

CHAPTER XIII

THE FINAL SETTLEMENT



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AFTER the capture of the city and the subsequent collapse of the Mexican defense, Mr. Trist proposed the reopening of negotiations looking toward peace, with the provisional President, Manuel de la Peña-y-Peña, the senior judge of the Supreme Court, who had succeeded Santa Anna when Santa Anna resigned in disgust. The proposition met with a favorable reception, but nothing could be done until Congress met and elected a President *ad interim*. On January 8, 1848, Pedro Maria Anya was chosen to this position and Peña became his Minister of Foreign Affairs. The Mexican Congress authorized them to conclude a treaty of peace with the United States, which was signed at Guadalupe Hidalgo on February 2, 1848.



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After the failure of his first effort, Trist had been recalled by President Polk, but he had not yet returned to the United States. Believing that the desire for a settlement of the war was paramount at Washington, and that such a settlement on the lines of his original instructions was certain to be ratified, Mr. Trist disregarded the fact that his commission had lapsed, and negotiated and signed the treaty on the part of the United States, Mexico knowing that he had no authority to do so, but nevertheless consenting to negotiate with him. In this treaty poor Mexico was forced to accede substantially to the settlement which she had rejected only a few months before. President Polk transmitted the treaty to the Senate with the following explanation:

"I lay before the Senate, for their consideration and advice as to its ratification, a treaty of peace, friendship, limits, and settlement, signed at the city of Guadalupe Hidalgo on the 2nd of February, 1848, by N. P. Trist on the part of the United States, and by plenipotentiaries appointed

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for that purpose on the part of the Mexican Government.

"I deem it to be my duty to state that the recall of Mr. Trist as commissioner of the United States, of which Congress was informed in my annual message, was dictated by a belief that his continued presence with the army could be productive of no good, but might do much harm by encouraging the delusive hopes and false impressions of the Mexicans, and that his recall would satisfy Mexico that the United States had no terms of peace more favorable to offer. Directions were given that any propositions for peace which Mexico might make should be received and transmitted by the commanding general of our forces to the United States.

"It was not expected that Mr. Trist would remain in Mexico or continue in the exercise of the functions of the office of commissioner after he received his letter of recall. He has, however, done so, and the plenipotentiaries of Mexico, with a knowledge of the fact, have concluded with him this treaty. I have examined it with a full sense of the extraneous circumstances attending its conclusion and signature, which might be objected to, but conforming as it does substantially on the main questions of boundary and indemnity to the terms which our commissioner, when he left the United



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States in April last, was authorized to offer, and animated as I am by the spirit which has governed all my official conduct toward Mexico, I have felt it to be my duty to submit it to the Senate for their consideration with a view to its ratification."<sup>1</sup>

For his courageous action in negotiating this treaty Mr. Trist deserves the thanks and approval of his countrymen. The sooner the war was stopped and peace declared, the better it would be for all concerned. Polk blamed his commissioner severely; why, it is difficult to understand, since Trist had fulfilled his directions to the letter. Certain sections of the treaty are interesting. Article 5 defines the boundary line as follows:

"The boundary line between the two Republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence up the middle of that river, fol-

<sup>1</sup> Messages and Papers of the Presidents, vol. iv, by James D. Richardson.

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lowing the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence, westwardly, along the whole southern boundary of New Mexico (which runs north of the town called Paso) to its western termination; thence, northward, along the western line of New Mexico, until it intersects the first branch of the river Gila (or, if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same); thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean."<sup>1</sup>

The first section of Article 12 provided for a payment for the territory ceded, as follows:

"In consideration of the extension acquired by the boundaries of the United States, as defined in the fifth article of the present treaty, the government of the United States engages to pay to that of the Mexican Republic the sum of fifteen millions of dollars."

<sup>1</sup> Treaties and Conventions Between the United States and Other Powers Since July 4, 1776.



