

# OUR RELATIONS WITH MEXICO.

## Text of the McLane-Ocampo Treaty.

### Supplementary Articles Authorizing American Intervention.

The treaty concluded with the Liberal Government of Mexico by Hon. ROBERT McLANE, as Plenipotentiary of the United States, Dec. 14, 1859, is now awaiting ratification in the Senate. Conceiving it to be equally important that the public should be prepared to pass not only upon the stipulations of this Convention, but upon the action of the Senate in regard to it, we this morning lay the authentic text before the readers of the TIMES. Having been the first to present to the world a synopsis of these negotiations, it is quite proper that we should also be the first to make public the entire instrument.

#### TREATY OF PEACE AND COMMERCE BETWEEN THE UNITED STATES AND THE MEXICAN REPUBLIC.

##### ARTICLE I.

As an amplification of the eighth article of the treaty of the 30th of December, 1853, the Mexican Republic cedes to the United States and its citizens and property, in perpetuity, the right of way, by the Isthmus of Tehuantepec, from one ocean to the other, by any kind of road now existing, or that may hereafter exist, both Republics and their citizens enjoying it.

##### ARTICLE II.

Both Republics agree to protect all routes now existing, or that shall hereafter exist, over the said Isthmus, and to guarantee the neutrality of the same.

##### ARTICLE III.

Simultaneous with the first *bona fide* use of any route across the said Isthmus for purposes of actual transit, the Republic of Mexico shall establish two ports of deposit—the one on the east, the other on the west of the Isthmus. No duty shall be levied by the Government of Mexico upon foreign effects and merchandise which may pass *bona fide* by the said Isthmus, and which may not be intended for the consumption of the Mexican Republic. No incumbrance or tolls shall be imposed upon foreign persons and property which may pass by this road beyond those that may be imposed upon the persons and property of Mexicans. The Republic of Mexico will continue to allow the free and untrammelled transit of the mails of the United States, provided they pass in closed mail bags, and they be not for distribution on the road. Upon such mails none of the charges imposed, nor of those which may hereafter be imposed, shall be applied in any case.

##### ARTICLE IV.

The Mexican Republic agrees that it will establish for each of the two ports of deposit—the one on the east, the other on the west of the Isthmus—regulations that will permit the effects and merchandise belonging to citizens or subjects of the United States or of any foreign country to be entered and stored in warehouses, which shall be erected for that purpose, free of all tonnage or other duties whatever, except the necessary charges for cartage and storage, which said effects and merchandise may be subsequently withdrawn for transit across the said Isthmus, and for shipment from either of the said ports of deposit to any foreign port, free of all tonnage or other duties whatever; and they may likewise be withdrawn from the said warehouses for sale and consumption, within the territory of the Mexican Republic, on the payment of such duties or imposts as the said Mexican Government may be pleased to enact.

##### ARTICLE V.

The Republic of Mexico agrees that should it become necessary at any time to employ military forces for the security and protection of persons and property passing over any of the routes aforesaid, it will employ the requisite force for that purpose; but upon failure to do this, from any cause whatever, the Government of the United States may, with the consent, or at the request of the Government of Mexico, or of the Minister thereof at Washington, or of the competent legally-appointed local authorities, civil or military, employ such force for this and for no other purpose; and when, in the opinion of the Government of Mexico, the necessity ceases, such force shall be immediately withdrawn.

In the exceptional case, however, of unforeseen or imminent danger to the lives or property of citizens of the United States, the forces of said Republic are authorized to act for their protection without such consent having been previously obtained; and such forces shall be withdrawn when the necessity for this employment ceases.

##### ARTICLE VI.

The Mexican Republic grants to the United States the simple transit of its troops, military stores and munitions of war by the Isthmus of Tehuantepec, and by the transit or route of communication referred to in this Convention from the city of Guaymas, on the Gulf of California, to the Rancho de Nogales, or some suitable point on the boundary line between the Republic of Mexico and the United States near the one hundred and eleventh degree west longitude from Greenwich, immediate notice thereof being given to the local authorities of the Republic of Mexico. And the two Republics agree, likewise, that it shall be an express stipulation, with the companies or enterprises to whom hereafter the carriage or transportation is granted, by any railroads or other means of communication, on the aforesaid transits, that the price for conveying the troops, military stores and munitions of war of the two republics shall be, at most, one-half the ordinary fare paid by the passengers or merchandise which may pass over the said transits; it being understood that if the grantees of privileges already granted, or which hereafter may be granted, upon railroads or other means of conveyance over said transits, refuse to receive for one-half the price of conveyance the troops, arms, military stores, and munitions of the United States, the latter government will not impart to them the protection spoken of in articles second and fifth, nor any other protection.

##### ARTICLE VII.

The Mexican Republic hereby cedes to the United States in perpetuity, and to their citizens and property, the right of way or transit across the territory of the Republic of Mexico, from the Cities of Camargo and Matamoras, or any suitable point on the Rio Grande, in the State of Tamaulipas, *viâ* Monterey, to the port of Mazatlan, at the entrance of the Gulf of California, in the State of Sinaloa, and from the Rancho de Nogales, or any suitable point on the boundary line between the Republic of Mexico and the United States, near the one hundred and eleventh degree west longitude from Greenwich, *viâ* Magdalena and Hermosillo, to the City of Guaymas, on the Gulf of California, in the State of Sonora, over any railroad or route of communication, natural or artificial, which may now or hereafter exist or be constructed, to be used and enjoyed in the same manner and upon equal terms by both Republics, and their respective citizens, the Mexican Republic reserving always for itself the right of sovereignty which it now has upon all the transits spoken of in the present Treaty. All the stipulations and regulations of every kind applicable to the right of way or transit across the Isthmus of Tehuantepec, that are or have been agreed upon between the two Republics, are hereby extended and applied to the foregoing transits or rights of way, excepting the right of passing troops, military stores, and munitions of war, from the Rio Grande to the Gulf of California.

