

ton would be a peremptory refusal to accede to this modification of the boundary: a refusal which—even if matters here should then remain precisely as they had stood when I made the offer, and none of the highly probable changes in favor of the cause of peace should then have occurred—would at least be attended with the effect of conclusively satisfying them that the determination of our government, on this point, was *unchangeable*; an effect which, considering my long absence from Washington and all the circumstances of the case, could not possibly have resulted from any degree of inflexibility on my part; for this would naturally be ascribed to timidity about departing from instructions. I expected, *secondly*, that when this answer should be received from Washington, the state of things here would be infinitely more favorable to the conclusion of a treaty; and that Santa Anna, thus encouraged, would have recovered entirely from the agitation which had unmanned him, would have become restored to and confirmed in the determination which had produced his manifesto, *and would adopt our projet*.

This is what I *expected*, as the almost certain result of the acceptance of my offer. But, without believing my judgment infallible—and the weakness of my understanding does not go to any such extent—I could not feel *absolutely certain* that our government would give such refusal. My conviction in regard to the degree in which the restoration of peace was *desired* at home, by the country, by the government, by the democratic party especially—on broad grounds and on narrow grounds; my convictions in regard to the degree in which the restoration of peace was *desirable* to our country—these convictions all came upon me in full force. I recollected, too, that the establishment of a “desert” boundary had once been a favorite idea with a portion, at least, of our statesmen. Influenced by these convictions and this recollection—independently of the *positive* advantage which the prolongation of the armistice offered, as has just been explained—I felt it to be my duty to afford to our government the opportunity of determining for itself, whether, under existing circumstances, it would or would not be advantageous to our country to accede to this modification of the boundary, rather than protract the war indefinitely. What would have been my feelings as a servant of the government, as a citizen, as a man; what would have been my feelings, had I, at such a crisis as this, opened anew the dread flood-gate of war, and afterwards discovered that the chance for the restoration of peace, thus destroyed by my cowardly and imbecile selfishness, would have been acceptable to our government?

With regard to the *military* consequences which would have attended the acceptance of my offer, these would not have deterred me from making it, even if the probability as to them had been, to a certain extent, unfavorable to us; that is to say, if it had seemed probable that the difficulty of taking the city would be greater at the expiration of the forty or forty-five days, than it then was. For, even in this case, I should have been governed by the consideration that the object for which our army had been sent here—the

object for which all the blood and treasure thus far poured out had been poured out—was *peace*. And bearing this, in mind, as I have constantly done—and as General Scott has constantly done, to his eternal honor, let it be repeated!—bearing this in mind, it struck me as absolutely incompatible with the motive for the expenditure of all that had been expended, that a good chance for peace, and for preventing all further effusion of blood, should be thrown away, rather than incur the mere *risk* of slightly increasing the difficulty of the next step in the prosecution of hostilities, should the necessity for their renewal occur.

This is the view of the subject by which I should have been governed, even on the supposition I have made. But that supposition is the reverse of the truth. The military consequences of the prolongation of the armistice would have been advantageous to us in a high degree. To say nothing of the chance of reinforcements, the effective strength of our army could not but increase by the recovery of the sick and wounded, who were now, under circumstances highly favorable to them, occupying positions far healthier than the city, at that season particularly. Towards the end of October the heat would have become far less, the dry season would have set in, and the roads would have become dry and firm, and the artificially flooded lands would, to a great extent, have become so likewise.

