

HEAD-QUARTERS ARMY OF THE U. S. OF AMERICA,
Coyoacan, August 21, 1847.

Gen. Scott to
President of
Mexico.

SIR: Too much blood has already been shed in this unnatural war between the two great republics of this continent. It is time that the differences between them should be amicably and honorably settled. Your excellency knows that there is with this army a commissioner on the part of the United States invested with plenary powers to that end. In order to open the way for the two republics to enter into negotiations, I desire to execute, on reasonable terms, a short armistice.

I await with impatience until to-morrow morning for an answer to this communication; but in the meantime I will take and occupy such positions without the capital as I may consider necessary to the shelter and convenience of this army.

I have the honor to remain, with high consideration and respect, your excellency's most obedient servant,
WINFIELD SCOTT.

To his Excellency the PRESIDENT
and general-in-chief of the republic of Mexico.

WAR AND NAVY DEPARTMENT,
SECTION OF OPERATIONS.

Reply of Min-
ister of War.

SIR: The undersigned, Secretary of War and the Navy of the government of the United States of Mexico, has received orders from the most excellent President general-in-chief to answer the communication of your excellency, in which you propose to him to enter into an armistice, with a view to prevent the further effusion of blood between the two great republics of this continent, and to hear the propositions which may be made to that end by the commissioner of the most excellent President of the United States of America, who is at present at the head-quarters of your army.

It is certainly lamentable that inconsiderate regard to the rights of the Mexican republic has led to the shedding of blood by the two first republics of this American continent, and with great exactness your excellency has characterized this war as unnatural—not alone for its motives, but likewise on account of its being produced by two nations whose interests and relations are identified with each other. The proposition of an armistice to terminate this scandal has been accepted with pleasure by his excellency the president general-in-chief, because it will open the way through which the propositions of the commissioner of the President of the

United States of America for the decorous termination of this war may be listened to.

In consequence, his excellency, the president general-in-chief, has ordered me to announce to your excellency that he admits your proposition to make an armistice, to effect which he has nominated the Brigadier Generals Ignacio Mora Villamil and Benito Quijano, who will meet at the hour and place you may appoint.

His excellency the general president has instructed me to communicate to your excellency his willingness that the army of the United States shall take commodious and furnished quarters, hoping they will be found without the range of shot from the Mexican fortifications.

I have the honor to be, with high consideration and respect, your excellency's most obedient servant,

ALCORTA.

To his Excellency WINFIELD SCOTT,
General-in-chief of the Army of the U. States.

Copy.—Mexico, August 21, 1847.

MANUEL MARIA SANDOVAL.

MOST EXCELLENT SIR: All Mexicans, but more especially the inhabitants of this capital, are witnesses of the extraordinary efforts made by the most excellent president *ad interim* to reunite an army capable to combat the army of the United States, and to recuperate the lustre of the arms of the republic. They have likewise witnessed the intrepid valor with which he exposed his life in the combat until victory frowned again upon him, and now the enemy is found at the gates of the city.

Under these circumstances, and whilst the inhabitants of the populous Mexico have made all kinds of sacrifices to carry on the war, it is one of the most imperious duties of the first magistrate to prevent the irreparable evils of an assault, and to avoid all the consequences of a violent occupation. To this end, availing himself of his constitutional powers, and in conformity with the resolution of the general congress communicated on the 16th of July last, he has resolved to hear the propositions which Don Nicolas Trist has come to make and negotiate on the part of the United States. In the meantime there will be a suspension of arms.

Inasmuch as this affair is of great interest to the republic, the excellent president desires that the national congress may take in it such part as may correspond to it, for which purpose he ordered me to urge your excellency to use all the means in your power to convoke the members of congress in session at 12 m. this day.

Minister of
Relations to
the President
of Congress,
calling on
them to meet.

I reiterate to you the assurance of my distinguished consideration.

God and liberty! Mexico, August 21, 1847.

J. R. PACHECO.

To the Most Excellent Sr. President
of the sovereign congress.

SECRETARY'S OFFICE

Of the sovereign constituent congress of Mexico.

Reply.

MOST EXCELLENT SIR: As soon as I received your note of this day, I took the necessary measures to cite the members of congress; but at 3 o'clock, p. m., no more than twenty-six individuals had met. Many members are absent from this capital by virtue of the resolution of the 10th instant. Those present at the junta agreed that the absent members should be again cited, and that it should be urged upon the government that it, through the medium of the most excellent governors of the States, should procure a reunion of congress.

All of which I have the satisfaction of making known to your excellency in answer to your note aforementioned, and of renewing the assurance of my esteem.

God and liberty! Mexico, August 21, 1847.

A. M. SALONIO.

To the Most Excellent
Sr. MINISTER OF INTERIOR AND EXTERIOR RELATIONS.

Armistice.

