

States, this would obviate the danger of future collisions. Mexico would part with a remote and detached province, the possession of which can never be advantageous to her; and she would be relieved from the trouble and expense of defending its inhabitants against the Indians. Besides, she would thus purchase security against their attacks for her other provinces west of the del Norte, as it would at once become the duty of the United States to restrain the savage tribes within their limits, and prevent them from making hostile incursions into Mexico. From these considerations, and others which will readily suggest themselves to your mind, it would seem to be equally the interest of both powers that New Mexico should belong to the United States.

But the President desires to deal liberally by Mexico. You are, therefore, authorized to offer to assume the payment of all the just claims of our citizens against Mexico; and, in addition, to pay five millions of dollars in case the Mexican government shall agree to establish the boundary between the two countries from the mouth of the Rio Grande, up the principal stream to the point where it touches the line of New Mexico; thence west of the river along the exterior line of that province, and so as to include the whole within the United States, until it again intersects the river; thence up the principal stream of the same to its source; and thence due north until it intersects the forty-second degree of north latitude.

A boundary still preferable to this would be an extension of the line from the northwest corner of New Mexico, along the range of mountains until it would intersect the forty-second parallel.

Should the Mexican authorities prove unwilling to extend our boundary beyond the del Norte, you are, in that event, instructed to offer to assume the payment of all the just claims of citizens of the United States against Mexico, should she agree that the line shall be established along the boundary defined by the act of Congress of Texas, approved December 19, 1836, to wit: beginning at "the mouth of the Rio Grande; thence up the principal stream of said river to its source; thence due north to the forty-second degree of north latitude."

It is scarcely to be supposed, however, that Mexico would relinquish five millions of dollars for the sake of retaining the narrow strip of territory in the valley of New Mexico, west of the Rio Grande; and thus place under two distinct governments the small settlements, closely identified with each other, on the opposite banks of the river. Besides, all the inconveniences to her from holding New Mexico, which I have pointed out, would be seriously aggravated by her continuing to hold that small portion of it which lies west of the river.

There is another subject of vast importance to the United States, which will demand your particular attention. From information possessed by this department, it is to be seriously apprehended that both Great Britain and France have designs upon California. The views of the government of the United States on this subject you will find presented in my despatch to Thomas O. Larkin, esq., our consul at Monterey, dated October 17, 1845, a copy of which is

herewith transmitted. From it you will perceive, that whilst this government does not intend to interfere between Mexico and California, it would vigorously interpose to prevent the latter from becoming either a British or a French colony. You will endeavor to ascertain whether Mexico has any intention of ceding it to the one or the other power; and if any such design exists, you will exert all your energies to prevent an act which, if consummated, would be so fraught with danger to the best interests of the United States. On this subject you may freely correspond with Mr. Larkin, taking care that your letters shall not fall into improper hands.

The possession of the bay and harbor of San Francisco is all important to the United States. The advantages to us of its acquisition are so striking, that it would be a waste of time to enumerate them here. If all these should be turned against our country by the cession of California to Great Britain, our principal commercial rival, the consequences would be most disastrous.

The government of California is now but nominally dependent upon Mexico; and it is more than doubtful whether her authority will ever be reinstated. Under these circumstances, it is the desire of the President that you shall use your best efforts to obtain a cession of that province from Mexico to the United States. Could you accomplish this object, you would render immense service to your country, and establish an enviable reputation for yourself. Money would be no object, when compared with the value of the acquisition. Still, the attempt must be made with great prudence and caution, and in such a manner as not to alarm the jealousy of the Mexican government. Should you, after sounding the Mexican authorities on the subject, discover a prospect of success, the President would not hesitate to give, in addition to the assumption of the just claims of our citizens on Mexico, twenty-five millions of dollars for the cession. Should you deem it expedient, you are authorized to offer this sum for a boundary running due west from the southern extremity of New Mexico to the Pacific ocean, or from any other point on its western boundary which would embrace Monterey within our limits. If Monterey cannot be obtained, you may, if necessary, in addition to the assumption of these claims, offer twenty millions of dollars for any boundary commencing at any point on the western line of New Mexico and running due west to the Pacific, so as to include the bay and harbor of San Francisco. The larger the territory south of this bay, the better. Of course, when I speak of any point on the western boundary of New Mexico, it is understood that from the del Norte to that point our boundary shall run according to the first offer which you have been authorized to make. I need scarcely add, that in authorizing the offer of five millions, or twenty-five millions, or twenty millions of dollars, these are to be considered as maximum sums. If you can accomplish either of the objects contemplated for a less amount, so much more satisfactory will it prove to the President.

