Sample Lesson Table of Contents

1. Overview
2. Sample Lesson- Volume One, Chapter Eight: War Between Mexico and the United States
3. Handouts- Chapter Eight
4. Powerpoint- Chapter Eight
5. Documents- Chapter Eight
Conflict Resolution and United States History

The NJ Center for Civic & Law-Related Education
Rutgers, The State University of New Jersey
Lucy Stone Hall B303-311
Piscataway, NJ 08854
732-445-3413 Voice
732-445-3420 Fax
http://www.civiced.rutgers.edu
Conflict Resolution and United States History

Volume One: The Colonial Period through Reconstruction

- Overview, Conflict Resolution Skills and Tips for Teachers
- Native Americans and European Colonists
- Could the American Revolution have been Avoided?
- Slavery and the Constitutional Convention
- Cherokee Indian Removal
- The War between Mexico and the United States
- The Compromise of 1850
- Women’s Rights in the 19th Century
- Post-Civil War Reconstruction

Volume Two: The Gilded Age through the Twentieth Century

- Overview, Conflict Resolution Skills and Tips for Teachers
- Labor Relations during the Industrial Era
- Imperialism, Insurrection and Intervention in 1898
- U.S. Entry into World War I
- Immigration Restrictions and the National Origins Act of 1924
- Rosie the Riveter vs. G.I. Joe
- The Montgomery Bus Boycott
- The Cuban Missile Crisis
- The U.S. and the War in Vietnam
- The 1992 Los Angeles Riots
Conflict Resolution Background

Historical Background

Primary Source Documents

Historical Roleplaying

Handouts/Overheads

Powerpoints

DVD
Sources of Conflict

- Goals, ideologies—struggle for control, power
- Interests—economic, social, political, personal
- Opinions, feelings—arguments, hostility
- Expectations—competition, jealousy, disappointment, anger
- Perception—misunderstanding, failure to communicate
- Behavior—irritation, fear, triggers
- Culture—prejudice, fear, competitive culture
- PRIDE—personal and national
Responses to Conflict

- FIGHT
- FLIGHT / AVOIDANCE
- COMPROMISE
- LITIGATION
- ARBITRATION
- MEDIATION
- NEGOTIATION
Separate Positions and Interests
Steps in Negotiations

1. Discuss the rules—no triggers
2. Each party presents facts, feelings and issues from his or her perspective
3. Actively listen—indicate that you heard and understood
4. Brainstorm possible solutions
5. Evaluate alternatives
6. Agree on a solution
7. Agree what to do if conflict recurs
8. Write down the agreement
9. Preserve the relationship
Steps in Mediation

1. Mediator discuss the rules—no triggers
2. Each party presents facts, feelings and issues from his or her perspective
3. Actively listen
4. Mediator restates
5. Mediator helps parties brainstorm alternatives
6. Mediator helps parties evaluate alternatives
7. Mediator helps parties come to an agreement
8. Agree what to do if conflict recurs
9. Write down the agreement
10. Preserve the relationship
11. CAUCUS—meet with parties or groups separately
Primary Source Documents
War with Mexico

Document 1: Joint Resolution of Congress, March 1, 1845
Document 2: Excerpt from biography of James K. Polk, March 1845
Document 3: Secret Instructions from president Polk to John Slidell, November 1845
Document 4: Excerpt from the Diary of James K. Polk, May 1846
Document 5: President Polk’s Message on War with Mexico, May 11, 1846
Document 6: Excerpts from Letters from Jose Ramirez in Mexico, 1847
Document 7: Excerpts from letters of Nicholas Trist
Document 8: Treaty of Guadalupe Hidalgo, February 2, 1848
Document 9: Excerpts from Lincoln’s speech in Congress protesting U.S. aggression against Mexico, 1848
Historical Roleplaying
The Roles

The participants:
• Should try to come to an agreement, using conflict resolution skills but recognizing the constraints of their historical characters.

The mediator:
• Should try to help the participants come to a resolution that meets their underlying interests.
• Should not impose his or her views on the participants.

The observer/recorder/reporters:
• Do not participate in the negotiations
• Observes the process, records and report on the negotiation process and results.
Debriefing

The Process

- To what extent did the parties use active listening skills?
- To what extent did the parties brainstorm and evaluate possible alternatives?
- To what extent were the parties able to articulate their real interests?
- To what extent did rhetoric get in the way of pursuing the parties real interests?

