

MEXICO : DECEMBER 11, 1861

Postal Convention, signed at Mexico City December 11, 1861. Original in English and Spanish.

Submitted to the Senate January 29, 1862. (Message of January 28, 1862.) Resolution of advice and consent February 10, 1862. Ratified by the United States February 17, 1862. Ratified by Mexico May 20, 1862. Ratifications exchanged at Mexico City May 20, 1862. Proclaimed June 20, 1862.

Postal Convention between the United States of America and the United Mexican States.

The United States of America and the United Mexican States, being desirous of drawing more closely the friendly relations existing between the two countries and of facilitating the prompt and regular transmission of correspondence between their respective territories, have resolved to conclude a Postal Convention, and have named as their Plenipotentiaries, that is to say.

The President of the United States of America has appointed Thomas Corwin, a citizen of the United States and their Envoy Extraordinary and Minister Plenipotentiary near the Mexican Government; and

The President of the United Mexican States has appointed Sebastian Lerdo de Tejada, a citizen of the said States and a

Convencion Postal entre los Estados Unidos Mexicanos y los Estados Unidos de América.

Los Estados Unidos Mexicanos y los Estados Unidos de América, deseando estrechar las relaciones amistosas que ecsisten entre los dos paises y facilitar la trasmision pronta y regular de la correspondencia entre sus respectivos territorios, han determinado celebrar una Convencion Postal, y han nombrado como sus Plenipotenciarios, á saber.

El Presidente de los Estados Unidos Mexicanos á Sebastian Lerdo de Tejada, ciudadano de los mismos Estados y Diputado al Congreso de la Union; y

El Presidente de los Estados Unidos de América á Tomas Corwin, ciudadano de los Estados Unidos y su Enviado Extraordina-

Deputy of the Congress of the Union.

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles.

ARTICLE I.

There shall be charged upon all letters, newspapers, reviews or other periodical publications, printed pamphlets or other printed matter, conveyed either by United States or by Mexican vessels, between a port in the United States of America and a port in Mexico, the following sea rates of postage, that is to say.

1st. Upon all letters not exceeding half an ounce in weight, the rate of seven cents; and upon all letters weighing more than half an ounce, an additional rate of seven cents for each additional half ounce or fraction thereof.

2nd Upon every newspaper, daily or other, the rate of one cent.

3rd Upon reviews or other periodical publications, printed pamphlets or other printed matter, the rate of one cent for every ounce or fraction of an ounce weight.

The said newspapers, reviews or other periodical publications, printed pamphlets or other printed matter, shall be sent in narrow

rio y Ministro Plenipotenciario cerca del Gobierno Mexicano.

Quienes, despues de haberse comunicado recíprocamente sus respectivos plenos poderes, hallándolos en buena y debida forma, han convenido en los artículos siguientes.

ARTÍCULO I.

Se cobrará por todas las cartas, gacetas, revistas ú otras publicaciones periódicas, folletos impresos ú otros impresos, ya sean conducidos por buques de los Estados Unidos Mexicanos ó de los Estados Unidos de América, entre un puerto de Mexico y un puerto de los Estados Unidos de América, los siguientes portes de mar, á saber

1º Por todas las cartas que no escedan de media onza de peso, el porte de siete centavos; y por todas las cartas que pesen mas de media onza, el porte adicional de siete centavos por cada media onza adicional ó fraccion de ella.

2º Por cada gaceta, diaria ó no diaria, el porte de un centavo.

3º Por las revistas ú otras publicaciones periódicas, folletos impresos ú otros impresos, el porte de un centavo por cada onza ó fraccion de una onza de peso.

Dichas gacetas, revistas ú otras publicaciones periódicas, folletos impresos ú otros impresos, deberán enviarse con fajas ó cubier-

bands or covers, open at the sides or ends, so that they may be easily examined, subject to the laws and regulations of each country, respectively.

ARTICLE II.

There shall be charged by the Post-Office of the United States of America, upon all letters, newspapers, printed pamphlets or other printed matter, mailed in the United States and forwarded to Mexico by sea, whether by United States or by Mexican vessels, such rates of inland postage as are now or may hereafter be established by the laws of the United States, and the rate of sea postage prescribed in article first, which inland and sea postage shall be combined into one rate and paid always in advance.

Such prepayment shall be certified by the appropriate stamps of the United States Post Office, and the postage so paid shall belong exclusively to the United States of America.

There shall be charged by the Post-Office of the United Mexican States, upon all letters, newspapers, printed pamphlets or other printed matter, mailed in Mexico and forwarded to the United States of America by sea, whether by Mexican or by United States vessels, such rates of inland postage as are now or

tas angostas, abiertas por los lados ó extremos, para que puedan fácilmente ecsaminarse, sujetándose á las leyes y reglamentos de cada pais, respectivamente.

ARTÍCULO II.

Las oficinas de correos de los Estados Unidos Mexicanos cobrarán por todas las cartas, gacetas, folletos impresos ú otros impresos, puestos en el correo en México y enviados por mar á los Estados Unidos de América, ya sea por buques Mexicanos ó de los Estados Unidos, los portes de tierra que están establecidos ahora ó que puedan establecerse en lo sucesivo por las leyes de México, y el porte de mar prescrito en el artículo primero, cuyos portes de tierra y de mar se combinarán en un solo porte, que se pagará siempre adelantado.