The views and wishes of the President are now before you, and much, at last, must be left to your own discretion. If you can accomplish any one of the specific objects which have been presented



in these instructions, you are authorized to conclude a treaty to that effect. If you cannot, after you shall have ascertained what is practicable, you will ask for further instructions, and they shall be immediately communicated.

Your mission is one of the most delicate and important which has ever been confided to a citizen of the United States. The people to whom you will be sent are proverbially jealous; and they have been irritated against the United States by recent events, and the intrigues of foreign powers. To conciliate their good will is indispensable to your success. I need not warn you against wounding their national vanity. You may probably have to endure their unjust reproaches with equanimity. It would be difficult to raise a point of honor between the United States and so feeble and distracted a power as Mexico. This reflection will teach you to bear and forbear much, for the sake of accomplishing the great objects of your mission. We are sincerely desirous to be on good terms with Mexico; and the President reposes implicit confidence in your patriotism, sagacity, and ability, to restore the ancient relations of friendship between the two republics.

Herewith you will also receive your full powers to conclude a treaty, together with two maps—the one Arrowsmith's and the other Emory's—on which are designated the limits of New Mexico.

You will keep the department advised of your progress as often as safe opportunities may offer.

You are aware that Congress, at their last session, made the following appropriation:

“For paying the April and July instalments of the Mexican indemnities, due in eighteen hundred and forty-four, the sum of two hundred and seventy-five thousand dollars: *Provided*, it shall be ascertained to the satisfaction of the American government that said instalments have been paid by the Mexican government, to the agent appointed by the United States to receive the same, in such manner as to discharge all claim on the Mexican government, and said agent to be delinquent in remitting the money to the United States.”

The whole transaction between Emilio Voss, esq., the agent of the United States, and the Mexican authorities, is yet involved in mystery, which this government has not been able to unravel. You will endeavor, with as little delay as possible, to ascertain the true state of the case in relation to the alleged payment of these instalments by the Mexican government to our agent, and give the department the earliest information on the subject. A copy of his receipt ought to be obtained, if possible.

I am, &c.,

JAMES BUCHANAN.

JOHN SLIDELL, Esq.,

*Envoy Extraordinary and Minister Plenipotentiary  
from the United States to Mexico.*

*Mr. Buchanan to Mr. Trist.*

DEPARTMENT OF STATE,

*Washington, April 15, 1847.*

SIR: Since the glorious victory of Buena Vista, and the capture of Vera Cruz and the castle of San Juan d'Ulloa by the American arms, it is deemed probable that the Mexican government may be willing to conclude a treaty of peace with the United States. Without any certain information, however, as to its disposition, the President would not feel justified in appointing public commissioners for this purpose, and inviting it to do the same. After so many overtures rejected by Mexico, this course might not only subject the United States to the indignity of another refusal, but might, in the end, prove prejudicial to the cause of peace. The Mexican government might thus be encouraged in the mistaken opinion, which it probably already entertains, respecting the motives which have actuated the President in his repeated efforts to terminate the war. He deems it proper, notwithstanding, to send to the head-quarters of the army a confidential agent, fully acquainted with the views of this government, and clothed with full powers to conclude a treaty of peace with the Mexican government, should it be so inclined. In this manner he will be enabled to take advantage, at the propitious moment, of any favorable circumstances which might dispose that government to peace.

The President, therefore, having full confidence in your ability, patriotism, and integrity, has selected you as a commissioner to the United Mexican States, to discharge the duties of this important mission; and for your services in this capacity you will be allowed the outfit and salary of a chargé d'affaires.

You are herewith furnished with a projet of a treaty, (marked A,) embraced in eleven articles, and founded upon just and liberal principles towards Mexico; which, together with your instructions, you may communicate confidentially to Major General Scott and Commodore Perry.

Should a Mexican plenipotentiary meet you, duly authorized by his government to conclude a treaty of peace, you will, after a mutual exchange of your full powers, deliver him a copy of this projet, with the sum in blank contained in the fifth article as a consideration for the extension of our boundaries, and inform him that you are prepared to sign it, on behalf of the government of the United States, as soon as the sum with which the blank is to be filled shall be agreed upon by the parties. This sum ought to be as much below the fifteen millions contained in the article as you can accomplish. Considering the heavy expenses and sacrifices of the war on our part, and the brilliant success of our arms, as well as the large amount which, under the projet, this government has assumed to pay our own citizens for claims due to them by Mexico, justice would seem to require that the treaty should not stipulate for the payment of a very large sum.