The only evils in the opposite scale, mentioned in the President's criticism upon the proposed prolongation of the armistice, are, that it would “have afforded the Mexicans an opportunity to recover from their panic, to embody their scattered forces and prepare for further resistance.” These evils had, I confess, very little weight with me. This opportunity had, to a far greater extent, and under circumstances immeasurably more advantageous to its being used effectively, been afforded them by General Scott's forced detention at Puebla, through his numbers there being kept down below one-half of the force which, according to his plan of campaign, was necessary to insure its success, and which it had been promised that he should have. And yet, what had been the result? Let *Contreras*, and the events which followed on the same day, give the answer. These had certainly not been of a nature to diminish the mental impressions made by Cerro Gordo; and they served also to prove of what great worth it was to them to recover from their panic, even supposing such recovery to take place whilst they were in the immediate presence of the terrible men whose utter recklessness of life—for this was their own way of talking of them—they had just had such a specimen of. As to the embodiment of their scattered forces, this had already taken place, as far as it was possible that it should happen. There were no more troops anywhere to embody. Upon this point there was no difference of opinion among the most intelligent and best informed foreigners in the country; a class of men who are receiving every day letters from every point of the compass, which keep them constantly informed of every thing that is going on, civil, political, or military, for such is—for reasons that are perfectly obvious—the natural and

regular complexing of even *commercial* correspondence in a country so constantly convulsed as this.

With respect to what else might come under the general head, "prepare for further resistance," this limits itself to the strengthening of fortifications; and these were already so strong that they could not be made stronger; so perfect and complete everywhere, that, save a trifling finishing off here and there, nothing could be done to them, except to *carry them*, as no one doubted that our troops would do the first time they undertook it, although, for the reasons above stated, it would have been a somewhat easier and a far more comfortable and less dirty job—in the way of mud and water I mean—late in October, than early in September, notwithstanding the fact that we were favored by the weather to a degree which the oldest inhabitants would have pronounced impossible. The detention of our army at Puebla had left the Mexicans nothing to desire in the way of time. On the contrary, time was now a burden to them, owing to the daily increasing difficulty of commanding means to subsist the troops collected here. This was to them a most serious evil, and a cause of constant disquietude. I have omitted to mention it among the military advantages which would have resulted to us from their acceptance of my offer, because, although it would have been a real advantage in this point of view, it would have been a most serious evil with reference to the object for which I made that offer—*peace*. In this regard there was nothing which gave me more, or even so much uneasiness as the prospect of the army's disbanding itself, and of Santa Anna's being thus left without the kind of support on which alone he could ever rely for any purpose, and the continuance of which was absolutely indispensable to his making that treaty of peace which constituted the object for which our army had invaded Mexico, and now found itself at the gates of her capital; and which, at that time, no human being here considered as being possible, *except at his hands*.

On the question as to the value of the prolongation of the armistice to the Mexican side, Santa Anna may be admitted to be a tolerably good judge. He knew better than any one else—his bitterest enemies would readily admit this—what use could be made of forty or fifty additional days, whether in the way of curing his officers and men of the panic disease, or in the way of embodying troops, or in any other way of preparing for further resistance. And what did he think on the subject? He thought that the measure would be attended with military advantages to us, so important and so perfectly obvious that he at once pronounced my offer to be, not a *diplomatic* trick on my part, but a *military* trick, originating with General Scott; and so barefaced a one too, that he was incensed at the insult to his understanding, and to the military qualifications on which he prides himself, and which, in the way of preparation at least, are certainly great; for, in this line he has truly accomplished wonders. This notion took such complete possession of him that it was of no use to combat it; and it sensibly increased the bitter personal animosity—strongly contrasting

with the feelings he evinces towards General Taylor—which he has conceived towards General Scott. He would not hear of my offer. The question upon which his mind vacillated was not the adoption or rejection of that offer, but the adoption of the ultimatum of our projet, that is to say, the giving of a *carte blanche* to the commissioners who had in full cabinet council—although it is due to them to say that nothing of the sort was ever intimated to me—declared themselves in its favor.

The contents of the despatch from the department, devoted to the subject of this offer, may be comprised under two heads: *first*, the reasons which would have determined the President's mind against acceding to the proposed modification of the boundary; *secondly*, "his profound regret" that I should have made the offer; and his "opinion" that the prolongation of the armistice, as contemplated by me, "would have been truly unfortunate."