The undersigned respectfully nominated the two first by the most excellent sr. president of the republic of Mexico and general-in-chief of its army, Don Antonio Lopez de Santa Anna, and the three last by his excellency major general of the United States of America and general-in-chief, Winfield Scott. Having met in Tacubaya the 22d day of August, 1847, duly examined and exchanged their plenary powers to make an armistice between the two armies for the purpose of enabling the government of Mexico to take into consideration the propositions which the commissioner on the part of the most excellent Sr. President of the United States of America has to make, they agreed on the following articles:

1st. There shall be an immediate and absolute cessation of hostilities between the armies of the United States of Mexico and that of the United States of North America within a circuit of thirty leagues from the cap-

ital of the first, to give time for the commissioners appointed by the republic of the United States to treat with those who may be appointed on the part of Mexico.

2d. This armistice shall be continued all the time the commissioners of the two governments are occupied in negotiating, or until one or the other of the chiefs of the two armies may give to the other formal notice of its termination, after which hostilities shall not break out until forty-eight hours shall have elapsed.

3d. Whilst this armistice is in force, neither army shall commence, within the aforesaid circuit of thirty leagues from Mexico, any fortification or military work, offensive or defensive, nor shall anything be done to enlarge or reinforce existing works or fortifications within the aforesaid limits.

4th. Neither army shall be reinforced. Whatever reinforcements of troops or munitions of war, excepting provisions which may now be on the way to either of the two armies, shall be detained at the distance of twenty-eight leagues from the city of Mexico.

5th. Neither of the armies, nor detachments of them, shall advance beyond the line now actually occupied.

6th. Neither of the armies, nor detachments of them, nor any individual of a military character, shall pass the neutral limits established by the antecedent article, excepting those who may carry the correspondence between the two armies, or who may go on business authorized by the following article, and then under a white flag. The individuals of either army who by casualty shall trespass upon the neutral territory shall be kindly admonished by the contrary party, or they shall be returned to their own army under an escort with a white flag.

7th. The American army shall not with violence oppose the introduction of the usual provisions necessary for the consumption of the inhabitants and army within the city, nor shall the Mexican authorities, either civil or military, do anything to obstruct the passage of provisions from either the city or country to the American army.

8th. All the American prisoners of war now in the power of the Mexican army, who have not been exchanged prior to this date, shall be exchanged as soon as possible, one for one, according to their rank, with Mexicans made prisoners of war by the American army.

9th. All American citizens who were established in the city of Mexico previous to the present war, and were since banished from said city, shall be permitted to return to their families and business in said city, without delay, nor shall they be molested.

10th. With a view to favor the grand object of peace, as well as to facilitate in a better manner the execution

of these articles, it is further agreed that if either army wishes to send a messenger or bearer of despatches on the line from Mexico, or its vicinity, to Vera Cruz, or from thence here, said messenger shall receive a passport, signed by the chief of his army, and with a safe conduct from the opposing chief, which shall protect said messenger and his despatches from any interruption or loss by the Mexican or American troops on said line.

11th. In the towns occupied by the American forces, the administration of justice by the constituted authorities, in accordance with the general or State laws, shall not be interrupted in cases where Mexicans are parties.

12th. In the towns, villages, and hamlets occupied by the army or forces of the United States within the aforesaid limits, private property shall be respected, and no individual Mexican shall be restrained in the exercise of his profession; they shall not be obliged to perform any service against their free will and consent, in which case they shall be paid a just price; trade shall not be disturbed in any way or manner.

13th. The wounded prisoners shall not be embarrassed in any way; and when they wish to move to a more commodious place to be cured, they shall be permitted to do so, it being understood that they are still in the character of prisoners.

14th. The health officers of the Mexican army may attend on them when desired.

15th. For the punctual fulfilment of this agreement, two commissioners shall be appointed, one by each party; and in cases of discord, they shall elect a third.

16th. This agreement will not be valid until approved by the most excellent Sor. generals-in-chief of both armies, and within the term of twenty-four hours, counting from six in the morning of the 23d.

IGNACIO MORA Y VILLAMIL.

BENITO QUIJANO.

J. A. QUITMAN,

Major General U. S. Army.

PERSIFOR F. SMITH,

Brigadier General U. S. Army.

FRANKLIN PIERCE,

Brigadier General U. S. Army.

HEAD-QUARTERS, ARMY OF THE U. S. OF AMERICA,
Tacubaya, August 23, 1847.

Having taken it into consideration, I approve and ratify it, with the express understanding that the word *supplies*, which was used a second time in the 7th article

of this military convention—the text, or American copy—should be taken to mean (as understood in both the American and English armies) arms, munitions, clothing, equipage, provisions for men, forage, money, and in general all that is necessary to an army. This word “supplies” is translated in the Mexican copy erroneously, and is made to express *provisions* instead of *supplies*.

WINFIELD SCOTT,

General-in-chief of the Army of the U. S.

