

110 de la constitucion federal de estos Estados- Unidos, tuvo á bien aprobar en todas sus partes el indicado tratado y las modificaciones; y en consecuencia, en uso de las facultades que me concede la constitucion, acepto, ratifico y confirmo el referido tratado con sus modificaciones y prometo en nombre de la República Mexicana cumplirlo y observarlo y hacer que se cumpla y observe.

Dado en el palacio federal de la ciudad de Santiago de Querétaro, firmado de mi mano, autorizado con el gran sello nacional y refrendado por el secretario de Estado y del despacho de Relaciones Interiores y exteriores, á los treinta dias del mes de Mayo del año del Señor de mil ochocientos cuarenta y ocho y de la Independencia de la República el vigésimo octavo.—(L. S.) *Manuel de la Peña y Peña*.—*Luis de la Rosa*, secretario de Estado y del despacho de Relaciones Interiores y Exteriores.

Por tanto, y habiendo sido igualmente aprobado, confirmado y ratificado el enunciado tratado con las modificaciones por S. E. el presidente de los Estados- Unidos de América, previo el consentimiento y aprobacion del senado de aquella República, en la ciudad de Washington, el dia diez y seis de Marzo del presente año de mil ochocientos cuarenta y ocho, mando se imprima, publique, circule y se le dé el debido cumplimiento. Dado en el palacio nacional de Santiago de Querétaro, á treinta de Mayo de mil ochocientos cuarenta y ocho.—*Manuel de la Peña y Peña*.—A. D. *Luis de la Rosa*.

Y lo traslado á V. para su inteligencia y fines consiguientes. Dios y libertad. Querétaro, Mayo 30 de 1848.—*Rosa*.

PROTOCOLO

de las conferencias que previamente, á la ratificacion y canje del tratado de paz se tuvieron entre los Exmos. Señores D. Luis de la Rosa, ministro de Relaciones Interiores y Exteriores de la República Mexicana, y Ambrosio H. Sevier y Nathan Clifford, comisionados con el rango de ministros plenipotenciarios del gobierno de los Estados- Unidos de América.

En la ciudad de Querétaro, á los veintiseis dias del mes de Mayo del año de 1848, reunidos el Exmo. Sr. D. Luis de la Rosa, Ministro de Relaciones de la República Mexicana, y los Exmos. Sres. Nathan Clifford y Ambrosio H. Sevier, Comisionados con plenos poderes del Gobierno de los Estados- Unidos de América para hacer al de la República Mexicana las explicaciones convenientes sobre las modificaciones que el senado y gobierno de dichos Estados- Unidos han hecho al tratado de paz, amistad, límites y arreglo definitivo entre ambas Repúblicas, firmado en la ciudad de Guadalupe Hidalgo el dia 2 de Febrero del presente año, despues de haber conferenciado detenidamente sobre las indicadas variaciones, han acordado consignar en el presente protocolo las siguientes explicaciones, que los expresados Exmos. Sres. comisionados han dado en nombre de su Gobierno y

desempeñando la comision que este les confirió cerca del de la República Mexicana.

1.º El Gobierno americano, suprimiendo el artículo IX del tratado de Guadalupe y sustituyendo á él el artículo III del de la Luisiana, no ha pretendido disminuir en nada lo que estaba pactado por el citado artículo IX en favor de los habitantes de los territorios cedidos por México. Entiende que todo esto está contenido en el artículo III del tratado de la Luisiana. En consecuencia, todos los goce y garantías que en el orden civil, en el político y religioso tendrían los dichos habitantes de los territorios cedidos si hubiese subsistido el artículo IX del tratado, esos mismos, sin diferencia alguna, tendrán bajo el artículo que se ha sustituido.

2.º El gobierno americano, suprimiendo el artículo X del tratado de Guadalupe, no ha intentado de ninguna manera anular las concesiones de tierras hechas por México en los territorios cedidos. Esas concesiones, aún suprimiendo el artículo del tratado, conservan el valor legal que tengan, y los concesionarios pueden hacer valer sus títulos legítimos ante los tribunales americanos.

Conforme á la ley de los Estados- Unidos, son títulos legítimos en favor de toda propiedad, mueble ó raíz, existente en los territorios cedidos, los mismos que hayan sido títulos legítimos bajo la ley mexicana hasta el dia 13 de Mayo de 1846 en Californias y en Nuevo- México, y hasta el dia 2 de Marzo de 1836 en Tejas.