Upon what comes under the first head, I will remark, that even if those reasons had constituted objections, which, from *the very nature of things* were *absolutely* insuperable; and if, from my knowing myself to possess an absolute infallibility of judgment, I had known with absolute certainty that they were insuperable; still, even on this supposition, they would have constituted no reason whatever against my making that offer. Viewed with reference to the considerations which governed me in making it, those objections, and all possible objections which would be brought into the same array, are seen at a glance to be absolutely irrelevant to the question whether that offer was a proper and a wise step on my part, or the reverse.

I will remark, further, that strong as they are, and although they might and probably would have exercised a decisive influence upon my own mind, as a citizen and voter of our country, on the question of acceding or not acceding to the proposed modification of boundary; still, those objections do not present to my mind the least semblance of being absolutely insuperable from the very nature of things. On the contrary, there is not one of them which I cannot conceive of as being readily surmounted, obviated, and cleared away, without the violation of a single principle, and without wrong to a single human being; and consequently, as being very properly cleared away, if the welfare of our country required it. No one, certainly—unless he pretend to know all things, future as well as present—can assert the absolute impossibility of a combination of circumstances, under which—even in regard to an antagonist so entirely at our mercy as Mexico is—the importance of peace to our country might be so great as to justify sacrifices even greater than any that would have been involved in foregoing every advantage and removing every difficulty referred to in your despatch. And whether the state of things in which our country did find herself at that precise moment was or was not of this character, was a question which—independently of the other considerations which actuated me in the course I took—I deemed it my duty to secure to her government the opportunity of deciding for her.

In the course of the observations which I have referred to this

head, the country between the Nueces and the Bravo is spoken of as if it constituted absolutely and irrevocably a part of Texas. This point, as I have before said, is altogether irrelevant to the question whether I acted right or wrong in making the offer I did. Nevertheless, I will bestow upon it the passing remark, that if there be any correctness in this view of that matter, then am I altogether incapable of understanding any of the great principles which lay at the foundation of international law. According to the notions, such as they are, which I have acquired, *consent*—mutual consent—is, from the very nature of things, the only possible ground of a perfect right to any boundary; and, by the very terms of her admission into our Union, the right of Texas to the Rio Bravo, as a part of her boundary, was made to depend altogether upon such consent as might thereafter take place on the subject between the United States and Mexico, as, previously to her admission, that same right had depended upon consent between Texas and Mexico. Whether Texas does truly possess “the same sovereign rights over it (the country between the Nueces and the Bravo) as over any other portion of her territory,” is a question which depends entirely and exclusively upon consent between parties, of which Texas has ceased to be one. It is a question to which no possible acts of Texas, no possible acts of the Congress of the United States, can be otherwise than entirely irrelevant, except *through that consent*; that is to say, except as constituting reasons and motives by which the precise character of that consent ought to be determined.

In this connexion, it may be remarked that the proposition which I offered to transmit to my government, if it should be made to me, cannot with accuracy be said to have been a proposition that the United States should “surrender that portion of the State of Texas,” &c. Even if it had contemplated that the country in question should be recognized as Mexican territory, it could at most have been said to be a proposition that the United States should *restore possession* of that portion of the territory *claimed* by the State of Texas; for, by the very terms of the act admitting her into the Union, as well as by the principles of international law, the *possession* thereof is all that she can be said to have, until her boundaries shall have been ascertained in the manner which that act requires. But the proposition referred to did not contemplate even that the *possession* of that country should be *restored*. It contemplated that Mexico, as well as the United States, should be precluded from occupying it.

Passing to the second head, I will, in the first place, point out the logical error, and the injustice involved therein, of characterizing my offer as going “far beyond the carefully considered ultimatum to which [I was] limited by [my] instructions.” This phrase, connected as it is with an expression of the President’s “profound regret,” is expressive of strong censure on the part of my country, through her proper organ; whilst the idea which it conveys of the ground for that censure is both very indistinct and, so far as it is at all tangible, totally inaccurate.

