

up the sordid purposes of which alone they are capable. It comes from human hearts. It wells up from the bosoms of men who have told me that, when this war shall cease, whatever territorial arrangements may then be made, they want *no money* from us, because it would serve only to corrupt their politics still further, and render their purification yet more desperate.

I am, sir, very respectfully, your obedient servant,
N. P. TRIST.

Hon. JAMES BUCHANAN,
Secretary of State.

[No. 25.] HEAD-QUARTERS OF THE U. S. ARMY,
Mexico, December 29, 1847.

SIR: A short time ago, in my despatch of the 20th instant, I had occasion to mention the unfavorable influence which Mr. Clay's Cincinnati speech and resolutions were exercising here upon the cause of peace. Since then the President's message, brought to this city on the 25th instant, by a special courier from Vera Cruz, has been operating in the same direction, by affording encouragement to the puro party to redouble the desperate efforts they are now making to prevent the impending treaty, which, just three days ago, I heard that some of the party considered inevitable. The arrival of the message at this critical instant may be attended with consequences similar to those produced by the appearance of Bulow and Blucher on the field of Waterloo.

I refer to that part of the message in which the following sentences occur: "*In such event, it may become proper for our commanding generals in the field to give encouragement and assurances of protection to the friends of peace in Mexico, in the establishment and maintenance of a free republican government of their own choice, able and willing to conclude a peace which would be just to them and secure to us the indemnity we demand. This may become the only mode of obtaining such a peace. Should such be the result, the war which Mexico has forced upon us would thus be converted into an enduring blessing to herself. After finding her torn and distracted by factions, and ruled by military usurpers, we should then leave her with a republican government, in the enjoyment of real independence and domestic peace and prosperity, performing all her relative duties in the great family of nations, and promoting her own happiness by wise laws and their faithful execution.*"

The "event" here referred to as the one in which this "encouragement and assurances of protection" are to be given by us is, the failure of "the continued successes of our arms to secure a satisfactory peace." Now, as I have explained in several of my despatches, this failure is the very thing which the puros have been all along, and now are, striving for; and this, not because they are unfriendly to peace, but because they believe that, to prevent it, is the sure way, and the only way, to obtain for their country that

very encouragement and protection the prospect of which is here held out by the President. Their first choice (that of a considerable portion of them at least) would be annexation; but, failing in this, they would most joyfully accept what is here proffered; and, to this extent, thousands would go with them, who are not in favor of annexation, or who are even resolutely opposed to it.

It is exceedingly unfortunate, therefore, that this promise of what they have for years been toiling to bring about, and have recently succeeded in making the object of desire to many who have heretofore had no political sympathies with them, should be made dependent upon the protraction of the war. Thus far the success of their policy could not but be more or less problematical, even to those by whom it was first conceived, and who were indissolubly wedded to it, come weal or come woe; while to less ardent or less resolute minds the consideration always presented itself that, although such a state of things might result from protracting the war, yet, on the other hand, the result might be the subjugation of the country, and the enslavement and extinction of their race. From their tendency to give force to this consideration, and thus to discourage the puros and counteract their proselytism, I have not been sorry, however deeply humiliating it was to my pride of country, to have repeated to me by foreigners of unquestionable veracity, to whom they had been uttered, such remarks as the following, from the lips of one of our officers high in rank, recently arrived here: "*This army has not come to conquer a peace; it has come to conquer the country;*" "*we will make them dine and sup on the horrors of war.*" And when told, "*but at least your government should declare the policy it means to pursue, and let the country know what it is to expect, and what we are to adapt ourselves to,*" he replied, "*O! time enough for that two or three years hence.*"

Whatever the feelings excited in me by such things as these, they had their compensation in the effect they were evidently calculated to have in damping the ardor of the puros, and checking their propagandism. But now, the justness of the policy of this party, in protracting the war, has the seal of absolute certainty stamped upon it.

Fortunately, however, the time left for this to work its inevitable effect is but short. For, according to every probability, a treaty will be signed in the course of a week from this time, and it will obtain ratification very soon after the new Congress shall have formed a quorum; and the indications that this will take place early in January are becoming more and more favorable every day, notwithstanding the inability of the government to command even the small sum required to provide for the travelling expenses of the members, by paying their mileage. A few days ago the puros boldly pronounced a quorum to be impossible; but their confidence on this point has manifestly been falling, from hour to hour. The secret in regard to the treaty has been admirably kept, the persons who actually know anything about the matter being exceedingly few in number. All that the puros possess respecting it consists of their own surmises and convictions, founded on their knowledge of the

general determination of the government, united with mere superficial indications that *something* is going on.

