

note from the minister of relations, under date 22d, herein enclosed, together with a copy of my reply to the same, which was despatched from Queretaro on the morning of that day. Their extreme anxiety on the subject may be judged from the fact, that I have received already the same communication in duplicate and triplicate. The peace men did not cease for several days to implore me to remain in the country, at least until Mr. Parrott shall have arrived with the despatches of which report makes him the bearer. To these entreaties, however, I have turned a deaf ear, stating the absolute impossibility that those despatches should bring anything to change my position in the slightest degree. General Scott at once said that he would despatch a train at any time I might name. And I should have set out before this, but for two considerations: one, that the garrison here is already so small that its duties are exceedingly oppressive to both officers and men, and the matter would be made still worse by the detachment of another escort; the other, that General Scott

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 For these reasons I have determined to postpone my departure until the return of the train under Lieutenant Colonel Johnson, which is expected on the 4th or 5th of next month. Should it be delayed beyond that time, and should any reinforcements have arrived here or be near, I will set out immediately after. It will take us twelve days at least to reach Vera Cruz.

I recommend to the peace men to send immediately, through General Scott, whatever propositions they may have to make, or to despatch one or more commissioners with me. After full conversations on the subject, however, I became thoroughly satisfied of the impracticability of either plan: it would, to a certainty, have the effect of breaking them down. The only possible way in which a treaty can be made is, to have the work done on the spot; negotiation and ratification to take place at one dash. The complexion of the new Congress, which is to meet at Queretaro on the 8th of January, is highly favorable. This will be the last chance for a treaty. I would recommend, therefore, the immediate appointment of a commissioner on our part.

I am, sir, in great haste, and very respectfully, your obedient servant,

N. P. TRIST.

Hon. JAMES BUCHANAN, *Secretary of State.*

*Mr. Peña y Peña to Mr. Trist.*

[Translation.]

QUERETARO, November 22, 1847.

The undersigned, minister of relations of the Mexican government, has the honor to address the present note to his excellency

Don Nicholas Trist, commissioner of the United States of the north, and to acquaint his excellency that the provisional government of the president of the supreme court of justice of Mexico being ended, by the election of General Don Pedro Maria Annaya as President of the republic *ad interim*, and his excellency having appointed the undersigned the head of this department of relations, the new President at once began to inform himself respecting the last discussions which took place between his excellency Mr. Trist and this department.

Seeing in them the ardent desire which his excellency states he entertains to cause an end to be put to the calamities of the war which unfortunately severs both republics, and that for this purpose the appointment of commissioners on the part of Mexico was pending, which appointment the president of the supreme court of justice did not make on account of the temporary character of his government, the present President has decided to choose anew the same two gentlemen who had already been appointed—Don Bernardo Conto and Don Miguel Atristain; and Don Jose Joaquin Herrera and Don Ignacio Mora y Villamil not having it in their power to continue upon the commission—the first in consequence of being seriously ill, and the second in consequence of being appointed minister of war—Don Manuel Rincon and Don Luis Gonzaga Cuevas have been appointed instead of those two individuals, and have been duly informed thereof by the undersigned.

But as those gentlemen are in different parts of the republic, although not very far from this city, they have been requested to repair hither forthwith, to receive their appropriate instructions; and, when received, they will communicate with his excellency Mr. Trist, in order that, upon proper conditions, the conferences which remain pending may be continued, and may lead to the happy result of an honorable and useful peace.

The undersigned sincerely unites his desires to those of his excellency Mr. Trist, that the powers conferred may not be vain or useless; and, with that view, he has the satisfaction of offering to his excellency the assurances of his very distinguished consideration.

MANUEL DE LA PEÑA Y PEÑA.

*Mr. Trist to Mr. Peña y Peña.*

MEXICO, November 24, 1847.

The undersigned has the honor to acknowledge the receipt of the note, under date the 22d instant, of his excellency Don Manuel de la Peña y Peña, minister of relations of the Mexican government, acquainting him of the appointment of the commissioners therein named, to negotiate for the restoration of peace. The undersigned regrets to say, in reply, that the powers conferred upon him for that purpose have been revoked, and that, agreeably to the instruc-

tions received by him, he is under the necessity of returning, without delay, to the United States. At the same time, he has been instructed to say that any communication from the Mexican government, having for its object the opening of negotiations or the restoration of peace, will be immediately transmitted by the commanding general of the United States forces in this republic, to Washington, where it will receive the prompt consideration of the President.