NATIONAL PALACE, MEXICO,

August 24, 1847.

Ratified, suppressing the 9th article, and explaining the 4th in the following sense, viz: the temporary peace of this armistice will be observed in the capital, and within a circuit of twenty-eight leagues around it. Agreed that the word *supplies* shall be translated *recursos*, and that in it shall be comprised all that is necessary to an army, except arms and munitions.

ANTONIO LOPEZ DE SANTA ANNA.

HEAD-QUARTERS, ARMY OF THE UNITED STATES,

August 24, 1847.

I accept and ratify the preceding condition added by the general president of the Mexican republic.

WINFIELD SCOTT.

An exact copy of the original.

G. W. LAY, *U. S. Army,*

Military secretary of the General-in-chief.

*Points for discussion in the conferences with the commissioner of the United States, and which ought to serve as a basis to the Mexican commissioners; proposed to the most excellent Sor. President by the Minister of Relations, and approved by his excellency in a cabinet meeting of ministers.**

[Preliminaries.]

In the first place. The conferences ought to be held Points to be

* This resolution was reserved to be delivered to the Mexican commissioners after their nomination and being empowered to treat.

treated upon
in the nego-
tations, and
which are to
serve as the
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Mexican com-
missioners.

at some place intermediate to those occupied by either army,

In the second place. Previous to beginning to treat, the American commissioner ought to recognise on the part of Mexico her right to deliberate; that is, if the intention of the United States has been to increase their territory, why have they not remained with that which they have occupied *de facto*? If that which they have come to seek at this capital is the sanction of right, for consent, they should desist from asking what we are unwilling to concede, otherwise they may consummate their works *de facto*, and the war will continue.

1st. The independence of Texas will be recognized for an adjusted indemnification.

2d. Texas is understood to be the territory known by that name since the treaty of 1819, and whilst it formed a part of the State of Coahuila and Texas, but in nowise does it comprise the territory between the rivers Nueces and Bravo, as the Congress of pretended Texans declared to belong to it.

3d. The basis to treat for any other part of the territory shall be the evacuation of all the Mexican republic now occupied, raising the blockade, and leaving all our ports free.

4th. They may treat for Upper California.

5th. On no account shall they treat for the 26th degree of latitude as a boundary, which would cause the republic to lose all of Coahuila, all New Mexico, almost all Chihuahua, almost all of Durango, all Sonora, part of Sinaloa, and almost the whole of Upper California. They may concede one port, provided it should be San Francisco, in the character of a factory, but never as a boundary.

6th. Indemnification shall be agreed upon for the port as well as for a road by which to communicate with Oregon.

7th. Ditto for damages, injuries, and extraordinary expenses of the war made in the territory of the republic, this being what has brought them to the capital, and for which they have come to negotiate.

8th. Ditto for sufferings caused to families, and injury done to estates at Monterey, Matamoras, Vera Cruz, villages, and other cities, hamlets, and estates in the republic, in consequence of the war.

9th. Ditto for depredations committed by their troops.

10th. Ditto for the depredations committed by their guerilla party of criminals, set at liberty and authorized by them in violation of the law of nations.

11th. They shall close our accounts, unpaid as well as unliquidated, for reclamations made against us.

12th. The United States shall recognize as legitimate

the titles of owners of land in Texas, in virtue of grants made prior to its declaration of independence; as well those of the general government as of the State, and will allow them the free use and enjoyment thereof.

13th. The United States shall compromise themselves not to permit slavery in the part of territory which they may acquire by this treaty.

14th. This treaty shall be extended upon the basis of reciprocity in all things wherein it may be compatible, or practicable, taking into view the respective state of the two nations.

15th. They must not agree to less than one year for its definitive conclusion.

16th. The guarantee for its observance will be sought, by common agreement, in some European power, or in a continental Congress.

17th. The basis of this shall be a republican system over the whole continent, excepting French Guiana and Brazil.

18th. The treaty about to be made must not in any manner disturb the principles of the most favored nation conceded by the republic to all other nations with whom it has made treaties.

19th. As another circumstance, they shall exact the restoration of the Irish prisoners, and that no one of the American army shall enter into the capital.

20th. All captured vessels and trophies shall be restored.

21st. As a general basis, they shall treat for peace as if we had triumphed, and as a nation who can yet carry on the war with advantage.

MEXICO, August 24, 1847.

LOPEZ DE SANTA ANNA.

J. R. PACHECO.

V. ROMERO.

ALCORTA.

RONDERO.

A copy.—O. MONASTERIO.

TACUBAYA, August 25, 1847.

The undersigned, a commissioner appointed by the United States of America near the United States of Mexico, invested with full powers to treat and confer with any person or persons, equally authorized by the Mexican government to negotiate and conclude with him or them a durable treaty of peace, friendship, and limits between the two republics, takes the liberty to call the attention

Mr. Trist to
the Minister
of Relations.