But for its having been made dependent upon the continuance of the war, I should have rejoiced exceedingly at seeing this promise of protection, in the establishment and maintenance of a legitimate government, held out to the people of this country. Besides the matter bearing upon this point contained in my previous despatches, I said, in that of the 6th instant: "There is, however, a question totally distinct from the above, which presents a strong claim upon the immediate attention of our country; a claim founded on considerations of humanity towards this people, as well as on its bearings upon ourselves. It is, whether the very peculiar, the altogether exceptionable nature of the case, as caused by the intimate geographical relation in which this country stands towards ours, would not warrant such a departure from our established principles in this regard, as would be involved in a compact that should secure to Mexico the assistance which she needs, and which is all that she needs, for the establishment of a good and stable government. The elements for such a government (although, under the pressure of circumstances, they have lain dormant and inactive,) are by no means entirely wanting in this country, as would seem to be the case, judging merely from the facts exhibited to the eyes of the world by her past history. Protection for a few years, perhaps for a shorter time, from her own enormously overgrown military class, is all that she needs to bring about a state of things strongly contrasting with that which has heretofore existed here. Upon the solution of this question depends her chance for presenting such a contrast; a thing which is indispensable not only to her own happiness, but to the possibility of her being a good neighbor, to the possibility of her preventing the recurrence of such misconduct on the part of the government and local authorities as will render peace between us always precarious in the extreme. The offer of such aid would, I am sure, be accepted with delight and deep gratitude."

Of the correctness of this view of the subject, my mind is thoroughly convinced. I consider it certain, also, that such a course on our part—demanded, as it is, by our own interests, whilst it is recommended likewise by considerations of humanity towards the fellow-men whose lot has been cast nigh unto us—so far from presenting itself in an invidious light to other governments, would be viewed by them in a manner corresponding with the joy which it would diffuse among all foreigners established in this country; indeed, among all foreigners, wherever residing, who have a motive of any kind for taking an interest in her quiet and prosperity.

Nor could a juncture be more favorable than the present for affording such protection. For, it is to be remarked, that there is, at this moment, no room for doing anything towards establishing a government. Nothing is necessary but to maintain what is already established; to protect it against military violence and usurpation. The constitution of 1824, with important amendments, (as

will be seen from the copy which I transmitted some time since,) has just been restored, by a perfectly legitimate process, and is now the supreme law of the land, recognized by all parties. In a few days the Congress elected under that constitution are to meet; and, on the 8th of January, the President (General Herrera) is to be sworn into office.

One obvious mode of proceeding for this purpose is, to render all practicable facilities towards giving strength and efficiency to the national guard, and to place these citizen soldiers in possession of the strongholds, as they shall be evacuated by our forces. With respect to other forms in which protection might be afforded, I have requested suggestions from good men of both parties; and I have suggested to them the great advantage which would result to their country from the establishment of good understanding and concert of action between them, with reference to what I know to be a common object: her protection against military usurpation and anarchy. This suggestion has been received in a manner which induces me to believe that, to insure such concert in regard to many points of primary importance, and especially in regard to the great fundamental reform which is the most indispensable of all—the doing away of the *fueros*; that is to say, having but one and the same law, and one and the same tribunals, for all citizens alike—nothing is necessary, but that our country should be represented here by a person calculated so to exercise her influence as to promote an object at once so honorable, to her and so important to the peace and welfare of both nations. I need not say that his presence at the earliest possible moment would be extremely desirable. And, lest it should be imagined that my conviction on this point may be owing to a desire to occupy the post myself, I will add, that my answers to those who have expressed a wish for my return has been, that this is an *absolute impossibility*, for more reasons than one: among which reasons would be, that my appointment would not for a moment be thought of, whatever exertions I might make to obtain it. Another, which I did not deem it worth while to state, would be, that even if the case were totally reversed as to the point just mentioned, there *can* be no change in the determination which governed me in asking leave to withdraw, as I did in my despatch of the 31st of October, transmitted weeks before I had any intimation or idea of the President's intention to discontinue this mission, or to recall me. That determination was formed some time before I so acted upon it; and it is at this moment firmer, if possible, than it was then. Had I once reached home, the only thing which could have made me deviate from it, so far even as to return here for a very limited time, would have been the belief that I might be instrumental in restoring peace. Should my present efforts prove successful, this inducement will happily be at an end. Should they prove otherwise, the state of the case will have become so greatly altered as to preclude the belief which would then have actuated me. My conviction in regard to the great importance of our having a representative here as soon as possible, (sup-

posing peace to be re-established,) is, therefore, entirely uninfluenced by the desire to which I have adverted.