You may, in conversation with him, ascertain what change in the



terms of the projet the Mexican government would require; and if this should become indispensable to attain the object, you may modify these terms, including the amount to be paid to Mexico, in the following particulars:

1. Instead of fifteen millions of dollars stipulated to be paid by the fifth article for the extension of our boundary over New Mexico and Upper and Lower California, you may increase the amount to any sum not exceeding thirty millions of dollars, payable by instalments of three millions per annum, provided the right of passage and transit across the isthmus of Tehuantepec, secured to the United States by the eighth article of the projet, shall form a part of the treaty.

2. Whilst it is of the greatest importance to the United States to extend their boundaries over Lower California, as well as New Mexico and Upper California, you are not to consider this as a *sine qua non* to the conclusion of a treaty. You will, therefore, not break off the negotiation if New Mexico and Upper California can alone be acquired. In that event, however, you will not stipulate to pay more than twenty millions of dollars for these two provinces without the right of passage and transit across the isthmus of Tehuantepec.

3. You are authorized to stipulate for the payment of any sum not exceeding twenty-five millions of dollars for New Mexico and Upper California, without Lower California, provided the stipulation securing the right of passage and transit across the isthmus of Tehuantepec shall be retained in the treaty; or, if this should be stricken out, you are authorized to stipulate for the payment of the like sum of twenty-five millions of dollars for Lower California, in addition to New Mexico and Upper California.

Should Lower California not be embraced in the treaty, then it will become necessary to change the delineation of boundary contained in the fourth article of the projet in the following manner:

Instead of the concluding words "to the Pacific ocean," let it read, "to a point directly opposite the division line between Upper and Lower California; thence due west along the said line which runs north of the parallel of 32 degrees and south of San Miguel, to the Pacific ocean; and the vessels and citizens of the United States shall, in all time to come, have free and uninterrupted access to and from the ocean, through the gulf of California, from and to their possessions north of the said division line."

You will not fail to observe that the sums of thirty, twenty, and twenty-five millions of dollars, respectively, which you are authorized to offer, are all maximums; and you will not go to the extent of either, unless you shall find this absolutely necessary to the conclusion of a treaty. You will not exceed the fifteen millions of dollars contained in the fifth article of the projet, until you shall have good reason to believe that the Mexican government would break off the negotiation unless it should be increased; and, in departing from this sum, you will go as little beyond it as practicable.

Whilst it would be most convenient for the treasury of the United States to pay any sum for which you may stipulate in annual

instalments of three millions each, yet this is not indispensable. If necessary, therefore, to the conclusion of the treaty, you may agree that, for the remainder of the sum above the three millions of dollars to be paid upon its ratification by Mexico, the government of the United States shall create a six per cent. stock, similar to that created for the purchase of Louisiana, to be transferred to the government of Mexico, the interest on the same to be payable annually at the city of Washington, and the principal to be redeemable there, at the pleasure of this government, any time after two years from the exchange of ratifications.

Should this stock not be created, then, if insisted upon by the Mexican government, each of the annual instalments may bear an interest of six per cent., but the interest on each instalment to be payable only when the principal shall be paid.

If you can obtain the postponement of the payment of the whole or any part of the three millions of dollars stipulated to be paid by the projet, immediately after the ratification of the treaty by Mexico, until the ratifications shall have been exchanged, this would be highly satisfactory to the President.

The rights of the persons and property of the inhabitants of the territory over which the boundaries of the United States shall be extended, will be amply protected by the constitution and laws of the United States. An article, therefore, to secure these rights has not been inserted in the projet; but should this be deemed necessary by the Mexican government, no strong objection exists against inserting in the treaty an article similar to the third article of the Louisiana treaty. It might read as follows: "The inhabitants of the territory over which the jurisdiction of the United States has been extended by the fourth article of this treaty shall be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and, in the mean time, they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess."

In the event of the insertion of this article, it would be proper to add to it the following: "Provided that all grants or concessions whatever of any lands, made or issued by the Mexican government since the thirteenth day of May, one thousand eight hundred and forty-six, within the said territory, shall be absolutely null and void." The date might, if necessary, be changed from the day when Congress recognised the existence of the war to the month of September, 1846, when the American forces took possession of California.