Este pago adelantado se certificará por medio de los sellos correspondientes de las oficinas de correos de los Estados Unidos Mexicanos, y pertenecerá esclusivamente á México.

Las oficinas de correos de los Estados Unidos de América cobrarán por todas las cartas, gacetas, folletos impresos ú otros impresos, puestos en el correo en los Estados Unidos y enviados por mar á México, ya sea por buques de los Estados Unidos ó de México, los portes de tierra que están establecidos ahora &

may hereafter be established by the laws of Mexico, and the rate of sea postage prescribed in article first, which inland and sea postage shall be combined into one rate and paid always in advance.

Such prepayment shall be certified by the appropriate stamps of the Post-Office of the United Mexican States, and the postage so paid shall belong exclusively to Mexico.

ARTICLE III.

Upon all letters, newspapers, printed pamphlets or other printed matter, received in the United States of America from Mexico by sea, there will be charged by the United States such rates of inland postage as are now or may hereafter be established by the laws of the United States, which shall be collected at the place of destination, and shall belong exclusively to the United States of America; and vice versa, upon all letters, newspapers, printed pamphlets or other printed matter, received in Mexico from the United States of America by sea, there will be charged by Mexico such rates of inland postage as are now or may hereafter be established by the laws of Mexico, which shall be collected at the place of destination, and shall belong exclusively to Mexico.

que puedan establecerse en lo sucesivo por las leyes de los Estados Unidos, y el porte de mar prescrito en el artículo primero, cuyos portes de tierra y de mar se combinarán en un solo porte, que se pagará siempre adelantado.

Este pago adelantado se certificará por medio de los sellos correspondientes de las oficinas de correos de los Estados Unidos, y pertenecerá exclusivamente á los Estados Unidos de América.

ARTÍCULO III.

Por todas las cartas, gacetas, folletos impresos, ú otros impresos que se reciban en Mexico de los Estados Unidos de América por mar, cobrará México los portes de tierra que están establecidos ahora ó que puedan establecerse en lo sucesivo por las leyes de México, cuyos portes se ecsigirán en el lugar del destino, y pertenecerán exclusivamente á México; y vice versa, por todas las cartas, gacetas, folletos impresos ú otros impresos que se reciban en los Estados Unidos de América de México por mar, cobrarán los Estados Unidos los portes de tierra que están establecidos ahora ó que puedan establecerse en lo sucesivo por las leyes de los Estados Unidos, cuyos portes se ecsigirán en el lugar del destino, y pertenecerán exclusivamente á los Estados Unidos de América.

ARTICLE IV.

All letters, newspapers, printed pamphlets or other printed matter, mailed in the United States of America and addressed to any place in the United Mexican States, or vice versa, when not conveyed by sea, shall be charged with the rate of inland postage of the country from which such mail matter is sent, which shall be prepaid, and with the inland postage of the country receiving, which shall be collected at the place of destination.

Such postage shall belong respectively to the country collecting the same.

ARTICLE V.

All letters, newspapers, printed pamphlets or other printed matter, mailed in the one country for the other, or received in the one country from the other, whether by land or sea conveyance, shall be free from any detention or inspection whatever, and shall in the one case be forwarded by the most speedy means to their destination, and in the other be promptly delivered to the respective persons to whom they are addressed, being subject in their transmission to the laws and regulations of each country, respectively.

ARTÍCULO IV.

Por todas las cartas, gacetas, folletos impresos ú otros impresos, puestos en el correo en los Estados Unidos Mexicanos y dirigidos á algun lugar de los Estados Unidos de América, ó vice versa, cuando no sean enviados por mar, se cobrará el porte de tierra del país de que procedan, cuyo porte se pagará adelantado, y se cobrará el porte de tierra del país que los reciba, cuyo porte se pagará en el lugar de su destino.

Tales portes pertenecerán respectivamente al país que los cobre.

ARTÍCULO V.

Todas las cartas, gacetas, folletos impresos ú otros impresos, puestos en el correo de uno de los dos países para el otro, ó recibidos en un país del otro, ya sean enviados por tierra ó por mar, estarán libres de cualquiera detencion ó inspeccion, y en el primer caso, serán enviados por los medios mas violentos á su destino, y en el otro caso, entregados prontamente á las personas á quienes sean dirigidos, estando sujetos en su trasmision á las leyes y reglamentos de cada país, respectivamente.

ARTICLE VI.

So soon as steam or other mail packets, under the flag of either of the contracting parties, shall have commenced running between their respective ports of entry, whether under subvention from the United States or from Mexico, the contracting parties agree to receive at those ports all mailable matter and to forward it as directed, the destination being to some regular Post Office of either country, charging thereupon only the rates established by the present Convention.

Mails for the United States of America shall be made up at regular intervals by the Mexican Post Office, and despatched to ports of the United States; and in the same manner, mails for Mexico shall be made up at regular intervals by the United States Post Office, and despatched to ports of Mexico.

ARTICLE VII.

The United Mexican States engage to grant to the United States of America the transit in closed mails, free from any postage, duties, imposts, detention or examination whatever, through the United Mexican States or any of their possessions or territories, of letters, newspapers, printed pamphlets or other printed mat-

ARTÍCULO VI.

