S.U.

[National Archives, State, Vera Cruz Consulate, Miscellaneous Letters, 1854-1887]

Document 16

J. T. Pickett, United States Consul, to W. L. Marcy, Secretary of State.
No. 30

Consulate of the United States
Vera Cruz, February 21, 1855.

Sir:

As indicated by my No. 26 I made renewed application to the Collector of Customs at this port for delivery of the detained cases addressed to our Consuls at Tehuantepec and Minatitlan, and at the same time made a similar request with regard to one Case addressed to the Consul at Laguna. A few days later I had occasion to prefer a like petition in behalf of the Four Cases for *La Casa Profesa*; but the entire nine were withheld from my grasp as inexorably as though His Excellency the Collector had been Apollo and the Cases the Nine Muses. In this extremity I appealed, through the Legation at Mex-

ico to the New Minister of Finance, who, as is perfectly natural and Ministerial, wishing to exercise his new authority on the understrapper and to reverse the decisions of his predecessors, immediately issued an order for release of the famous Cases—all of which I am happy to add have been dispatched to their respective destinations.

I have the honor etc.

[National Archives, State, Consular Despatches]

Document 17

James Gadsden, American Minister to Mexico to W. L. Marcy, Secretary of State.

Mexico—

September 3, 1855.

Again have I an enquiry to know the history of the 4 Boxes sent by the Department through this legation to the Profesor.

This day they were returned to the Legation for safe keeping. This is only to be explained by the [fact] that a serious emeute is expected at the Capital: if the Army dont lay down its arms, and as it is suspected of being supported by the Church and the Jesuits in particularly: Some violence against the latter seems to be feared—Santa Annas recall and restoration of property is one of the abominations for which his Rule is held responsible.

Do give me a history of these Boxes for the satisfaction of the Profesor least they should contain Treason if not heresy.

Yours respectfully etc.

[National Archives, State, Diplomatic Despatches, Mexico]

Document 18

W. L. Marcy, Secretary of State, to James Gadsden, American Minister to Mexico.

No. 53

Washington, September 28, 1855.

Sir: Your despatches to No. 70 inclusive are received.

I deem it proper to make an official reply to your private note of the 3^d. instant.

The four boxes to which that note refers, sent from this Department in October 1854 to "La Casa Profesa City of Mexico," contained documents, manuscript and printed, which were brought from Mexico, by the army of the United States when it captured that City.

As, however, it has been thought that the volumes may be of great value in connection with the libraries from which they were taken, it was determined to restore them to Mexico, and they were accordingly forwarded to the address above quoted.

I am, etc.

[National Archives, State, Diplomatic Instructions, Mexico]