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

N. P. TRIST.

Hon. JAMES BUCHANAN,
Secretary of State.

[No. 26.]

HEAD-QUARTERS OF THE U. S. ARMY,
Mexico, January 12, 1848.

SIR: In my last despatch, under date the 29th ultimo, (which, after being delivered for transmission by an express from headquarters, carrying orders to Vera Cruz and intermediate posts, was withdrawn by me through apprehension of the insecurity of the conveyance, and which consequently will go by the same opportunity as this,) I stated that "according to every probability a treaty will be signed in the course of a week from this time." This probability has not yet been fulfilled; but the causes to which my disappointment is owing are not by any means of a nature to weaken my confidence as to the result. To-morrow, I am to have a meeting with the Mexican commissioners, at which every thing will, I believe, be agreed upon between us; and allowing a day for making out the papers to be transmitted to Queretaro, and five or six for the return of the courier from the time of his departure hence, the signing of the treaty will probably take place towards the close of next week.

The boundary (which has been agreed upon, subject to the approval of the Executive at Queretaro) will be the one defined in the projet which I brought out, with a slight variation at its western extremity. The reasons which have governed me in this, as well as in not insisting (as I had at first determined to do) upon the parallel of 32° from the Rio Bravo, will be fully explained hereafter, time not permitting me to do so now.

Under these circumstances, government will judge of the expediency of despatching provisional instructions to the commanders of our forces. The position in which the general-in-chief is placed by the communications received by him, is any thing but favorable to the establishment of peace. Agreeably to the projet brought out by me, "a suspension of hostilities" could take place only after the ratification of the treaty by the Mexican government. So that after a treaty of peace should actually have been signed—signed here on the very battle-field, and not by negotiators two or three thousand miles off—human blood, "the precious blood of our fellow-citizens," as it is, if I recollect right, called in the President's message, *must have continued to flow*, or General Scott must have taken the responsibility of suspending hostilities *before* the ratification of the treaty; of suspending them *de facto*, on our side only, thus placing our troops at serious disadvantage, or of entering into a compact with the enemy, (if it be not a contradiction in terms to use this word after a treaty of peace has been actually signed,)

making the suspension mutual. In this position was the commander of our forces placed. There was no retreat for him from this alternative. Even if it had required but a day to obtain the ratification of the treaty; or, if the Mexican Congress had not been in session, and it was positively certain that they would meet in a week, or a fortnight, or a month, and that they would then ratify; under these circumstances, or under any possible circumstances, *bloodshed must go on* for that day, or that week, or that fortnight, or that month, or General Scott must take upon himself to disregard his orders to push the war vigorously, and to disregard also the order conveyed in the projet, that this vigorous prosecution of the war was *not* to be suspended until the treaty should be actually ratified.

Whether our country and the whole civilized world would or would not have burst forth with one universal cry of horror at such a spectacle as a compliance with those orders would have afforded, and whether one universal sentence would or would not have been pronounced upon it as a wanton sporting with the lives of men, I will leave to others to decide.

Such is the position in which the general-in-chief was placed then, and the same is his position now—with this aggravation: that he knows my remaining here to be in violation of instructions; and he has himself received fresh instructions, acquainting him with the will of the President that the war be pushed, not only with renewed vigor, but with rigor. Any propositions for peace which may be made by the Mexican government are to be *transmitted by him to Washington*. But meanwhile, no matter what the nature of those propositions may be; no matter what his convictions and the convictions of every one here may be, no discretion whatever is given him as to the influence they shall exercise upon his course. The law laid down to him as the only rule for his government is, *to push the war vigorously and rigorously*. And this law he must abide by and fulfil to the utmost, or he must *disobey orders*.

Even if the suspension of hostilities *after* a treaty of peace shall be signed, *until* the will of our government can be made known, were made the condition upon which a treaty would be signed, even in this case he must say no! and go on shedding blood, "the precious blood of our fellow citizens," or he must disobey orders.

This case has, to a certain extent, actually happened. The Mexican commissioners endeavored at the outset, and, as a preliminary condition to their entering upon the negotiation, to obtain a promise that such suspension of hostilities should take place *upon the signing of the treaty*; and, independently of the general and obvious reasons supplied by the common sentiment of humanity against war going on after a treaty of peace has been signed in the very midst of the forces engaged in it, they gave special reasons, reasons of policy connected with the position of the government, as being the government of the peace party, for wishing that this government may not be placed in the alternative of resisting the further advance of our troops, or affording grounds for the changes which a contrary course would justify, even to the extent of that of

treasonable connivance. But all I could say in reply was, "General Scott is totally without discretion on the subject. His instructions are, to push the war with all possible vigor, and to occupy the country as speedily as his means permit. He cannot enter into any agreement of the sort—not even if we sign the treaty—without disobeying orders. But let us get it ready for signature, and then I will lay it before him, stating that its being signed depends upon his engaging to suspend further movements until he can receive instructions from Washington."