The Results

- Were the parties able to reach mutually acceptable solutions?
- Why or why not?
- To what extent were the role played with historical accuracy?
The Facts Continued
The costs

13,000 North Americans killed (most from diseases rather than in battle)
50,000 Mexican fatalities
War cost U.S. approximately $100 million
War bankrupt Mexico
Questions for Discussion

1. Would it have been historically realistic for Mexico to have accepted a settlement to the dispute with the United States without having been forced by armed conflict and internal strife?

2. Would national pride have permitted a settlement without violence?

3. Could Mexico and the United States have accepted a resolution that acknowledged the annexation of Texas by the U.S. but with the southwestern boundary at the Nueces River rather than the Rio Grande?

4. What might have satisfied the interests of both countries while still maintaining national pride?
CHAPTER EIGHT

WAR BETWEEN MEXICO AND THE UNITED STATES

OBJECTIVES

• To explain the many forces encouraging U.S. westward expansion during the first half of the 19th century.

• To analyze the conflicting interests that led to war between Mexico and the United States in 1846.

• To understand the interplay of individual decisions and historical events in shaping history.

• To contrast the peaceful resolution of the boundary dispute with Great Britain regarding Oregon with the declaration of war with Mexico in 1846.

• To appreciate the influence of personal and national pride in conflicts.

• To appreciate the costs and consequences of the war between Mexico and the United States.

CORRELATION WITH NATIONAL HISTORY STANDARDS

Era Four: Expansion and Reform (1801–1861)
Standard 1C

The student understands the ideology of Manifest Destiny, the nation's expansion to the Northwest, and the Mexican-American War.

• Explain the economic, political, racial, and religious roots of Manifest Destiny and analyze how the concept influenced the westward expansion of the nation.

• Compare and explain the peaceful resolution of the Oregon dispute with Great Britain and the declaration of war with Mexico.

• Explain the causes of the Texas War for Independence and the Mexican-American War and evaluate the provisions and consequences of the Treaty of Guadalupe Hidalgo.

• Analyze different perspectives on the Mexican-American War.

OVERVIEW

Western expansion was hardly a new idea. Some of the original royal charters from Britain to the colonies in North America extended from coast to coast. Both the economic system and the social system of the United States were based in part on the opportunities that western lands offered for land speculation, settlement, farming and attracting immigrants. The idea of western expansion was an integral part of the culture and self-definition of the United States—a place for a fresh start where democracy and individualism prevailed. Politicians, editors, clergy and other influential persons pictured it as part of the nation's destiny to develop land that was sparsely populated or "inefficiently" used. Western expansion was at the expense of the Native Americans and later, the French, Spanish, and the Mexicans.
Protestant Americans claimed that Providence had ordained the spread of their unique and progressive civilization from ocean to ocean. Doubling the size of the country with the purchase of the Louisiana Territory from France in 1803, President Jefferson justified the expansion as creating “an empire of liberty.” The surging popular sentiment for expansion and the growing conviction that it was the destiny of the United States to expand to the Pacific was at its peak in the 1840s, when journalist John L. O’Sullivan first used the phrase “manifest destiny” to describe it. This sense of manifest destiny was an underlying force behind the war between the United States and Mexico in 1846–48. Yet, there was also growing opposition in the North to the war and to westward expansion of the slave South.

Did the North Americans’ drive westward make war with Mexico inevitable? What were the basic needs and interests of the United States and Mexico in the 1840s? Could the war between Mexico and the United States have been avoided through negotiation? Could it have been avoided through the use of international, third-party mediation? Why was the United States willing to agree to a boundary for Oregon at the 49th parallel with Great Britain but not able to negotiate with Mexico regarding a boundary for Texas?

This lesson includes the following alternative exercises:

- A Mock Negotiation
- A Mock Mediation
- A Debate in the United States Congress
- A Debate in the Mexican Congress.