The extension of our boundaries over New Mexico and Upper California, for a sum not exceeding twenty millions of dollars, is to be considered a *sine qua non* of any treaty. You may modify, change, or omit the other terms of the projet if needful, but not so as to interfere with this ultimatum.

If you should not succeed in accomplishing the object of your mission, you are authorized to make the necessary preliminary ar-



rangements with the Mexican government for the conclusion of a treaty of peace by commissioners, to be appointed by both parties, according to the proposition contained in my note of the 18th January last to the Mexican minister of foreign relations; provided a reasonable prospect shall exist that such Mexican commissioners will agree to the ultimatum which I have specified.

So rapidly does revolution follow revolution in Mexico, that it would be difficult to conjecture what form of government you may find in existence over that ill-fated country on your arrival at the head-quarters of the army. The constitution of 1824<sup>th</sup> may then have been abolished, and a dictatorship be again existing in its stead. You will not hesitate, however, to conclude a treaty with whatever government you shall find there upon your arrival, provided it presents a reasonable prospect of being able to maintain itself. Should a dictator be established who has subverted the constitution of 1824, and acquired the supreme power, his ratification of the treaty will be sufficient without the previous approbation of the general Congress. Were this government to refuse to conclude a treaty of peace until the Mexican government shall assume any permanent constitutional form, the war might yet continue for many years to come.

If the contingency shall occur on the happening of which, as provided by the third article of the proposed treaty, hostilities are required to be suspended, you will, without delay, communicate this fact to the commanders of our land and naval forces respectively; the Secretaries of War and the Navy having already issued orders to them for the suspension of hostilities upon the receipt of such a notice from yourself.

You will herewith receive a certificate from the Secretary of the Treasury, that your draft in favor of the Mexican government, for the whole or any part of the three millions of dollars appropriated by the act of Congress of the 3d March, 1847, entitled "An act making further appropriation to bring the existing war with Mexico to a speedy and honorable conclusion," will be duly honored. You will be exceedingly careful not to draw for any part of this sum until the conditions required by that act shall have been fully complied with, and the treaty which you may sign with the authorized agent or agents of the Mexican government has been "duly ratified by Mexico." As the disbursement of so large a sum is a matter of great importance, you should use every precaution to be certain that your drafts shall be drawn in favor of the proper functionary of the Mexican government, and the whole business transacted in such a manner that no difficulty will hereafter arise on the subject. You will take receipts in triplicate for any draft or drafts which you draw; which ought, if possible, to be signed by the President of Mexico, and countersigned by the minister of finance.

I am, sir, with great respect, your obedient servant,

JAMES BUCHANAN.

NICHOLAS P. TRIST, Esq.,  
&c., &c., &c.

[A.]

PROJET.

The United States of America and the United Mexican States, desirous of terminating the war which has unhappily subsisted between the two republics, and of restoring peace, friendship, and good understanding between them, have, for that purpose, appointed their respective plenipotentiaries; that is to say, the President of the United States has appointed Nicholas P. Trist, &c., &c., and

who, after a reciprocal communication of their respective full powers, have agreed upon the following articles:

ARTICLE I.

There shall be a firm and universal peace between the United States of America and the United Mexican States, and between their respective countries, territories, cities, towns, and people, without exception of places or persons. All hostilities, both by sea and land, shall definitively cease so soon as the ratifications of this treaty shall have been exchanged by the parties.

ARTICLE II.

All prisoners of war taken on either side, as well by land as by sea, shall be restored as soon as practicable after the exchange of the ratifications of this treaty.

ARTICLE III.

So soon as the present treaty shall have been duly ratified by the United Mexican States, this fact shall be made known with the least possible delay to the military and naval commanders of both parties, whereupon a suspension of hostilities shall take place both by land and by sea, as well on the part of the military and naval forces of the United States as on the part of those of the United Mexican States; and the said suspension of hostilities shall be inviolably observed on both sides. Immediately after the exchange of the ratifications of the present treaty, all the forts, territories, places, and possessions, whatsoever, taken by the United States from the United Mexican States during the war, except such as are embraced within the limits of the United States as defined by the fourth article of this treaty, shall be restored without delay, and without causing any destruction, or carrying away any of the artillery or other public property originally captured in the said forts or places, and which shall remain therein upon the exchange of the ratifications of this treaty: and in like manner, all the forts, territories, places, and possessions, whatsoever, taken by the United Mexican States from the United States during the war, and also all such forts, territories, places, and possessions embraced within the limits of the United States under the fourth article of this treaty, shall be