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

N. P. TRIST.

Hon. JAMES BUCHANAN,
Secretary of State.

[No. 27.]

HEAD-QUARTERS OF THE U. S. ARMY,
Mexico, January 25, 1848.

Sir: The treaty agreed upon between myself and the Mexican plenipotentiaries will, according to every probability, be signed immediately upon the return of an express which has just been despatched to Queretaro. Every arrangement has been made here, and upon the road between this and Vera Cruz; and a confidential order has gone forward to General Twiggs, at that place, for its instant departure hence, and to insure its rapid transmission to and from Vera Cruz. Although closely engaged in the preparation of the copies (quintuplicate) for signature, I shall find some intervals of time for writing this by snatches.

The Mexican commissioners hold their full powers, bearing date on the 30th of December, 1837, from the President *ad interim*, of the republic, (General Anaya,) constitutionally elected to that office in November, by the "sovereign constituent congress," after a severe and dubious struggle in that body between the peace and the war parties, the character and objects of which have been explained in my despatches; although these afford but a faint idea of the difficulties with which the former have had to struggle, and of the arduousness of the efforts in which they have been engaged ever since the total dissolution of the government, which followed the capture of this capital; at which juncture, as was explained by me at the time, they seized the first opportunity that had offered, since a period antecedent to the war, for forming themselves into a party that, until then, had had no existence; not for want of elements, but from the causes which prevented those elements from coalescing, or exercising any influence over the posture of public affairs. These causes, also, I have explained.

The full powers were countersigned by Señor de la Peña y Peña, as minister of relations under General Anaya, whom he had preceded in the chief executive office as *provisional* president. Both of these modifications of the presidency are recognized in the constitution; and the peace party, or moderados, have, in all their proceedings thus far, (henceforward no motive can exist for their

acting otherwise, for they are in complete possession of the government,) strictly conformed to the fundamental law. The only flaw which can be detected in those proceedings, is one which it was impossible to avoid, and in which the spirit of the constitution was adhered to entirely, as its letter was, as closely as the nature of things rendered possible. It consists merely in this: By the constitution, the office of president of the republic devolves, under certain contingencies, *provisionally* upon the president of the supreme court. Now, these contingencies had all occurred; but there was no president of the supreme court in existence. Señor Peña was the eldest justice of that bench, but no election had taken place to supply the vacancy occasioned by the death of the last person who had been constitutionally elected as its president. This could be done by congress alone, and congress was not in session. There was a certainty, too, that the only possibility of getting congress together depended upon the previous formation of an executive. It was under these circumstances, when the republic was without a government of any sort, that the ablest and best men of the moderado party, with a view to rescue their country from the anarchy which had begun, and then to make peace, prevailed upon Señor Peña to assume the *provisional* presidency; after which, they succeeded in obtaining his recognition by the state authorities, as they have ever since, in upholding and defending the government so established against the endless stratagems and incessant assaults of those who were intent upon its destruction—the immediate object of these machinations (except on the part of the merely *personal* factions) being to render peace impossible, through the non-existence of a government with which it could be made; and their ultimate object being to force our country into an amalgamation with this.

When congress met, (which was brought about by the exertions of the *moderados* against those of the *puros*, or war-until-annexation party,) that body proceeded, conformably with the constitution, to elect a president *ad interim*, to serve until the 8th of January of the present year, the day previously fixed for the inauguration of the new president, who should be regularly placed in office by the elections then going on, or soon to take place. This election *ad interim*, after the doubtful contest above referred to—in which the *puros*, by straining every nerve, and making all sorts of combinations with the Santanistas, and other personal factions, were very near succeeding in prostrating the peace party, by electing a man who would have played the war-perpetuation game—resulted in the election of General Anaya, who immediately appointed his predecessor in the presidential office as the minister of relations, and appointed General Mora y Villamil ("the avowed apostle of peace") as secretary of war; in a word, pursued the peace policy commenced by those by whom the government had been built up.

This brief summary of what is contained on the subject in my previous despatches, shows the character of the government from which are derived the full powers of the plenipotentiaries with whom the treaty has been negotiated, and will have been concluded. Its authority is perfectly and absolutely *constitutional* in all res-