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ranges whose snow-capped peaks tower unto the skies. These mountains abound in gold, silver, iron and other valuable metals, as well as coal. Within the ranges lie valleys as fertile as they are fair. Grass mantled plains spreading far and wide from the mountain slopes and foothills invite the pasturage of the world. Cattle and sheep by millions find there a feeding ground. The greatest expanse of timbered lands in the republic, uncut since creation, is found upon vast plateaus upheaved a mile above the level of the sea. In other sections great wastes of sand and desert land abound, as the Staked Plains, the Painted Desert; some of it even lies below sea level, where the heat is tropic in intensity and the dryness terrible in degree, as in Death Valley.

Every product of the temperate zone and every product of the tropic belt are found there. Pines and palms, firs and cacti, growing side by side, typify the contrast as well as wheat and cotton, tobacco and apples, oranges and olives.

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The range of climate is equally great from the cold of the snow-capped mountains, through the temperate, bracing air of Utah, the cool, invigorating weather of the table lands of Texas, Arizona and New Mexico, and the semi-tropic atmosphere of California, to the intense heat of the extreme southern portion.

There, too, are to be found the most curious and interesting of the aboriginal races. The Indian still exists in all states of whatever civilization he has attained, from the wretched "Digger" of California to the enlightened Zuñi and Navajo. And there is the home of the greatest native race of fighters—whatever their other characteristics—that America has produced, the terrible Apache.

Withal, it is a most wonderful section of our country. I have not been everywhere, nor have I seen everything, but I dare affirm that the Grand Canyon of the Colorado River, in Arizona—by universal comment the most sublime natural wonder in the world—is the only thing the realization of which exceeds every



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possible preconception. No matter how extravagantly it may be described, nor what advanced ideas the mind may form of it, the reality far transcends the imagination. No human being ever looked at it with disappointment. To try to describe it is almost like seeking to trammel the infinite with the limitations of language.

But the Grand Canyon is not all. There are other canyons and mountains which for beauty and majesty challenge the world. And there are wonders which need not the attraction of magnitude to delight the soul. The petrified forests, the trees of the past turned into stone by the Gorgon touch of time—the *dejecta membra* of primeval days, almost as old when the Pyramids were builded, or when Terah died in Haran, as they are to-day—glittering on the soil beside the mesas of soft gray tufa and making the face of the world like an overturned jewel casket, are scarcely less interesting than the Grand Canyon.

It is a land of mystery as well. There are

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the caves of the Cliff Dwellers; there the prehistoric remains of older races, whose hieroglyphics mock the scientists; there the peoples that have gone and left no sign, of whom only do we know that they were—the rest is silence.

Who that has seen these things can forget them?

And it is a land of rare beauty, too. The giant redwoods of Mariposa are not more wonderful to the student of nature than the gnarled dwarf cedars of the uplands, the sagebrush of the desert. That desert swimming in the heat, void of vegetation, bordered like a Roman Senator's toga with the purple of distant hills, the marvelous blend and play of brown and yellow and red and violet; the clarity of the air above it, the brightness of the stars that look upon it—all this has an attractiveness, a fascination, that once felt will ever after be remembered.

And in many places, by the persuasive witchery of irrigation, that desert is being made to blossom like a rose. Some day, when all the



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local sources of water supply shall have been exhausted—and in some places they have not been touched—some genius, some heaven-sent benefactor, with a Moses-rod, will smite the rock and flood the thirsty land which gives forth its life so abundantly when it has half a chance. Or perhaps from the air or from the sea the water will be drawn. Come it must, and come it will, and teeming millions of the future will occupy the now deserted spaces.

Well may Mexico think sadly of what she lost, well may the United States be thankful for the terrible expiation of national wrong that was required and paid for in 1861-65; and, with a hope that the slate has been wiped clean, that the score has been settled, with chastened soul and kindly heart essay to do better in the future. "What doth the Lord require of thee, O people, but to do justly and to love mercy and to walk humbly with thy God" among men and nations, great or small, forever?

## CHAPTER XIV

### WHAT IT COST—A CHEAPER WAY