*The United States after the Missouri Compromise of 1820*
Chapter Eight: War Between Mexico and the United States

**HISTORICAL BACKGROUND**

In 1819, a Spanish government weakened by the Napoleonic wars and revolts by her colonies, reluctantly signed the Adams-Onís Treaty with the United States, ceding Florida to the United States in return for U.S. assumption of $5 million in damage claims by U.S. citizens against Spain. The treaty defined the western boundary of the Louisiana Purchase as being from the mouth of the Sabine River proceeding in a broken northwesterly line along the Red River and the Arkansas River and the 42nd parallel, from which it went due west to the Pacific Ocean (see "Map of Disputed Territory, 1845-1846" on page 183). This surrendered Madrid’s claims to the Pacific Northwest, but confirmed Spanish claims to the province of Texas west of the Sabine River in the Spanish colony of “New Spain” (as Mexico was known at the time). In 1821, after a decade of armed struggle, Mexico obtained its independence from Spain. The independent nation of Mexico, initially a monarchy, stretched from the Yucatan in the south to the northern provinces of Texas, New Mexico, and California.

Spanish authorities had encouraged immigration to its sparsely populated northern province (the future territory of Texas) through generous grants of land and the hiring of land agents, such as Stephen Austin. When the Republic of Mexico replaced the monarchy in 1824, it confirmed these land grants and issued others. Most of the North Americans moving into Texas were slaveholders seeking the fertile soil along the Gulf coast to grow cotton. The newcomers, who were required by law to become Roman Catholics and Mexican citizens, were predominantly Protestants who never ceased to think of themselves as North Americans. They quickly outnumbered the Hispanic residents. By 1836 there were 30,000 white Anglos, 5,000 black slaves and only 8,000 Hispanic Mexicans in Texas.

Soon after Mexico obtained independence in 1821, two U.S. envoys offered to purchase the Texas territory, but the Mexican authorities rebuffed their efforts. Concerned about the growing number of Anglo-Americans and their slaves in Texas, the Mexican government in 1829 abolished slavery in an attempt to discourage their future immigration, as Texas was the main area where slavery existed in Mexico. Local authorities in Texas, however, did not enforce the decree because they feared that it might provoke the settlers into rebelling. In 1834, the seeds for an uprising bore fruit when General Antonio Lopez de Santa Anna seized power in Mexico City and attempted to tighten the central government’s control over outlying provinces. The Anglos in Texas regarded his actions as a violation of their rights under the 1824 Mexican constitution. Skirmishes began in 1835 between Texans and local Mexican soldiers. The Anglo-Texans set up a provisional government and their own army.

To suppress this emergent revolt, Santa Anna led a Mexican Army into Texas in 1836. His 5,000 soldiers besieged a group of 200 Texans and others in the old Alamo mission in San Antonio, and killed all of the defenders, including frontiersmen Davy Crockett and Jim Bowie. The slaughter infuriated many North Americans. Joined by hundreds of volunteers, the Texan army, under Sam Houston, defeated the Mexicans at San Jacinto, captured Santa Anna, and extracted a treaty from him that recognized the independence of Texas and set the southern and western boundary of Texas at the Rio Grande River instead of the Nueces River, which historically had been the boundary. Mexico immediately repudiated the agreement, as did Santa Anna after his release. Texas almost immediately sought annexation to the United States. Houston’s friend, President Andrew Jackson, an
ardent expansionist, wanted Texas in the Union, but northern opposition to the expansion of slavery made annexation politically difficult, and Texas remained an independent republic for nine years.

In the meantime, other issues heightened tensions between the U.S. and Mexico. The claims that U.S. nationals had against the Mexican government from injuries or loss of property during the Mexican war of independence and subsequent internal conflicts remained unpaid. In 1840, an international claims commission settled this outstanding disagreement by requiring Mexico to pay U.S. nationals approximately $2 million, one-third of the original amount claimed. Many of these claims were contested by Mexico as flimsy and fraudulent. Although Mexico started to make payments, the country's fiscal problems forced the government to halt them in 1843. Mexican forays into Texas and the harsh treatment of Texan prisoners captured in border raids created additional friction, while U.S. naval incursion in Monterrey Bay renewed Mexican suspicions about U.S. expansionism.