The only fact which would correspond with this idea would be the fact that I had signed a treaty, or proposed to sign a treaty, varying from the *ultimatum* to which I was limited. No such fact has occurred. No such fact, even, has occurred as would be necessary to make the statement an accurate one that I had violated my instructions, or departed from them in any way. Why? Because the course which I pursued had no bearing of any sort upon anything contained in my instructions, either expressly or impliedly; because the alternative in which I found myself, and from which there was no escape, was altogether unprovided for in my instructions. For those instructions (and the same is true with respect to those under which General Scott acted) contained not even the remotest reference to an armistice; an omission which, considering the nature of the case, has struck me as being no less extraordinary than unfortunate. I was sent here to make a treaty within the limitations prescribed to me, provided the Mexican government should be disposed to make it. For this purpose I was placed at the side of the commander of our invading forces, and the Mexican government was informed of this fact. But suppose that it should express a disposition to treat, and should ask an armistice for the purpose of hearing my terms, what was to be done then? Even on this point the commander of our army was left to act on his own responsibility entirely; not *directed* so to act, but *left* so to act; placed in a position in which he must take the responsibility of refusing or granting; and this, without the remotest hint in regard to the considerations by which he was to be governed when placed in the alternative. And suppose the armistice to occur, and such a state of things to arise as that which did arise—a state of things which, so far as regarded the *negotiation* merely, is of constant occurrence in diplomatic transactions; that is to say, the treaty which I was authorized to make could not be made, but a certain approximation to it might be effected;—suppose this to happen, what was then to be done? Why, of course, acquaint your government with the state of the case; this is the dictate of common sense, and the constant practice accords with it. But, the *armistice*; what is to be done meanwhile as to the armistice? Suppose the continuation of this to be a matter of obvious and indubitable necessity to the preservation of even this chance for the restoration of peace; what is to be done then? Here is another alternative. There is no escape from it. The armistice must be continued, or it must be discontinued. A positive decision is called for. The question is not between acting and *not* acting, between moving and *standing still*, between doing something and doing *nothing*, between assuming authority or *not* assuming authority. The question is between doing one thing or doing the opposite thing. Such is the nature of the alternative. And here, also, did the commander of the army and the commissioner find themselves planted by the government in a position where they could not but take the responsibility of doing the one thing or the other; and this, as I said before, without the remotest hint in regard to the considerations by which they were to be governed.

Finding myself in this position, I made my election to the best of my judgment, governing myself by what I knew to be the *end* for which I had been sent here, and the *spirit* in which I had been sent. In making this forced and inevitable election, I cannot with any accuracy be said to have violated or departed from, or transcended my instructions in any way; nor even to have *assumed* authority beyond the sphere assigned to me by those instructions. Above all, I cannot be said to have gone far beyond the *ultimatum* to which I was limited.

The Presidents's "opinion" that the prolongation of the armistice "would have been truly unfortunate," is expressed in the following words:

"To have arrested our victorious army at the gates of the capital for forty or fifty days, and thus to have afforded to the Mexicans an opportunity to recover from the panic, to embody their scattered forces and prepare for further resistance, in order that in the meantime you might refer such a proposal to your government, would, in the President's opinion, have been truly unfortunate."

Such is the "opinion," or, in other words, the decision or condemnation, passed by the Chief Executive functionary upon the conduct of one subordinate to him. Infallibility of judgment, however, is not among the attributes of a President of the United States, even when his sentences rest upon full and accurate knowledge of all the facts and circumstances on which their justice depends. Conformity to those decisions, so far as they have a bearing upon their respective fields of service, is all that duty requires on the part of subordinate executive agents. The convictions on which they rest, however honest and however mature, have no right to demand adoption, or to require an acknowledgment of their justness. It is the right of every citizen to examine into this for himself. This right I have exercised with respect to the sentence passed in the present instance; not because of its bearing upon myself, but for the reason that a full examination into its merits, and into the entire subject, was demanded by the highest interests of my country.

