

New instructions to the Mexican commissioners, founded on the offer made to them by Mr. Trist on the 2d of September.

MOST EXCELLENT SIRS: The supreme government has taken into consideration the verbal information which you have given to it in relation to the conferences held with the commissioner of the United States, and has examined the draught of the article upon limits, which he presented to you, offering that if it was accepted by Mexico, he would consult his government thereupon, because he cannot, alone, in conformity with his actual instructions, relinquish the territory situated between the Bravo and Nueces.

Having examined, anew, the question under every aspect in which it can be viewed, it has been resolved in cabinet council that I should say to your excellencies, as I now do, that, unless that proposition is modified upon the recognized right of Mexico to deliberate, and if the pretensions of the United States are not characterised as subjects for negotiation, then its commissioner leaves no other resource to the government of Mexico, than those suggested by honor; and those are, to close the door to every possibility of making a peace.

To restore this great good to the nation, the government yielded to cede Texas, and a part of Upper California; on the frontier of Oregon, upon the terms mentioned to you in your instructions, but not with the reservation that, even if approved by Congress, would the government cede any more, much less of New Mexico, whose inhabitants have manifested their will to make a part of the Mexican family, with more enthusiasm than any other part of the republic. Those well-deserving Mexicans have been, by some administrations, abandoned to their fate; very frequently without protection; not even shielded from the incursions of the savages. Yet, notwithstanding all this, they have been the truest Mexicans, and most faithful patriots; forgetting their private grievances, they at this time remember only that they are, and wish to, belong to the Mexican family, exposing themselves to be sacrificed to the vengeance of their invaders, against whom they have raised. When their plans were discovered and disconcerted, their conspirators frustrated, they have not ceased to conspire. Could the government go to sell Mexicans like these as they would a herd of sheep? No! Before the nationality of the rest of the republic shall be lost to them, we will all perish together.

This is not to decide upon questions of enlarged policy with pride or affected nobleness; the statesman who is called to act upon great questions of policy, should possess no other qualification than that of cold calculation. The government knows very well the vicissitudes of nations; and that, in all the earth, there is not one to be found in the primitive condition in which it

was, nor as depicted in the first years of its history. But in the eyes of the cabinets of Europe, pretensions to increase territory are esteemed unjust, when made at the expense of wounding respectable and resisting nationality. It is true, that our fellow citizens might be able to remain in their country, and preserve their property and nationality; but then it would be said of them what might be said of all Mexicans—that is, that they remain strangers in their own country; and if it awakens horror to make such a proposition to all Mexicans, the same effect will be produced by accepting it for a part of them. They might, it is true, return to the dominions that remain to their country, having first sold their property at an advance upon its present value; and if they wish, it might be augmented from the national domain, and repair the damage attendant on breaking up and moving, out of the price of indemnity given by the United States; but it is not the government of Mexico that will place a price upon the adhesion of its citizens to the soil upon which they were born.

These considerations have increased force when applied to the possession of the river Bravo; because it is not alone the existence of our system of revenue that is menaced thereby; but, likewise, the nationality of the residue of the republic, for whose destruction ten years would suffice, when we take into view the spirit of enterprise and inundation which pervades our neighbors, and contrast it with the state of infancy in which we find ourselves.

If the commissioner of the United States cannot, under his instructions, prescind from this pretension, neither can the government of Mexico consent to prolong the armistice for forty-five days for him to consult with the government at Washington.

Although an indemnification is offered for the territory to which they advance pretensions, although they may, and do, allege (with or without reason) the rights of war, and let these rights be valued at all they are worth in this country, it is Texas alone. The government cannot comprehend how the United States can exact these humiliating sacrifices, as conditions to make a peace, after so many protestations that it would be equitable and honorable. If their right is that of force, and they believe themselves sufficiently strong to take and keep possession of the territory which they say they wish to purchase, how can they, in good faith, call it equitable and honorable to have thrust themselves into a territory that does not belong to them, desolating its cities and killing our citizens, who have in nothing offended them, and come to the capital to force us to make a sale? In view of these considerations, the govern-

ment will not stop to calculate the elements of the nation to continue the war; its duty is to prosecute it with the means it can command.