U.S.-Mexican relations were tense in early 1845 when General José Joaquín de Herrera became president of Mexico. Herrera's position was made all the more difficult because of numerous economic, class, racial and political difficulties at home. In addition to a nearly empty treasury, Mexico had a highly stratified society that it had inherited from the Spanish. Those who had been born in Mexico of "pure Spanish blood"—the criollos or creoles—made up the upper class and held most public offices as well as most of the land. The mestizos, of mixed Spanish and Indian descent, composed the small laboring class, while the bottom was filled by the vast peasant class, which was primarily Indian and worked for the landowners. The Roman Catholic Church and the army remained firmly entrenched as the country's most powerful institutions. They had their own courts and privileges and any efforts by reformers to curb their power ignited political disputes. Indeed, the political situation in early republican Mexico was highly unstable. Four factions—radicals, moderates, conservatives and Santa Anna's followers—engendered much political disorder as they struggled over issues such as the relationship between the state, the church and the military, the extent of working class participation in public affairs and the form of government that Mexico should follow.

Mexican President Herrera's ability to govern such a deeply fragmented and unstable nation was severely compromised by a chain of events in the United States that set in motion the process for U.S. annexation of Texas. Near the end of his term, U.S. President John Tyler (Democrat from Virginia), trying to use Texas as an issue to obtain renomination by the Whigs, negotiated an annexation treaty and submitted it for Senate ratification in April 1844. He tried to get support for annexation by playing on fears of British seizure of Texas. Unable to win a two-thirds Senate majority for a treaty, Tyler, subsequently as a lame-duck president, suggested annexation by joint resolution requiring only simple majorities of both houses. His opponents—northern and western Whigs and northern Democrats—protested, but Congress annexed Texas by joint resolution in March 1845. (See Document 1: Joint Resolution of Congress, March 1, 1845.) Mexico protested and severed diplomatic relations with the United States.

In addition to the controversy over U.S. annexation of Texas, a major dispute existed over the Texas boundary. Mexico claimed that the southern and western boundary was the Nueces River, but the State of Texas and the U.S. Government claimed that it was the Rio Grande. Except for the 1836 treaty with Santa Anna, the Nueces River had been the accepted boundary. Since the Rio Grande ran 150 miles south of the Nueces River and much
farther to the north and west, the U.S. assertion of the Rio Grande as the boundary would double the size of the land it was claiming as Texas from Mexico.

After Mexican independence from Spain, Britain became the primary trading partner and main source of capital investment for Mexico. In the early 1840s, American expansionists viewed Mexican threats over U.S. annexation as being encouraged, even directed and supported, by Britain. Although London had encouraged Mexico to recognize an independent Texas Republic to prevent it from becoming part of the United States, and although there was friction between London and Washington over conflicting claims in the Northwest between the US and British Canada, London did not manipulate Mexico to block U.S. expansion. Indeed, in the Northwest, Britain proved willing to compromise Canadian expansion in light of larger British interests to avoid war or at least maintain harmonious relations with the United States.

After passage of the joint resolution for the annexation of Texas in March 1845, Mexico broke off diplomatic relations with the United States. Although furious with the U.S. and pressured by a bellicose Mexican press that was pushing for war with the U.S., President Herrera knew that he could ill afford a full-scale conflict—Mexico had neither the funds nor the army to fight the U.S. At the urging of France and Britain, Herrera belatedly sought to prevent U.S. annexation of Texas by recognizing the Republic of Texas with the stipulation that it remain independent. But this effort was too late.

In an attempt to salvage national pride, President Herrera in August 1845 dispatched a confidential note to the U.S. government indicating a willingness to receive a special emissary to negotiate the Texas boundary issue. Two months later, new U.S. President James K. Polk (an expansionist Democrat from Tennessee) sent John Slidell as a commissioner to Mexico, with instructions to negotiate the Texas boundary issue and the outstanding claims against Mexico by U.S. citizens, and a confidential authorization to offer $15 million for the purchase of the northern Mexican provinces of California and New Mexico (Polk later spoke of up to $40 million). (See Document 2: Excerpt from Biography of President Polk and Document 3: President Polk’s Secret Instructions to John Slidell, November 10, 1845.)