Tan pronto como los vapores ú otros paquetes correos, con bandera de cualquiera de las dos partes contratantes, hayan comenzado á correr entre sus respectivos puertos de entrada, bien sea con subvencion de México ó de los Estados Unidos, las partes contratantes recibirán en dichos puertos toda la correspondencia y la remitirán segun vaya dirigida, siempre que su destino sea para alguna oficina regular de correos de cualquiera de los dos países, cobrando solamente los portes establecidos por la presente Convencion.

Las balijas para México se cerrarán á intervalos regulares en las oficinas de correos de los Estados Unidos de América, despachándolas para los puertos de México; y del mismo modo, las balijas para los Estados Unidos se cerrarán á intervalos regulares en las oficinas de correos de México, despachándolas para los puertos de los Estados Unidos.

ARTÍCULO VII.

Los Estados Unidos de América convienen en conceder á los Estados Unidos Mexicanos el tránsito en balijas cerradas, libres de cualquiera porte, derechos, impuestos, detencion ó exámen, por medio de los Estados Unidos de América ó de alguna de sus posesiones ó territorios, de las cartas, gacetas, folletos impresos

ter, forwarded from the United States of America, or any of their possessions or territories, to any other possession or territory of the United States of America, or to any foreign country, or from any foreign country, or possession or territory of the United States of America, to the United States of America, their possessions or territories.

A mail agent of the United States of America shall be permitted to accompany the closed mails in their transit.

The United States of America, on their part, engage to grant to the United Mexican States the transit in closed mails, free from any postage, duties, imposts, detention or examination whatever, through the United States of America or any of their possessions or territories, of letters, newspapers, printed pamphlets or other printed matter, forwarded from the United Mexican States, or any of their possessions or territories, to any other Mexican possession or territory, or to any foreign country, or from any foreign country, or Mexican possession or territory, to the United Mexican States, their possessions or territories.

A mail agent of Mexico shall be permitted to accompany the closed mails in their transit.

ú otros impresos, enviados de los Estados Unidos Mexicanos, ó de alguna de sus posesiones ó territorios, para alguna otra posesion ó territorio mexicano, ó para algun pais extranjero, ó de algun pais extranjero, ó posesion ó territorio mexicano, para los Estados Unidos Mexicanos, sus posesiones ó territorios.

Un empleado de correos de México podrá acompañar las balijas cerradas en su tránsito.

Los Estados Unidos Mexicanos, por su parte, convienen en conceder á los Estados Unidos de América el tránsito en balijas cerradas, libres de cualquiera porte, derechos, impuestos, detencion ó exámen, por medio de los Estados Unidos Mexicanos ó alguna de sus posesiones ó territorios, de las cartas, gacetas, folletos impresos ú otros impresos, enviados de los Estados Unidos de América, ó de alguna de sus posesiones ó territorios, para alguna otra posesion ó territorio de los Estados Unidos de América, ó para algun pais extranjero, ó de algun pais extranjero, ó posesion ó territorio de los Estados Unidos de América, para los Estados Unidos de América, sus posesiones ó territorios.

Un empleado de correos de los Estados Unidos de América podrá acompañar las balijas cerradas en su tránsito.

ARTICLE VIII.

The means of making the transit of closed mails, under the stipulations of article seventh of the present Convention, shall be arranged between the General Post Office Departments of the two countries, subject to the approbation of each Government, respectively.

ARTICLE IX.

In case of the misfortune of war between the two Nations, the mail service of the two Post Offices shall continue without impediment or molestation, until six weeks after a notification shall have been made on the part of either of the two Governments, and delivered to the other, that the service is to be discontinued, and in such case, the mail packets of the two countries shall be permitted to return freely and under special protection to their respective ports.

ARTICLE X.

The respective Post Office regulations and rates of postage of each of the contracting parties shall be communicated to, and all matters of detail arising out of the stipulations of this Convention shall be settled between the General Post Office Departments of the two Republics, as soon as possible after the exchange of the

ARTÍCULO VIII.

Los medios de hacer el tránsito de las balijas cerradas, con arreglo á las estipulaciones del artículo sétimo de la presente Convencion, se arreglarán entre las administraciones generales de correos de los dos paises, sujetándose á la aprobacion de cada gobierno, respectivamente.

ARTÍCULO IX.

En el caso desgraciado de guerra entre las dos Naciones, el servicio de las dos administraciones de correos continuará sin impedimento ni molestia, hasta seis semanas despues de que se haga por parte de uno de los dos gobiernos, y se entregue al otro, la notificacion de que se suspende el servicio, y en tal caso, se permitirá que los paquetes correos de los dos paises retornen libremente y bajo especial proteccion á sus puertos respectivos.

ARTÍCULO X.

Se comunicarán los respectivos reglamentos de correos, asi como las tarifas de los portes de cada una de las partes contratantes, y todos los puntos de pormenores que se originen de las estipulaciones de esta Convencion se determinarán entre las administraciones generales de correos de las dos Repúblicas, tan pronto

ratifications of the present Convention.

It is also agreed that the measures of detail referred to in this article may be modified by the two General Post Office Departments, whenever by mutual consent those Departments shall have decided that such modifications would be beneficial to the Post Office service of the two countries; and Mexico proposes, so soon as her means of internal transportation will permit, to reduce her present rates of inland postage.

ARTICLE XI.

The present Convention shall continue in force until it shall be abrogated by the mutual consent of the two contracting parties, or until one of them shall have given twelve months previous notice to the other of a desire to abrogate it.

ARTICLE XII.