In New Mexico, and the few leagues which divide the right bank of the Nueces from the left bank of the Bravo, is contained either peace or war. If the commissioner of the United States leaves nothing else to the government of Mexico than to choose between this cession and death, in vain was he sent by his government; he might long since have ascertained what would be the answer.

If the United States have made their election, and prefer violence and our humiliation, they will be held responsible before God and the world.

I say this to your excellencies by order of the most excellent Sor. president, offering you my distinguished consideration.

God and liberty! Mexico, September 5, 1847.

J. R. PACHECO.

To the Sors. D. JOSE JOAQUIN DE HERRERA, D. BERNARDO COUTO, D. IGNACIO MORA Y VILLAMIL, and D. MIGUEL ATRISTAIN.

MOST EXCELLENT SIR: Although we daily informed the supreme government of what occurred in our conferences with Mr. Nicholas Trist, commissioner with plenary powers from the United States, we think it proper to report in writing the substance of what was orally communicated.

On the afternoon of the 27th August last, we met for the first time in the town of Atzacapuzalco. On the exchange of powers, we found those of Mr. Trist most ample to settle all existing differences between Mexico and the United States, to fix the limits of both countries, and adjust definitively a peace. Ours were restricted to receive the propositions of his government, if they were reduced to writing; and if made verbally, to reduce them to writing, with his approval. As Mr. Trist made some observations upon the limitation of our powers, we satisfied him by observing that when the time came to treat, we would present a complete authority. He immediately delivered to us the project of a treaty, which we that same night placed in the hands of the president. In conclusion, Mr. Trist proposed to us to select for the place of our future meeting a country house, of which he spoke, situated in the vicinity of Chapultepec, less distant from Tacubaya, where he resided, and from Mexico, where we were. We promised to take notice of

the place designated, and adjourned to meet again the following day.

The next conference was confined to the subject of the country house he had selected (vulgarly called the inquisitor Alfaro.) We informed him that we approved of it, and we fixed upon Wednesday, the 1st instant, for our third meeting, the two intermediate days being required by the government to maturely examine the projet, to resolve what action was required upon it, and to make out the instructions by which we were to be guided.

On Wednesday we exhibited to him the full powers conferred upon us by the supreme government, and we entered into a long and calm discussion with Mr. Trist upon the capital points of the projet, which was continued all through the next day (Thursday.) We have given to the supreme government the details. The point on which the negotiations then rested was this: Mr. Trist showed himself disposed to abandon his first pretensions upon Lower California and upon a part of the Upper, in order that Lower California might be able to communicate by land with Sonora. He then offered, if no other point of difference remained to conclude a peace than that relative to the territory between the Bravo and Nueces, he would consult his government—not without hope of a good exit. This step would cost a delay of more than forty days in the negotiation. But the cession of New Mexico on our part was a condition from which he could not depart, not even to submit it to a new consultation in Washington, for he was fully certain that his government considers it as a condition *sine qua non* of peace. The other points touched upon in the projet appeared to us reconcilable, if both parties should adopt terms of accommodation: such, at least, was the judgment we formed during the conferences.

The government being informed of all that took place, your excellency communicated to us its final resolution in your note of yesterday, in conformity with which, and approbation of the cabinet council, we immediately extended and delivered to Mr. Trist the same day the counter projet and note, copies of which are annexed, and numbered 1 and 2. Without any new discussion, he offered to reply to-day, which, in effect, he has done by an official note, of which No. 3 is a copy. That terminates the commission with which the supreme government was pleased to honor us, in a way contrary to what we sincerely desired, as well as endeavored to procure through the whole negotiation.