The ill consequences here attributed to my offer, in case it had been accepted, have already passed under review, and been seen to be altogether illusory, altogether the reverse of those by which it was likely to be attended. I will here only remark, that to arrest a victorious army at the gates of the enemy's capital is not in itself necessarily an imbecile or an unwise proceeding. The most that can be said in favor of the propensity to view it in such light is, that there is a *prima facie* presumption on its side, and that this advantage may give to the condemnation of the measure a strong hold upon the public mind, although it be in truth altogether devoid of justice. A rational judgment upon its character requires an attentive consideration of a number of questions, which vary according to the nature of the case. Among the inquiries pertinent to the present one, is the following: *Why*, for what purpose, was "our victorious army at the gates of the enemy's capi-

tal?" Was conquest the end in view? or was it military glory and fame, for the army and its commander, and its country? This inquiry is fully answered by the solemn asseveration so often made by our government. It was neither conquest nor glory. *Peace* was the end aimed at. It was solely through the earnest desire of our country and its government for a treaty of peace, that our army had been sent into Mexico. Such being the object for which our army, "our victorious army," was "at the gates of the capital," it follows that to arrest it there, whether for forty or fifty days more, or for a longer period, would have been a wise proceeding or a foolish one, according to the *probabilities* which presented themselves with reference to its conduciveness or its adverseness to that end. Upon this question, the preceding pages shed some light.

Throughout, I have proceeded on the assumption that peace, by means of a treaty, in harmony with what our government judges to be the just rights of our country, is the end, and the sole end, for which hostilities are waged against Mexico. This conviction has governed me on every occasion, and it has constantly governed General Scott likewise. How entirely he has been controlled by it, may be judged by this one fact: on our departure from Puebla, he believed that as we should be descending the slope into this basin, we should be met by an offer to treat, in which case it was his intention to halt the army at the first suitable place, and there await the result. He well knew what a harvest of glory had ripened for our army on this plain, for he never for an instant doubted the issue of the campaign, nor of a single conflict that has taken place; but his mind was made up, and cheerfully made up, to forego all this, when already within his grasp, in order to fulfil the desire of our government and our country for peace.

But, most grievously would he have erred, if Major General Gideon J. Pillow is to be relied upon as an exponent of the views of our government. When the armistice was drawing to a close, this person, then *the second in command of this army* (!) took occasion to have a *diplomatic* conversation with a gentleman belonging to one of the foreign legations here, who, with expressions of surprise, repeated it to me directly after. General Pillow having expressed great disapprobation of the armistice, (which he had been in favor of *before it was entered into*,) had been answered by explanations of its indispensableness to negotiation. These appearing not to have any weight with him, the gentleman in question was lead to say, "Why, I thought that the object of your government in this war was a treaty of peace." "True," (replied General Pillow,) "that is the object of the *war*; but the object of *this campaign* was, to *capture the capital*, and *then* make peace."

This was from the individual, then, as I have already observed, *second in rank in this army*, and who, in the event of the death or disability of General Scott, would have succeeded to the command!—an individual who gives himself out for the *maker* of the President, (by having procured his nomination at the Baltimore convention,) and as the President's *other self*—a pretension which I

have reason to believe but too well founded. Justice towards Mr. Polk, and respect for truth, alike require, however, that I should not utter this belief, without at the same time expressing my perfect conviction that the identity referred to extends no further than the point to which it is carried by a blind confidence on the part of the President, in the understanding and the principles of a man who, of all that I have ever known, is the most unworthy of confidence. Beyond this point, the identity goes not. There is not the slightest resemblance between their character in any one respect.

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

N. P. TRIST.

HON. JAMES BUCHANAN,  
Secretary of State.

[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 ma-

king 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 last 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 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.