**Mock Negotiation or Mediation**

Mexican President Herrera had indicated a willingness to receive a special envoy from the United States. United States President Polk sent John Slidell as a special envoy on a secret mission to Mexico with instructions to negotiate the Texas boundary and the outstanding claims against Mexico by U.S. citizens and try to purchase the sparsely populated northern Mexico states of California and New Mexico.
It is now December 1845. Instead of his mission being revealed and rejected by the Mexican government as actually happened, let us take a step away from history and see if Mr. Slidell and Mexican Foreign Minister Manuel de la Peña y Peña can negotiate a resolution to the growing hostility between their countries. In fact, although the two men were in Mexico City in December 1845, such a meeting never really occurred.

**The Participants**

**Manuel de la Peña y Peña, Negotiating for Mexico**

Manuel de la Peña y Peña was President Herrera’s Minister of Foreign Relations in 1845. He was a noted Mexican lawyer, jurist and public servant. He was moderate politically and recognized Mexico’s economic and military inability to defeat the United States or even maintain effective control over its northern states. To encourage Mexican public opinion to allow negotiations with the United States and avoid war, he urged the U.S. consul in 1845 to make a peaceful gesture, such as withdrawing the U.S. naval force from off Vera Cruz. The central government was unwilling to take sole responsibility for a conciliatory policy, and Peña y Peña distributed letters to governors and state legislators soliciting their advice and support. In 1845, he believed that Mexico should be flexible and consider surrendering part of its territory that was sparsely populated and that it was unable to govern in any case. He was looking for a way to resolve the situation with the United States but also concerned about Mexico’s national honor. Subsequently Peña y Peña was appointed head of the Supreme Court. In 1847, when Santa Anna fled after the fall of Mexico City, he named Peña y Peña as interim president and Peña y Peña opened negotiations with special U.S. envoy, Nicholas Trist, that led to the peace treaty.

**John Slidell, Negotiating for the United States**

John Slidell, a “manifest destiny” Democrat from Louisiana, was appointed by President Polk as a special envoy to Mexico late in 1845. He spoke fluent Spanish. His publicly stated role was to try to resolve the Texan boundary dispute and the claims against Mexico by U.S. nationals. He also had secret instructions from President Polk to offer $15 million to Mexico (later Polk expressed a willingness to pay up to $40 million) for the purchase of the provinces of New Mexico and California. Slidell was born in New York City, graduated Columbia College and went into a mercantile business. He later moved to New Orleans where he practiced law and became a member of Congress from 1843–45. His political ambition was to obtain a U.S. Senate seat, which he did in 1853–61. During the Civil War, he joined the Confederacy, and became its envoy to France.
Chapter Eight: War Between Mexico and the United States

**POSITIONS AND INTERESTS**

**Mexico**

*Positions*
- Annexation of Texas was illegal
- Appalled at U.S. policy of pushing the Indians westward and U.S. support for slavery
- Angered by U.S. support of its citizens’ claims against Mexico, many of which were seen as fraudulent
- Rejected U.S. claim to the land between the Nueces and the Rio Grande Rivers as without historical or legal basis
- Against U.S. sending troops into area disputed by the U.S. and Mexico

*Interests*
- Mexican honor, pride and self esteem hurt by the loss of Texas and high-handed way that the U.S. dealt with Mexico
- Mexico could ill-afford to lose trade revenues from North Americans as well as the economic loss of prosperous Texas
- Mexico *distrusted* the U.S. because of its history of expansion
- Mexico needed political and economic stability as the government was virtually bankrupt
- Fear that with Indian blood Mexicans would be seen as “racial inferiors” and treated by the North Americans like their Native Indian population (removed from their lands) or African population (enslaved)
- Needed to protect settlers in the northern provinces from raids by Indians (especially Apaches and Comanches).

**The United States**

*Positions*
- Mexico owed U.S. nationals more than $2 million of unpaid damages
- Mexico was not using or populating land in dispute
- U.S. supported the claim by Texas that the southern and western border of Texas was the Rio Grande rather than the Nueces River
- Mexico was standing in the way of America's "manifest destiny"

*Interests*
- *Economics*: U.S. wanted ports on California coast for trade with Far East (Polk), and for land speculation and settlement (historically)
- Fear that the British would help Mexico to retake Texas and abolish slavery
- *Politics*: Both parties looked to westward expansion. Most Democrats were willing to go to war. Most Whigs preferred peaceful annexation through settlement.
- *Race*: Anglo-American belief in their racial and political superiority to Mexicans
- *Ideology*: U.S. a “beacon to the world” for freedom and democracy; “manifest destiny” of U.S.
- *Religion*: Protestant North American image of Spanish Catholics as lazy and corrupt
TEACHER INSTRUCTIONS

Preparation
1. Share the “Historical Background” with the class as either a lecture or a handout. In addition, either distribute the map you may also wish to post a copy of the map in the classroom or display it as an overhead.
2. For all options, students should also read Student Handout: “Positions and Interests.”
3. Have students read the brief biographies.