The undersigned still cherishes, therefore, the hope that the signature of the treaty, which has been reserved for another hand than his, is destined to take place at an early day. In this hope, he tenders, &c., &c.

N. P. TRIST.

To his excellency DON MANUEL DE LA PENA Y PENA,  
*Minister of Relations of the Mexican government.*

*Mr. Trist to a confidential friend at Queretaro.*

[CONFIDENTIAL.]

MEXICO, December 4, 1847.

MY DEAR MR. ———: This letter will occasion you great surprise, but no greater than I should myself have experienced a few hours ago, had a seer, in whose prophetic powers I put faith, foretold to me that I was to write it. Down to that moment, I have, from the time when I last wrote to you, considered it as a thing fixed and unchangeable—as absolutely fixed as any thing can be—that the treaty of peace, which I yet hoped might take place at an early day, was not to be signed by my hand. True, every time the subject presented itself to my mind, my fears had become greater and greater that the opportunity would be lost. The critical position of the peace party—whose difficulties and whose peril, as we fully know, cannot but augment with every revolving hour, until their object shall have been consummated—had seldom been absent from my thoughts; and every time it occurred to me, I became more and more deeply and anxiously impressed with the probability that, through mere delay, through the mere loss of a few weeks, all their efforts were to prove vain; that the incessant exertions, the indefatigable industry, and the patriotic courage on their part, by which the present state of things has been brought about, were, after all, to result in *nothing*; nay, in something far worse than nothing; their own entire prostration and dissolution, through flat despair and death to the sentiment of peace, in every bosom which has cherished it. Still, although this has constantly been the state of my mind on the subject, I have never, until a few hours ago, for an instant wavered from the determination expressed in my reply to your letter; never once conceived the *possibility* of a change in that determination. So convinced had all become, that it was fixed, beyond the possibility of change, that all entreaties and arguments to move me had long ceased. Nevertheless, it now stands reversed.

For good or for evil, this reversal has occurred, and has been made known in the proper quarter. I am now resolved, and committed, to carry home with me a treaty of peace, if the Mexican government feel strong enough to venture upon making one on the basis, as regards boundary, of the projet originally presented by me, modified according to the memorandum which I subsequently gave to one of the commissioners: that is to say, running up the middle of the Rio Bravo from its mouth to the thirty-second degree of latitude, and thence along that parallel to the Pacific ocean; with free access to and from the ocean, through the gulf of California, from and to our possessions.

If they feel able to make and carry through a treaty on this basis, it would be utterly idle to talk or to think for an instant of any other, and I cannot listen to a single word on the subject: let them say the word, and the treaty shall be made.

If they do not feel thus able, let them surrender at once to the Puros, and dismiss forever all thought of a treaty; for it is the best chance that Mexico can have for one equally favorable to her, or indeed for one which any party in this country can accept. I am fully persuaded that its terms would not, by any means, meet the views *now* entertained by my government. So decided is my belief on this point, that even if I were clothed with discretionary powers to make *any* treaty which I deemed compatible with those views, I could not consistently with this limitation offer the terms I now propose; and I should not now make the offer but for my clear and perfect conviction on these three points: *First*. That peace is still the desire of my government. *Secondly*. That if the present opportunity be not seized *at once*, all chance for making a treaty *at all* will be lost for an indefinite period—probably forever. *Thirdly*. That this is the utmost point to which the Mexican government can, by any possibility, venture.

It is my conviction on the second of these points particularly—a conviction which has been becoming clearer and stronger every day for the last fortnight—that causes me to depart from the determination I had taken; a determination which, in any other position than the one wherein this most extraordinary, this altogether unprecedented combination of circumstances, places me with reference to the known wishes of my government and country—places, indeed, that very country itself—it would be so obviously my duty to allow nothing to shake. In my last despatch home I represented the nature of the crisis, and recommended the immediate appointment of a commission. I then hoped that this step might be taken in time. I then considered that whether it should or should not so turn out, and whatever might be the consequences of its turning out otherwise, I had nothing to do but to close my eyes to those consequences; for they had passed entirely beyond my control. I did so close my eyes, and I believed for the moment that the subject was dismissed forever from my thoughts. But ever since then, the hope that the step referred to *can* be taken ere it will be too late, has been becoming fainter and fainter every day; and as *it* has thus waned, so have the consequences presented themselves under

a more and more threatening and disheartening aspect, as they loomed up through the dim future in their as yet indistinct and ill-defined character, but plainly incalculable immensity.