This Convention shall be ratified in conformity with the Constitutions of the two countries, and the ratifications shall be exchanged at the City of Mexico, within six months from the date hereof, or earlier if possible.

In witness whereof, we, the Plenipotentiaries of the United States of America and of the

como fuere posible despues del cange de las ratificaciones de la presente Convencion.

Igualmente, se conviene en que todas las medidas de los pormenores indicados en este artículo podrán modificarse por las dos administraciones generales de correos, siempre que dichas administraciones resuelvan por mútuo consentimiento que tales modificaciones sean benéficas al servicio de correos de los dos paises; y México se propone rebajar sus tarifas actuales de portes de tierra, tan pronto como lo permitan sus medios de trasporte interior.

ARTÍCULO XI.

La presente Convencion continuará en vigor hasta que sea abrogada por mútuo consentimiento de las dos partes contratantes, ó hasta que una de ellas haya dado aviso á la otra de su deseo de abrogarla con doce meses de anticipacion.

ARTÍCULO XII.

Esta Convencion será ratificada con arreglo á las Constituciones de los dos paises, y las ratificaciones se cangearán en la Ciudad de México, dentro de seis meses de esta fecha, ó ántes si fuere posible.

En testimonio de lo cual, nosotros, los Plenipotenciarios de los Estados Unidos Mexicanos y de

United Mexican States, have signed and sealed these presents.

Done in the City of Mexico, on the eleventh day of December in the year of our Lord One Thousand Eight hundred and sixty one; in the Eighty sixth year of the Independence of the United States of America, and in the forty first of that of the United Mexican States.

THOMAS CORWIN [Seal]
SEB^º LERDO DE TEJADA [Seal]

los Estados Unidos de América, firmamos y sellamos la presente.

Hecha en la Ciudad de México, el día once de Diciembre del año de nuestro Señor mil ochocientos sesenta y uno; el cuadragésimo primero de la Independencia de los Estados Unidos Mexicanos, y el octogésimo sexto de la de los Estados Unidos de América.

SEB^º LERDO DE TEJADA [Seal]
THOMAS CORWIN [Seal]

NOTES

The original of this convention in the file is written in English and Spanish, with the English version, which contains various errors of spelling, on the left pages. Other file papers are the attested Senate resolution of February 10, 1862, the duplicate United States instrument of ratification of February 17, 1862, the Mexican instrument of ratification of May 20, 1862, the act of exchange of ratifications at Mexico City dated May 20, 1862, in English and Spanish, and the original proclamation of June 20, 1862.

No reference to full powers for this convention has been noticed except that in the preamble of the text and the statement in the note of the Mexican Minister of Foreign Affairs of July 29, 1861 (printed above in the editorial notes to Document 222), that the Plenipotentiary of Mexico had been "commissioned by this Government to confer with that Legation with reference to the postal convention and the treaty of extradition between Mexico and the United States" (translation).

Regarding the exchange of ratifications of this convention, see the editorial notes to the extradition treaty with Mexico which was signed on December 11, 1861, concurrently with this convention (Document 222).

Regulations under this convention issued by the Post Office Department on July 4, 1862, are printed in 16 Statutes at Large, 1102.

Only five postal conventions, of which this is one, have been submitted to the Senate of the United States (see vol. 5, pp. 468-69). Two have heretofore been included in this edition (Documents 105 and 133); the others, which did not go into force, are the convention with Mexico of July 31, 1861, discussed below, and the convention with Costa Rica of June 9, 1862 (D.S., Unperfected O; see Executive Journal, XII, 398, 400-401, 406).

PROCEEDINGS IN THE SENATE

This convention, with the extradition treaty of the same date (Document 222), was submitted to the Senate by President Lincoln with a message of January 28, 1862; accompanying papers were copies of the despatch of Thomas Corwin, Minister to Mexico, dated December 24, 1861 (printed below), with its enclosures, and of a letter from Postmaster General Montgomery Blair to Secretary of State Seward dated January 25, 1862 (also printed below).¹ The convention and accompanying papers were referred to the Committee on Post Offices and Post Roads. Resolution of advice and consent in simple form was unanimously voted on February 10, 1862 (see Executive Journal, XII, 102, 103, 116).

THE NEGOTIATIONS

On February 10, 1857, five international acts were signed at Mexico City by John Forsyth, Minister to Mexico, and Ezequiel Montes, Mexican Minister of Foreign Affairs (see D.S., 20 Despatches, Mexico, No. 24, February 10, 1857; printed in part in Manning, *Diplomatic Correspondence of the United States, 1831-1860*, IX, 891-93). Among these was a postal convention, the original of which is with the despatch cited. The terms of that convention had been the subject of discussion at Mexico City for some years, and Forsyth said that its text was "substantially as it was left" by his predecessor, James Gadsden (D.S., 21 Despatches, Mexico, No. 52, September 29, 1857; in part in Manning, *op. cit.*, IX, 938-44). The results of the negotiation of Forsyth, however, were disapproved by both President Pierce and President Buchanan (see *ibid.*, 219-20, 223). None of the treaties and conventions signed by Forsyth on February 10, 1857, were submitted to the Senate, and none of them went into force. The English version of the postal convention of that date follows (D.S., Unperfected B11):

The Republic of the United-States of America and that of Mexico being desirous of augmenting their international relations by facilitating and making more frequent their postal communications, the President of the United-States of America has, to this end, named, and charged with this duty, John Forsyth, Minister of the said United States near the Mexican Government, and the President substitute of the Mexican Republic has named, for the same purpose, His Excellency Don Ezequiel Montes, the Minister for Foreign Affairs and they have agreed upon the following convention.