Directions
Option One—International Negotiation
1. Divide the class into groups of three, assigning each person one of the following roles:
   a. Manuel de la Peña y Peña, negotiating for Mexico
   b. John Slidell, negotiating for the United States
   c. Observer/Recorder/Reporter
2. All participants should read the directions for the negotiations and review the biography for their assigned role.
3. Give each negotiator the secret instructions from his president only.

Option Two—International Mediation
1. Divide the class into groups of four, assigning each person one of the following roles:
   a. Manuel de la Peña y Peña, Mexican Foreign Minister
   b. John Slidell, U.S. Commissioner to Mexico
   c. A mediator from an International Mediation Commission
   d. An observer/recorder/reporter for the Commission
2. All participants should read the directions for the mediation and review the biography for their assigned role.
3. Give each representative (roles a & b) the secret instructions from his president only.

Debriefing
1. Ask the Observers/Recorders/Reporters to explain briefly the results and the process of the negotiations or mediation in their group.
2. Share “The Facts Continued” with the class as a lecture and/or reading assignment and the map of the Mexican Cession, 1848.
3. Compare the results of the mock negotiations or mediation with what actually happened in history, including the details of Polk’s secret instructions to Slidell to offer $15-40 million to
Chapter Eight: War Between Mexico and the United States

Mexico for the purchase of New Mexico and California and how this offer compared with what really happened.

4. Use the “Questions for Discussion” for in-class discussion or essay topics.

Alternate Activities

Option One—Mock Debate in the United States Congress

War with Mexico was bitterly debated in the U.S. Congress in 1846. Have students conduct a mock congressional debate, including the war message by President James Polk (see Document 4: “Polk’s War Message to Congress,” May 1846); the speech in support of expansionism and war with Mexico by Thomas Hart Benton, Democratic Senator from Missouri, in *Congressional Globe*, May 28, 1846); and speeches by many northern Whigs who opposed the war. Students may wish to research additional members of the Congress that met in 1846.

Option Two—Mock Debate in the Mexican Congress

The Mexican Congress also debated whether war was a good idea. Have students conduct a mock congressional debate among the members of the Mexican Congress, which might include:

1. José Fernando Ramírez, a member of the Mexican Congress during the war with the United States who chastised Mexicans for maintaining “ambitious and ignorant demagogues” in power.

2. Antonio López de Santa Anna, an influential and controversial military and political figure in Mexico who fought in the wars for Mexican independence from Spain, and later was president numerous times: 1829-30, 1832-36, 1841-44, 1846-47, and “perpetual dictator” from 1853-1855.

3. José Joaquín de Herrera, who became president under pressure for war with the United States to recapture Texas.

4. Mariano Paredes y Arrillaga, a Mexican general who, as a leader of the conservatives helped to put Santa Anna into the presidency in 1841 and in December 1845, Paredes marched on Mexico City, overthrew Herrera and installed himself as president.

5. Manuel Crescencio Rejón, a member of the first Congress after Mexican independence and a liberal and strong federalist who helped develop the federalist Constitution in 1824. A liberal, Rejón believed that “North America abominates us because almost all of us are descended from Indians. The Indian tribes, former owners of their land, have been thrust aside. Why should we expect anything different?”
The Facts Continued

Officials in Mexico were not certain as to the motives behind Slidell’s mission. An emissary to resolve the Texas boundary had been invited, but a plenipotentiary minister, to solve broader issues, such as the Polk Administration’s desire to purchase New Mexico and California, could not be tolerated. To accept Slidell in this capacity would have reopened diplomatic relations with the United States, which Mexico had severed in March of 1845 when the United States annexed Texas.