Thus has the question which your letter had raised in my mind, and which, on concluding my reply, I had considered as dismissed for once and all, again come up, and brought itself home to me. What is my line of duty to my government and my country, in this most extraordinary position in which I find myself? Knowing, as I do, that peace is the earnest wish of both, is it, *can* it be my duty to allow this last chance for peace to be lost, by my conforming to a determination of that government, taken with reference to a supposed state of things in this country entirely the reverse of that which actually exists? Upon full reflection, I have come to the conclusion that my duty is, to pursue the opposite course; and upon this conclusion I have taken my stand. It remains to be seen whether the Mexican government can come up to the mark, and give effect to my resolve. "*Now or never*" is the word; and I need not say to you that this word is uttered in all sincerity, and with as total an absence of all diplomatic reserves behind it as ever occurred in the most solemn vow pronounced by man. I have had no new instructions, no hint of any kind from Washington or elsewhere, in or out of the United States. The case stands in this respect precisely as when we parted.

I am, &c.,

N. P. TRIST.

Mr. Trist to Mr. Buchanan.

[No. 28.]

HEAD-QUARTERS OF THE U. S. ARMY,  
Mexico, February 2, 1848.

SIR: I transmit herewith the treaty of peace, friendship, limits, and settlement, signed one hour ago at the city of Guadalupe; a spot which, agreeably to the creed of this country, is the most sacred on earth, as being the scene of the miraculous appearance of the Virgin, for the purpose of declaring that Mexico was taken under her special protection.

During the negotiation—which has been an exceedingly laborious one, and has kept me closely employed for several weeks past, during every day and night, for as many hours as I could possibly give to labor—I have written many notes which would serve as an explanation of the treaty in all its stipulations; and I have also written a long despatch on the subject. But it has proved impossible for me to find time to copy these papers, or to get them copied, for transmission. They will go some days hence with the duplicate of the treaty. Meanwhile, this must speak for itself.

It will be delivered to you by Mr. James L. Freaner, the correspondent of the New Orleans Delta, who has given such celebrity to the signature of "Mustang." For a service of this kind he would be my first choice, by far, of all the men whom I have ever

known; as he would be among the first for any service which a man may be qualified for by high integrity of character, strong, manly good sense, extraordinary sagacity and presence of mind, perfect fearlessness, and many other noble qualities; all united with a frame of steel, and the sinews of a mountain deer. He had made his arrangements for leaving this place, on his return to the United States, with the train which I had myself intended to accompany, and which set out from hence on the 9th of December last. Aware of his great value in such a capacity, at a juncture like the present, when the loss of a single hour might be attended with consequences the most momentous, I obtained his consent to remain here, with a view to the contingency which has occurred. I consider him, therefore, as having been in the employment of the government as a special bearer of despatches, from the 9th of December. As generous and disinterested in his disposition as he is brave and upright, he would be perfectly content with the consciousness of having been useful to our country, without any other reward; but I have told him that I should insist upon this matter being placed upon the footing just stated.

With respect to the ratification of the treaty, I believe the chances to be *very* greatly in its favor; although it cannot be counted upon in less than two months from the date of the proclamation which will be issued by the executive, summoning the new Congress. The elections have not yet been held in the States of Vera Cruz and Puebla. In the former the Pueros (war party) never had any strength whatever; and in the latter not enough to counteract a vigorous and concerted effort on the part of the Moderados. These elections will now speedily take place under the arrangements for facilitating them which will be entered into in pursuance of the second article of the treaty, (inserted with a special view to this object;) and the result will, according to every probability, give to the peace party in Congress a preponderance so decided as to insure its prompt ratification.

I am, sir, very respectfully, your obedient servant,

N. P. TRIST.

HON. JAMES BUCHANAN,  
Secretary of State.