ARTICLE 1ST. There shall be established for the service of the mails between the ports of the Gulf of Mexico mentioned in this convention, a mixed line of steam-ships to be named "United American and Mexican Mail Steam-ship Company."

ART 2ND. In conformity with the preceding article, steamers of a capacity suitable for the mail service shall, either by charter or otherwise, be provided to make, between the ports of the two Republics designated in the contract to be hereafter closed, weekly voyages, or oftener, when the exigencies and importance

¹ The Senate print is Senate Confidential Executive Document No. 167, 37th Congress, 2d session (51 Regular Confidential Documents, 515-29).

of the service of the Gulf mails shall require and when it shall be so stipulated by the respective Governments. Should, at any time, the Governments of the United States and Mexico deem proper to permit to the United Company the establishment of a smaller class of steamers, where judged necessary for the navigation of rivers or harbors, these smaller steamers shall be nationalized in the respective Republics and enjoy all the privileges and exemptions granted to the steam-ships which navigate the Gulf of Mexico under the present convention.

ART. 3RD. These vessels, which under no circumstances can engage in the coasting trade between the Mexican ports, shall pay in those ports the same dues that may be paid by the coastwise vessels of Mexico, according to the existing laws; and in those of the United-States they shall enjoy the exemptions and privileges that are enjoyed by the coastwise vessels of that country.

ART. 4TH. These vessels may engage in foreign trade; in which case they shall be wholly subject to the existing tariff, or to that which may prevail in future in the Mexican Republic.

ART 5TH. The Company which establishes the line of steamers, according to the terms of this convention, shall receive from the Government of the United-States a subsidy of a hundred and twenty thousand dollars (\$120,000) annually, or more should they think proper. The Government of Mexico shall likewise annually pay the Line the subsidy of a hundred and twenty thousand dollars (\$120,000).

ART 6TH. These ships, in the ports of Mexico, as well as in those of the United States, shall be received and considered as national coastwise vessels, sailing, one half of the number of those which compose the United Line under the American flag, they being previously nationalized according to law, and the other half under that of Mexico, the entire number enjoying the same rights and privileges in the two countries with the exception of the premiums granted by the law¹ published by the Mexican Government on the 9th of January, of the year one thousand, eight hundred and fifty-six.

ART. 7TH. Bearers of despatches, Diplomatic agents and general officers travelling with any commission from one Government to the other, shall have passage free on the steamers of the Line; and such troops as either country may remove from one point to another within its own territory, for interior service, shall pay only half the usual rates of passage.

ART. 8TH. For the international service of the mails between the two Republics, there shall be an exchange of mail-bags between the Post-Masters in the American and Mexican ports to which the steamers ply by the terms of this convention; the mail-bags to be received in the respective Post-Offices, locked and sealed and accompanied by the corresponding way-bill, exhibiting the value of the entire correspondence according to the postage hereinafter to be established.

ART 9TH. The postage by sea, between New Orleans, or Mobile, and Vera-Cruz and vice versá and all of the ports intermediate shall be as follows

- | | | |
|---|---|-----|
| 1st. Letters of half an ounce and under in weight, | seven cents. | .07 |
| 2nd. Letters of more than half an ounce, and not exceeding one ounce, | fifteen cents. | .15 |
| 3rd. Letters of more than one ounce, and not exceeding two ounces, | twenty-five cents, | .25 |
| and an increase of twenty-five cents (.25) for each additional ounce or | fraction of an ounce. | |
| 4th. Periodicals shall pay, each, two cents (.02) postage by sea in the | United States, and two cents (.02) in Mexico to be respectively collected by | |
| the two countries within their own limits. | | |
| 5th. Pamphlets or printed matter stitched together shall pay one cent | (.01) for every ounce, or fraction of an ounce in weight. The said periodicals, | |

¹ Dublan y Lezano, Legislacion mexicana, VIII, 18-19.

pamphlets and other printed matter, shall be enveloped in paper wrappers open at the ends, in order that they may be examined. Should there be writing upon the margin, or upon loose slips of paper, the same rates of postage shall be charged as upon letters of equal weight.

ART. 10TH The postage, by land, upon letters not prepaid shall be that which the rates in the United-States and Mexico respectively establish; and each country shall collect the amount thereof in their separate Post-Offices.

ART. 11TH. Letters prepaid in either of the two countries, shall bear an impression in red ink on the upper corner, towards the right, with the word "paid" stamped thereon; besides which each Post-Office shall place upon the same an impression of its own particular seal.

ART. 12TH. Letters, periodicals and pamphlets, transmitted to foreign countries from the United-States via Mexico or from Mexico via the United-States, shall be forwarded to their destination provided they shall have pre paid, in one or the other country, besides the land postage according to the respective rates of the two countries, the postage by sea, as determined in article ninth. To this end the General Post-Office in Mexico shall remit to that of the United-States an authentic copy of its rates of postage by land, and the General Post-office of the United-States shall remit equally to that of Mexico its tariff of interior postage.