When Slidell reached Mexico City in early December 1845, the full nature of his mission had already become known publicly and caused an outcry in the Mexican press. Herrera was too politically vulnerable to receive him. Taking advantage of the situation, General Paredes, a favorite of conservatives, marched his army into Mexico City, overthrew Herrera, and installed himself as president. Joaquin Castillo Lanzas, a distinguished jurist believed to be well-disposed toward the U.S., became his Minister of Foreign Relations. Although President Paredes, much like his predecessor, wanted a peaceful solution to the Texas problem, he had tied his banner to nationalism to seize power. Given the highly partisan and inflammatory Mexican press, which demanded war to redeem the country’s national pride, and the unstable political situation, Paredes found it impossible to publicly support negotiations with the United States.

The Polk administration and its emissaries believed in 1845 that Britain, having failed by diplomatic means to thwart annexation of Texas by the US, now intended to goad Mexico into a war with the United States to defeat annexation. But, far from encouraging Mexico to go to war, London had notified the Mexican leaders that they could expect no aid from Britain if they attempted an invasion of Texas, a warning the British repeated on several occasions as the crisis between the United States and Mexico heightened.

With Texas annexed, U.S. fears of British machination now shifted to the West Coast, where expansionists had long suspected London’s interest in the harbors of California as part of its worldwide trading empire. There had been rumors since the early 1840s that Mexico might cede California to Britain in exchange for forgiveness of Mexico’s debt obligations to British creditors. The expansionist press warned in 1845 that Britain was trying to encircle the United States by expanding its existing territory in Canada to include the Northwest territory, and possibly the entire West Coast and Texas as a British satellite.

Paredes did in fact urge London to side with Mexico in its dispute with the United States, but London continually refused. And, despite London’s advice to end the crisis, Paredes refused to negotiate with Slidell, and with Slidell’s departure in March 1846, efforts at a negotiated settlement between the US and Mexico ended.

Thus, when President Polk learned on January 13, 1846 that the Mexicans had refused to negotiate with John Slidell (building on Polk’s fears of British instigation,) he responded by immediately ordering General Zachary Taylor to move south and occupy the disputed Texas territory up to the Rio Grande. It is unclear whether this action was initially due to fears that Mexico might invade Texas, or to pressure Mexico to negotiate, or to push that country into war. Taylor blockaded the port of Matamoros, at the mouth of the Rio Grande, itself an act of war under international law. With increased military activity in the disputed area and hostile movements elsewhere, Paredes declared on April 23, 1846 that a “defensive war” against the U.S. had begin, although neither he nor the Mexican legislature had declared war. He ordered the Mexican army to challenge Taylor’s incursion into Mexican territory.

By the time Slidell returned to Washington and personally informed the president of the situation in Mexico, Polk’s diary for May 9, 1846 shows that the president was already committed to asking Congress for a declaration of war, largely on the basis of Mexican recalcitrance on the border issue and the unpaid claims (See Document 4: Excerpt from Polk’s diary). Later that day, a report arrived from General Taylor that Mexican cavalry had crossed the Rio Grande and in a skirmish two weeks earlier, killed or wounded 16 U.S. soldiers and captured nearly 50 others. General Taylor stated: “hostilities may now be considered as commenced.”
Taking advantage of this incident, Polk sent a war message to the U.S. Congress on May 11, 1846, asserting that “Mexico has passed the boundary of the United States, has invaded our territory, and shed American blood on American soil.” He asked Congress to recognize that a state of war existed and to appropriate $10 million to pursue hostilities with Mexico. Polk’s war message detailed twenty years of accumulated grievances against Mexico, stressing that Slidell’s offer to negotiate was rejected “upon the most frivolous pretexts.” (See Document 5: Polk’s Message on War with Mexico, compare with document 4, his diary excerpt.) The expansionist Democratic press supported his claims. Congress voted for war 174–11 in the House on May 11 and 40-2 in the Senate on May 12, 1846. There were, however, voices of dissent. Northern and Western Whigs criticized the war and some of them voted against the appropriations, but they limited their opposition to avoid being tarred as unpatriotic. In New England, Henry David Thoreau went to jail rather than pay the war taxes and wrote an essay on “Civil Disobedience” in support of nonviolent resistance against a war that he and many of the northern Whigs saw as being fought for the expansion of slavery.