3.º El Gobierno de los Estados- Unidos, suprimiendo el párrafo con que concluye el artículo XII del tratado, no ha entendido privar á la República Mexicana de la libre y expedita facultad de ceder, traspasar ó enagenar en cualquier tiempo (como mejor le parezca) la suma de los doce millones de pesos que el mismo Gobierno de los Estados- Unidos debe entregar en los plazos que expresa el artículo XII modificado.

Y habiendo aceptado estas explicaciones el Ministro de Relaciones de la República Mexicana, declara en nombre de su gobierno, que bajo los conceptos que ellas importan, va á proceder el mismo Gobierno á ratificar el tratado de Guadalupe segun ha sido modificado por el Senado y Gobierno de los Estados- Unidos. En fé de lo cual, firmaron y sellaron por quintuplicado el presente protocolo los Excelentísimos Sres. Ministros y Comisionados antedichos.

(L. S.) (Firmado.) *Luis de la Rosa*.
(L. S.) (Firmado.) *Nathan Clifford*.
(L. S.) (Firmado.) *Ambrosio H. Sevier*.

In the name of Almighty God.

The United States of America and the United Mexican States, animated by a sincere desire to put an end to the calamities of the war which unhappily exists between the two Republics, and to es-

tablish upon a solid basis relations of peace and friendship, which shall confer reciprocal benefits upon the citizens of both, and assure the concord, harmony and mutual confidence wherein the two people should live as good neighbours, have for that purpose appointed their respective plenipotentiaries; that is to say, the President of the United States has appointed Nicholas P. Trist, a citizen of the United States, and the President of the Mexican Republic has appointed Don Luis Gonzaga Cuevas, Don Bernardo Couto and Don Miguel Atristain, citizens of the said Republic, who, after a reciprocal communication of their respective full powers, have, under the protection of Almighty God, the author of peace, arranged, agreed upon and signed the following

TREATY OF PEACE,

friendship, limits and settlement between the United States of America and the Mexican Republic.

ARTICLE I.

There shall be firm and universal peace between the United States of America and the Mexican Republic, and between their respective countries, territories, cities, towns and people, without exception of places or persons.

ARTICLE II.

Immediately upon the signature of this treaty, a convention shall be entered into between a commissioner or commissioners appointed by the General-in-chief of the forces of the United States, and such as may be appointed by the Mexican government, to the end that a provisional suspension of hostilities shall take place, and that in the places occupied by the said forces, constitutional order may be reestablished, as regards the political, administrative and judicial branches, so far as this shall be permitted by the circumstances of military occupation.

ARTICLE III.

Immediately upon the ratification of the present treaty by the government of the United States, orders shall be transmitted to the commanders of their land and naval forces, requiring the latter (provided this treaty shall then, have been ratified by the government of the Mexican Republic) immediately to desist from blockading any Mexican ports; and requiring the former (under the same condition) to commence at the earliest moment practicable, withdrawing all troops of the United States then in the interior of the Mexican republic, to points that shall be selected by common agreement, at a distance from the seaports not exceeding thirty leagues; and such evacuation of the interior of the republic shall be complet-

ed with the least possible delay; the Mexican government hereby binding itself to afford every facility in its power for rendering the same convenience to the troops on their march, and in their new positions, and for promoting a good understanding between them and the inhabitants. In like manner, orders shall be despatched to the persons in charge of the custom-houses at all ports occupied by the forces of the United States, requiring them (under the same condition) immediately to deliver possession of the same to the persons authorized by the Mexican government to receive it, together with all bonds and evidences of debt for duties on importations, and on exportations, not yet fallen due. Moreover, a faithful and exact account shall be made out, showing the entire amount of all duties, on imports and on exports collected at such custom-houses, or elsewhere in Mexico, by authority of the United States, from and after the day of the ratification of this treaty by the government of the Mexican Republic, and also an account of the cost of collection: and such entire amount, deducting only the cost of collection, shall be delivered to the Mexican government, at the city of Mexico, within three months after the exchange of ratifications.

The evacuation of the capital of the Mexican Republic by the troops of the United States in virtue of the above stipulation, shall be completed in one month after the orders there stipulated for, shall have been received by the commander of the said troops, or sooner if possible.

ARTICLE IV.

Immediately after the exchange of ratifications of the present treaty, all castles, forts, territories, places and possessions, which have been taken or occupied by the forces of the United States during the present war, within the limits of the Mexican Republic, as about to be established by the following article, shall be definitively restored to the said Republic, together with all the artillery, arms, apparatus of war, munitions, and other public property, which were in the said castles and forts when captured, and which shall remain there at the time when this treaty shall be duly ratified by the government of the Mexican republic. To this end, immediately upon the signature of this treaty, orders shall be despatched to the American officers commanding such castles and forts, securing against the removal or destruction of any such artillery, arms, apparatus of war, munitions and other public property. The city of Mexico, within the inner line of intrenchments surrounding the said city is comprehended in the above stipulations, as regards the restoration of artillery, apparatus of war, etc.