ART 13TH. The amount of sea-postage produced by these letters shall be divided between the two countries, and the entire amount of land-postage shall be credited to that country through which pre paid letters may have been directed. To this effect the respective Post-Offices in the United-States and Mexico shall reciprocally transmit with the mail-bags, way-bills, in which shall be stated the total amount of postage on the letters addressed via Mexico, or via the United States and shall mutually credit this amount.

ART. 14TH. The accounts between the respective Post-Offices shall be balanced and settled every three months by exhibits prepared in the General Post-Offices in Washington and the city of Mexico, and after having been examined, compared and liquidated, the excess shall be paid over without delay, by that General Post-Office which remains the debtor of the other. If the balance is in favor of the United-States it shall be paid by Mexico in the city of Washington, and if it is in favor of Mexico it shall be paid by the United-States in the city of Mexico.

ART. 15TH. Mexico binds herself to despatch from her capital, an express to the port of Vera Cruz, which shall bear the correspondence forwarded by the steamers of the United Line, on the respective days set apart for the departure of the steam-packet.

ART. 16TH. Should it be hereafter judged useful and convenient to establish a United Line of mail-steamers on the Pacific, the Governments of Mexico and the United States may establish one upon the same basis as that of the Gulf, herein mentioned, having previously agreed upon the details.

ART. 17TH. The terms of this convention may be modified from time to time, whenever, by mutual understanding of the Governments of the two Republics, any modification shall be deemed convenient and beneficial. The convention shall commence to take effect six months from the date of notice of its ratification, and shall continue in force and vigor until annulled by common consent, or decision declared, with one year's previous notice, by either of the parties, to the other.

ART. 18TH. The ports of the Mexican Republic at which the mail steam-ships, mentioned in this convention, must indispensably touch are those of Tampico, Vera Cruz, Goatzacoalcos [*Coatzacoalcos*], Villa de la Frontera de Tabasco, Ysla del Carmen, Campeche and Sisal. The ports of the United-States at which the said steam-ships shall also touch shall be those of New Orleans, or Mobile, Galveston, Matagorda and Brazos de Santiago.

ART. 19TH. For the establishment of the Line of mail steam-ships mentioned in this convention, the Governments of the two Republics may conclude with some individual, or company, the contract relative thereto, but it shall not be valid nor take effect, in any case, until it shall have been approved by each one of the said Governments.

ART. 20TH. The steamers' crews shall consist one half of Mexicans and the other half of Americans. The company obliges itself to maintain, on board of each vessel, two youths, to be named by the Supreme Government of Mexico, to learn the management of the machinery and they shall have their meals furnished gratuitously at the table of the Engineers.

ART. 21ST. The contractor chosen for the conduct of the enterprise, in conformity with the stipulations of this convention, shall oblige himself to determine within the term of sixty days reckoned from the time of the approval of the contract, which of the two ports, whether that of New Orleans or of Mobile shall be selected for the terminus of the Line in the United-States: and in order that it may have effect he shall communicate his decision to the Minister of Mexico, in Washington, and to the Minister of the United-States, in Mexico, who shall advise their respective Governments thereof.

ART. 22ND. The present convention shall be ratified and the ratifications exchanged in Washington within the period of sixty days from its date, or before should it be possible.

In faith of which we the above named Plenipotentiaries have signed and sealed the same.

Done in Mexico this tenth day of February, in the year of our Lord one thousand eight hundred and fifty-seven, in the eighty-first year of the independence of the United-States of America and in the thirty seventh of that of Mexico.

JOHN FORSYTH.
EZEQUIEL MONTES ¹

On July 31, 1861, a postal convention between the United States and Mexico was signed at Washington by Postmaster General Montgomery Blair for the United States and Matías Romero, Chargé d'Affaires ad interim for Mexico (although that convention did not go into force, it is Treaty Series No. 210). That convention was submitted to the Senate; resolution of advice and consent in simple form was unanimously voted on August 6, 1861 (see Executive Journal, XI, 497, 505, 562-63). The Government of Mexico objected to certain provisions of that convention, the English version of which follows, and it did not go into force:

Postal Convention between the United States of America and the United Mexican States.

Articles agreed upon between the General Post office of the United States of America, by Montgomery Blair, Postmaster General, in virtue of his constitutional powers, and the General Post office of the United Mexican States, by Señor Don Matías Romero, Chargé d'Affaires, *ad interim*, of the United Mexican States, invested with special powers to that effect.

ARTICLE I.

An exchange of mails shall hereafter take place between the United States of America and the United Mexican States, by means of United States and Mexican or other mail Packets plying between New York and Havana (Cuba) and between

¹ Only the Spanish version bears the seals of the Plenipotentiaries.

Havana and Vera Cruz; and the expense of the sea transportation of such mails shall be borne equally by the respective Post Departments of the two countries.

ARTICLE II.

The Post office of New York shall be the office of Exchange of the United States of America, and Vera Cruz the office of Exchange of the United Mexican States for all mails transmitted under this arrangement.

Independently of the above designated offices of Exchange, others may be established by mutual agreement between the respective Post Departments of the two countries, whenever they may deem it advisable to establish other routes of Steamship communication between the sea ports of the respective countries.

ARTICLE III.

The international letter correspondence exchanged between the United States of America and its Territories and the United Mexican States and its Territories, shall be subject to the following postage charges, Viz:

Postage on each letter or packet under half an ounce in weight, twenty-five cents.

On each letter or packet weighing half an ounce, and less than one ounce fifty cents, and so on, charging an additional rate of twenty-five cents for each additional fraction of half an ounce.