##### ARTICLE VIII.

The two Republics likewise agree that, from the list of merchandise here annexed, the Congress of the United States shall select those which, being the natural, industrial, or manufactured product of either of the two Republics, may be admitted for sale and consumption in either of the two countries, under conditions of a perfect reciprocity, whether they be considered free of duty, or at a rate of duty to be fixed by the Congress of the United States; it being the intention of the Mexican Republic to admit the articles in question at the lowest rate of duty, and even free, if the Congress of the United States consents thereto. Their introduction from one to the other Republic shall be made at the points which the Governments of both Republics may fix upon, at the limits or boundaries thereof ceded and granted for the transits, and in perpetuity, by this Convention, either across the Isthmus of Tehuantepec or from the Gulf of California, to the interior frontier

between Mexico and the United States. If any similar privileges should be granted by Mexico to other nations at the termini of the aforesaid transits upon the Gulfs of Mexico and California, and upon the Pacific Ocean, it shall be in consideration of the same conditions and stipulations of reciprocity which are imposed upon the United States by the terms of this Convention.

##### List of Merchandise annexed to Article VIII.

Animals of all kinds.  
Plows and loose iron bars.  
Rice.  
Poultry and fresh eggs.  
Quicksilver.  
Stone coal.  
Fresh, salted, and smoked meats.  
Wood and iron houses.  
Raw hides.  
Horns.  
Chile or red pepper.  
Drawings and models of large machinery, buildings, monuments, and boats.  
Boats of all sizes and classes, for the navigation of the rivers on the frontier.  
Brooms and material for their manufacture.  
Bridle bits.  
Fresh, dried, and sugared fruits.  
Type, spaces, plates for printing or engraving, rules, vignettes, and printing ink.  
Printed books of all classes bound in paper, (pamphlet bound.)  
Hops.  
Timber, unwrought, and firewood.  
Butter and cheese.  
Geographical and nautical maps and topographical plans.  
Marble, wrought and unwrought.  
Machines and implements for agriculture, farming, mining, for the development of the arts and sciences, and their fixtures, either loose or for their repair.  
Dyewood.  
Fish, tar, turpentine and ashes.  
Plants, trees and shrubbery.  
Slates for roofing purposes.  
Common salt.  
Riding-saddles.  
Palm-leaf hats.  
Plaster of Paris, (gypsum.)  
Vegetables.  
Undressed sheepskins.  
Grain of all kinds, and from which bread is made.  
Flour.  
Wool.  
Lard.  
Tallow.  
Leather, and manufactures of leather.  
Every species of textile or woven fabric of cotton, excepting that called brown sheeting, (*mantatriguena*.)

##### ARTICLE IX.

As an amplification of the fourteenth and fifteenth Articles of the Treaty of the fifth of April, one thousand eight hundred and thirty-one, in which that which relates to the exercise of their religion by the citizens of Mexico was stipulated, the citizens of the United States will be permitted to exercise freely in Mexico their religion, either in public or in private, within their houses or in the churches and places which may be assigned to worship, as a consequence of the perfect equality and reciprocity which the second Article of the same treaty states was taken for its basis. The chapels or places for public worship may be purchased, and shall be held as the property of those who may purchase them, as any other common property is purchased or held, excepting therefrom, however, the religious communities and corporations to whom the present laws of Mexico have prohibited entirely and forever a day the obtaining and holding anything whatever in propriety. In no case shall citizens of the United States residing in Mexico be subject to have forced loans levied upon them.

##### ARTICLE X.

In consideration of the foregoing stipulations, and in compensation for the revenue surrendered by Mexico on the goods and merchandise transported free of duty through the territory of that Republic, the Government of the United States agrees to pay to the Government of Mexico the sum of \$4,000,000, of which two millions shall be paid immediately upon the exchange of the ratifications of this treaty, and the remaining two millions shall be retained by the Government of the United States for the payment of the claims of citizens of the United States against the Government of the Republic of Mexico, for injuries already inflicted, and which may be proven to be just, according to the law and usage of nations and the principles of equity; and the same shall be paid *pro rata*, as far as the said sum of two millions will permit, in pursuance of a law to be enacted by the Congress of the United States for the adjudication thereof, and the remainder of this sum shall be returned to Mexico by the United States, in case there be any such remainder after the payment of the claims thus found to be just.

##### ARTICLE XI.

This Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate of the United States, and by the President of Mexico, in virtue of his extraordinary and actual executive functions, and the respective ratifications shall be exchanged at the City of Washington, within the exact period of six months from the date of its signature, or sooner if possible, or at the seat of the Constitutional Government, if any alterations or amendments be proposed by the President and Senate of the United States, and accepted by the President of the Republic of Mexico.