The final evacuation of the territory of the Mexican republic by the forces of the United States, shall be completed in three months from the said exchange of ratifications, or sooner if possible: the Mexican government hereby engaging, as in the foregoing article, to use all means in its power for facilitating such evacuations, and rendering it convenient to the troops, to do so, and for promoting a good understanding between them and the inhabitants.

If, however, the ratification of this treaty by both parties should not take place in time to allow the embarkation of the troops of the United States to be completed before the commencement of the sickly season, at the Mexican ports on the Gulf of Mexico, in such case, a friendly arrangement shall be entered into, between the General-in-chief of the said troops and the Mexican government, whereby healthy, and otherwise suitable places, at a distance from the ports not exceeding thirty leagues shall be designated for the residence of such troops as may not yet have embarked, until the return of the healthy season; and the space of time here referred to, as comprehending the sickly season, shall be understood to extend from the first day of May to the first day of November.

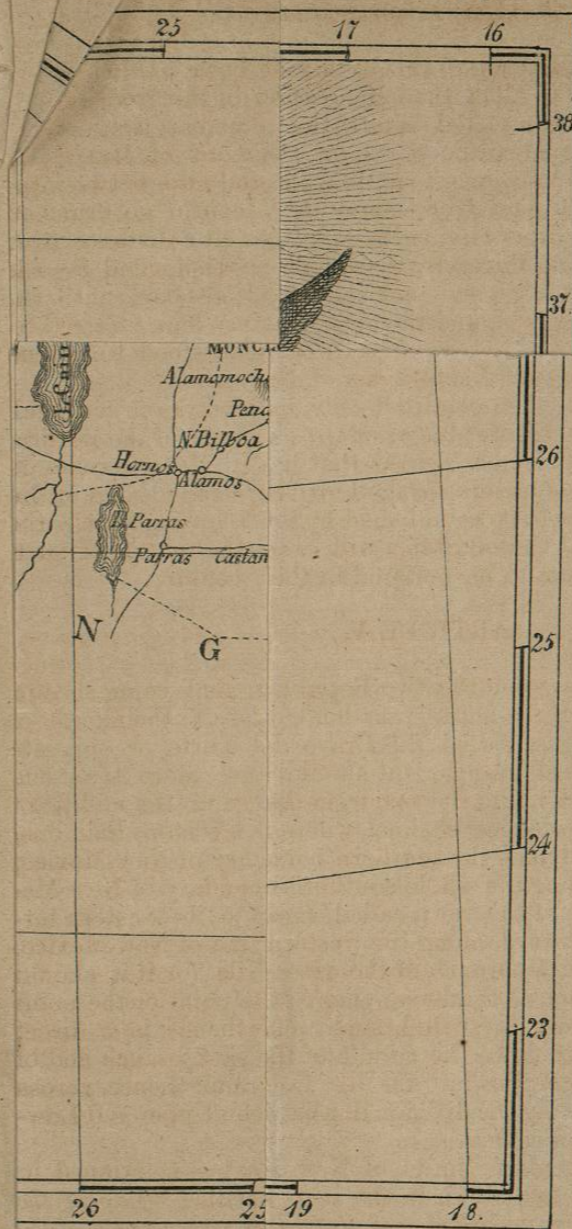
All prisoners of war taken on either side, on land or on sea, shall be restored as soon as practicable after the exchange of the ratifications of this treaty. It is also agreed that if any Mexicans should now be held as captives by any savage tribe within the limits of the United States, as about to be established by the following article, the government of the said United States will exact the release of such captives, and cause them to be restored to their country.

ARTICLE V.

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, following 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.

The southern and western limits of New Mexico mentioned in this article, are those laid down in the map entitled "*Map of the United Mexican States, as organized and defined by various acts of the Congress of the said Republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell.*" Of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned plenipotentiaries. And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper from Lower California, it is agreed that the said limit shall consist of a straight line drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pa-

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MAPA de los ESTADOS UNIDOS DE MÉJICO.

*Segun lo organizado y definido por las varias
actas del Congreso de dicha República y
construido por las mejores autoridades.*

LO PUBLICAN J. DISTURNELL, 102 BROADWAY

NUEVA YORK.
1847

Scale of English Miles

REVISED EDITION.