The above charges shall be in full of the postage to destination upon all letters posted in either country, and addressed to and deliverable in, the other, and shall be prepaid at the office of mailing in each country, respectively.

ARTICLE IV.

Upon newspapers, pamphlets, periodicals and other kinds of printed matter mailed in the United States of America and addressed to the United Mexican States, or mailed in the United Mexican States and addressed to the United States of America, the Post office of the despatching country shall levy and collect its own inland postage, at the established domestic rates, and also a sea postage of one cent on each newspaper, and one cent on each ounce of pamphlets, periodicals and other kinds of printed matter, and shall retain the postage so charged. And the Post office of the receiving country shall levy and collect its own inland postage only, at the established domestic rates, and shall in like manner retain the postage so charged.

Said newspapers, pamphlets and other kinds of printed matter, must be sent in narrow bands, open at the sides or ends, and are to be subject to the laws and regulations of each country, respectively, in regard to their liability to be rated with letter postage when containing written matter, or for any other cause specified in said laws and regulations.

ARTICLE V.

The United States of America bind themselves to guarantee to the United Mexican States, the transit in closed bags, free of all duties, tax, detention or examination, through the Territories of the United States of America, or through any of their possessions or territories, of the letters, newspapers, pamphlets, periodicals or printed matter of any kind, sent from the United Mexican States, or from any of their possessions or territories to any possession or territory of the United Mexican States, or to any foreign country; or from any foreign country, or possession or territory of the United Mexican States, to the United Mexican States, their possessions or their territories.

An agent of the United Mexican States, may, if deemed necessary, accompany the closed bags in their transit, and he shall receive proper protection from the authorities of the country.

ARTICLE VI.

The United Mexican States, on their part, bind themselves to guarantee to the United States of America, the transit in closed bags, free of all duties, tax, detention or examination, through the Territories of the United Mexican States, or through any of their possessions or territories, of the letters, newspapers, pamphlets, periodicals, or printed matter of any kind, sent from the United States of America, or from any of their possessions or territories, to any possession or territory of the United States of America, or to any foreign country; or from any foreign country or possession or territory of the United States of America, to the United States of America their possessions or their territories.

An agent of the United States of America, may, if deemed necessary, accompany the closed bags in their transit, and he shall receive proper protection from the authorities of the country.

ARTICLE VII.

The means of transportation of the closed bags, in pursuance of the stipulations of Articles V and VI, shall be furnished, and the cost thereof shall be paid by the party to which the bags respectively belong, and the carriages, cattle and men, exclusively employed in this service, shall be free from arrest, charges or molestation of any kind whatever, with the single exception of some flagrant violation of the laws of the countries, respectively.

But articles V and VI shall not be construed as requiring either country to furnish a military protection to the mail agents in charge of such closed mails, unless they are conveyed over routes upon which military escorts are furnished for the protection of the domestic mails of the country through which such closed mails are to be conveyed.

ARTICLE VIII.

No postage accounts shall be kept between the Post office Departments of the two countries, but, on the contrary each Department shall retain the postages it may have charged in accordance with the stipulations of this Convention.

ARTICLE IX.

The mail steamers which may be employed by the respective Post Departments, in the transportation of the mails between the two countries, as stipulated in Article I of this Convention, shall be entitled to the reciprocal protection of the two high contracting parties, and shall be considered by the respective Governments as national coasting vessels, and as such they shall enjoy all the privileges granted by the laws of the two countries, respectively, to vessels of that character.

ARTICLE X.

In case of war between the two countries, the mail Packets of the two offices shall continue their navigation, without impediment or molestation, until six weeks after a notification shall have been made on the part of either of the two Governments, and delivered to the other, that the service is to be discontinued; in which case they shall be permitted to return freely, and under special protection, to their respective ports.

ARTICLE XI.

The Post office Departments of the United States of America and of the United Mexican States, shall have full authority to introduce and put in force, by common agreement, all modifications in the arrangements of the present convention, and all measures of detail arising out of the stipulations thereof whenever, by mutual consent, the said Departments shall consider such measures of detail or modifications necessary.

And the said Post office Departments are also authorized and empowered to arrange hereafter for the interchange of mails on the frontier of both countries,

at such points upon the said frontier as they shall mutually agree upon; and also to agree upon and fix the rates of postage to be levied and collected in each country, respectively, on the correspondence which may be so exchanged between them.

ARTICLE XII.

The respective Governments of the two countries, and their respective Legations at the cities of Washington and Mexico, shall have the right to send their correspondence, interchangeably, free of postage, in pouches locked and sealed.

ARTICLE XIII.

The present convention is concluded for an indefinite period. It cannot be annulled by either of the two Governments except after the expiration of a year's notice given to the other Government.

ARTICLE XIV.

This Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the United Mexican States, with the approval of the Congress thereof; and the ratifications shall be exchanged at the City of Washington within six months from the date hereof. It shall go into operation as soon as possible after the exchange of the ratifications.

In witness whereof the respective plenipotentiaries have signed their names hereunto and have affixed their seals.

Done in the City of Washington this thirty first day of July A.D. 1861, and of the Independence of the United States of America the 86th.