It now only remains for us to say, that in all our relations with Mr. Trist we found ample motives to appreciate his noble character; and if at any time the work

of peace is consummated, it will be done by negotiators adorned with the same estimable gifts which, in our judgment, distinguish this minister.

God and liberty! Mexico, September 7, 1847.

JOSE J. DE HERRERA.

BERNARDO COUTO.

IGNACIO MORA Y VILLAMIL.

MIGUEL ATRISTAIN.

To the Most Excellent Sor. MINISTER OF RELATIONS.

Correspondence between the general-in-chief of the army of the United States and the supreme government of the republic of Mexico.

HEAD-QUARTERS, ARMY OF THE U. S. OF AMERICA,
September 6, 1847.

Gen. Scott to
the President
of Mexico, an-
nouncing ter-
mination of
armistice.

SIR: The article 7th, as well as the 12th, which stipulate that the traffic or commerce shall on no account be interrupted, of the armistice or military convention which I had the honor to ratify and exchange with your excellency on the 24th of August last, have been repeatedly violated soon after the armistice was signed on the part of Mexico; and I now have very good reason to believe that within the last forty-eight hours, if not before, the 3d article of the convention was in like manner violated by the same party. These direct attacks on good faith gives to this army full right to open hostilities against Mexico without previous announcement; but I concede the time necessary for explanation, ratification, and, if possible, reparation. On the contrary, I now declare formally that if I do not receive complete satisfaction for all these charges before 12 o'clock to-morrow, I will consider the aforesaid armistice as terminated after that hour.

I have the honor to be your excellency's obedient servant,

WINFIELD SCOTT.

To his excellency the PRESIDENT
AND GENERAL-IN-CHIEF OF THE REPUBLIC OF MEXICO.

A copy of the translation.—Mexico, September 7, 1847.
JOSE DE ROMERO.

HEAD-QUARTERS ARMY OF THE REPUBLIC OF MEXICO,
Mexico, September 7, 1846.

Reply of the
President.

SIR: By the note of your excellency of this date, I learn, with surprise, that you consider the articles 7, 12,

and 3, of the armistice, have been violated by the civil and military authorities of Mexico.

The civil and military authorities of Mexico have not impeded the entrance of provisions to the American army; and if at any time its remittance was retarded, it has been precisely on account of the imprudence of the American agents; who, without having previously agreed with the aforesaid authorities, have given rise to a popular effervescence which cost the Mexican government much trouble to repress. Last night, and the night previous, the escorts were ready to conduct provisions; and if the extraction was not verified, it was because Mr. Hargous did not wish it. The order given to suspend traffic between the two armies was directed to private persons, and not to the agents of the army of the United States; it was reduced to that sole object, with a view to give more expedition to the traffic. In exchange for this conduct, your excellency has prohibited the owners and administrators of wheat-mills in the vicinity of Mexico to bring flour into the city, which has opened a wide breach in that good faith which your excellency promised to me.

It is false that any new work of fortifications has been undertaken, because some trifling repairs were necessary to re-establish them in the state in which they were the day of the armistice, or because casualties or momentary convenience had caused the destruction of pre-existing works. I acquired very early notice of the establishment of a masked battery behind the garden wall of Garay, in that village, and made no reclamation, because the peace of two great republics should not be made dependent on things grave themselves, but of little value in respect to the result in which all the friends of humanity are interested, as well as the felicity of the American continent.

I have, with pain and indignation, received communications from the cities and towns occupied by the army of your excellency, upon the violation of temples consecrated to the worship of God; upon the robbery of the sacred vessels and profanation of the images venerated by the Mexican people. I have been profoundly afflicted by the complaints of fathers and husbands upon the violation of their wives and daughters. Those same cities and towns have been sacked, not only in violation of the armistice, but even of the sacred principles recognized and observed by civilized nations. I had guarded silence until now, for the purpose of not chilling a negotiation that gave hopes of terminating a scandalous war, which your excellency has justly characterized as unnatural. I will not persist in offering apologies, because the true and undisguisable cause of the rupture of hos-