M BLAIR P M Gen¹ [Seal]¹
M. ROMERO. [Seal]

Meanwhile Corwin, who had no written instructions for the making of a postal convention and no full power for that purpose, was engaged in negotiating a convention on that subject at Mexico City. Corwin's project was in the hands of the Mexican Government by July 17, 1861, when the Minister of Foreign Affairs wrote him that "the postal convention proposed by His Excellency [Corwin] has today been transmitted to the Postmaster General in order that he may express his opinion thereon" (D.S., 28 Despatches, Mexico, No. 3, July 29, 1861, enclosure E, revised translation). In the covering despatch (an excerpt from which is quoted in the editorial notes to Document 222) Corwin wrote that he had "nearly completed the arrangement for two treaties", one of which was a postal convention "in all essentials quite the same with that a form of which reached here from Mr Romero". Corwin's next despatch includes this statement (*ibid.*, No. 4, August 28, 1861):

I have this day concluded a Postal treaty with Mr. Lerdo the Minister appointed ad hoc which will be submitted to the State department to-morrow. I have no doubt it will be approved by that department, and sent to Congress for ratification at its second meeting which is to open next Monday.

The text of the instrument "concluded" on August 28, 1861, is not available. By that date Corwin had learned of the negotiations

¹ This is the seal of the Post Office Department, impressed on a green wafer.

at Washington for a postal convention from Seward's instruction of June 24, 1861 (D.S., 17 Instructions, Mexico, 355-57); and the text of the convention signed at Washington on July 31, 1861, was in due course received at Mexico City. The wishes of the Mexican Government for modifications of the text of that convention were acceded to by Corwin, with the result that the convention which is printed above following the headnote was signed on December 11, 1861. Corwin thus reported in his despatch of December 24, 1861 (D.S., 28 Despatches, Mexico, No. 9):

I forward by Mr. Plumb ¹ two treaties one a postal the other for the extradition of criminals which have been recently ratified here, by the Mexican Congress. It will be seen that the Postal treaty differs in one or two particulars from that sent from Washington by Mr. Romero.

The Mexican Government could not afford to part with the postage on letters coming into the country. The postal service here is very expensive owing to the bad state of the roads, and the great danger attending the transit of the mail, and the arrangement as to postage was in my judgment the best that under all the circumstances we ought to expect. Another objection arose upon the 9th article of the treaty agreed upon at Washington. That article gives the vessels which may be employed in carrying the mail all the advantages of the coasting trade. It was feared that this might be used by other nations as an argument for granting the same privilege to them, under treaties which provided for trade with Mexico on "the same terms as those granted to the most favored nations". Although I deemed this view of the subject fallacious, I found myself obliged either to forego the advantage of a treaty altogether, or accept the arrangement as it now stands. I have no doubt that in calmer times, when the fear of complications with European powers shall have subsided, the Government here, will be willing to adopt the idea of granting to vessels carrying the mail, exemptions from tonnage duties, and all the privilege derived from the coasting trade.

I should observe that these conventions have been ratified by the Mexican Congress with extraordinary unanimity, the vote being on the Treaty of Extradition 99 to 1 and on the Postal Convention 102 without any opposition.

I send herewith documents relating to this subject as per exhibit No 9 ²

The despatch of December 24, 1861, and the two treaties that accompanied it, were received at the Department of State on January 23, 1862. On that date Seward submitted the despatch and the postal convention for the consideration of Postmaster General Blair (D.S., 56 Domestic Letters, 236). The latter thus commented on the terms of the convention in a letter to Seward dated January 25, 1862 (D.S., Miscellaneous Letters, January 1862):

I have read the enclosed Postal treaty with Mexico, and the accompanying letter ³ from Mr. Corwin, submitted for my perusal and consideration on the 23rd instant, and return the same, agreeably to your request. It leaves our postal communication with Mexico, substantially the same as at present, without a treaty. It does not provide any means for carrying the mails between the two countries, and merely fixes the existing rates of postage on such mail matter as

¹ Edward Lee Plumb, referred to by Corwin at the time as "attaché" of the Legation at Mexico City. Plumb afterwards served as Secretary of that Legation and as Consul General at Habana.

² This is a list of enclosures, which were, besides the original treaty and convention, extracts from the Constitution of Mexico, two notes informing Corwin of ratification by the Mexican Congress, and his acknowledgments thereof.

³ Of December 24, 1861, printed above.

may be carried by such vessels as happen to offer. The treaty¹ negotiated here with Mr Romero, provided for carrying the mails, established rates of postage deemed more just than the existing rates, and provided a convenient plan of payment without accounts between the countries. The provisions inserted in Article 9th of that treaty, giving to the vessels employed in carrying the mails all the advantages of the coasting trade, was expected to operate in reducing considerably the price to be paid for the transportation of the mails; and I am surprised that it was objected to, both on that account, and because the clause was contained in the original projet submitted by the Mexican Minister,² Mr Romero's predecessor.

As nothing is gained or lost by the treaty negotiated by Mr Corwin, I have no solicitude as to the disposition to be made of it.

DURATION OF THE CONVENTION

This convention was abrogated by article 15 of the postal convention between the United States and Mexico signed at Washington April 4, 1887, which came into force on July 1, 1887 (25 Statutes at Large, 1385-89). Meanwhile the United States and Mexico had become members of the Universal Postal Union established by the convention signed at Paris June 1, 1878 (20 *ibid.*, 734-96), modified by the additional act signed at Lisbon March 21, 1885 (25 *ibid.*, 1339-69).

¹ Of July 31, 1861, English version printed above.

² José María Mata.