Mexico’s internal divisions hindered its war effort. Some Mexican officials complained of the apathy of many peasants and the lack of support for the central government. Others feared potential revolution and did not encourage popular mobilization for guerrilla warfare. In addition, Mexican regular army troops were underpaid, underfed, ill-clothed, badly equipped and often commanded by poorly-trained officers. The US army was equipped with the most modern artillery and other weaponry, and had many effective young officers, such as Robert E. Lee and Ulysses S. Grant. General Zachary Taylor defeated a Mexican army in early May 1846 and recklessly pursued it deep into northern Mexico, capturing the city of Monterrey in October. After a brief truce, in late February 1847, Taylor’s forces came close to defeat at the Battle of Buena Vista but managed to hold the field. Although Mexico lost the regular army battles, it was more successful in some guerrilla actions.

Battle of Buena Vista, February 23, 1847 (U.S. view)
Major U.S. offensives, however, took place elsewhere as well. U.S. forces seized New Mexico and encouraged Anglo-American settlers in California to revolt, declare their independence from Mexico and establish a Republic of California (“The Bear Flag Republic”). A few members of the British Government argued vigorously for a military response to the U.S. seizure of California, but Prime Minister Robert Peel was reluctant to risk a war with the U.S. now that a resolution to the Oregon question was near. Britain was far more interested in ending the Oregon question. London responded to Congress’s joint resolution on Oregon with a proposal that the British ambassador had rejected the previous year. The extreme American expansionists wanted to extend U.S. territory almost to present-day Juneau, Alaska (54 degrees, 40 minutes latitude, hence the slogan “54, 40 or fight”). The British were seeking to set the border deep into present-day Oregon. Instead of fighting, President Polk and the British government agreed to a compromise largely extending the 49th parallel as the border, which gave the Americans more than the Canadians received. The Senate quickly ratified the Oregon Treaty. Americans remained suspicious of British intentions, however, and the Polk administration politely but firmly rejected Lord Aberdeen’s offer of British mediation to resolve the war with Mexico. President Polk decided to carry the war to Mexico’s heartland in an attempt to pressure the Mexican government to cede territory to the U.S. (See Document 6: Letters of Jose Ramirez from Mexico City, 1847.) In March 1847, General Winfield Scott led another U.S. army in an amphibious landing near Vera Cruz, and an overland expedition to Mexico City. Scott’s army outflanked the Mexican force under Santa Anna in several encounters and occupied the capital on September 13, 1847.

Along with the invading army, President Polk had sent an executive agent, Nicholas Trist, chief clerk of the State Department, to negotiate with the Mexican government. Under southern pressure to demand all of northern Mexico, Polk recalled Trist in early October 1847. However, Trist ignored the president’s directive and opened negotiations with the moderate Mexican faction, led by interim president Manuel de Peña y Peña that had recently come into power. Although the faction’s hold on power was shaky, it was the only group with which an acceptable treaty could be made. Trist continued to negotiate until the terms of a treaty were agreed upon on February 2, 1848 at Guadalupe Hidalgo, near Mexico City. (See Document 7: Excerpts from letters from Nicholas Trist).
Chapter Eight: War Between Mexico and the United States

The Mexican Land Cession, 1848

According to the terms of the Treaty of Guadalupe Hidalgo, Mexico ceded its northern provinces of California and New Mexico (including the present day states of Arizona, New Mexico, Nevada, California, and Utah and parts of Colorado and Wyoming) to the United States and confirmed the annexation of Texas with the Rio Grande as the border. In return, the U.S. was to pay $15 million for California and New Mexico, and to assume the claims of American citizens totaling approximately $3 million. Under the signed treaty, the United States also guaranteed that Mexicans living in the area could continue to reside there and be secure in their land titles and the practice of their religion. Although the Mexican Congress included this provision in its ratification; it was deleted by the United States Senate. In practice, the U.S. Senate’s action provided a means by which many Mexican landowners who remained in the annexed territories lost their land. The treaty, as signed and ratified by both countries, also stipulated that Mexican nationals who remained in the annexed territories would automatically acquire U.S. citizenship. The U.S. also pledged to prevent future raids by Apaches, Comanches, and other Indians upon settlers in these territories or across the border into northern Mexico and to obtain compensation for losses in such raids (the Mexican Army had been unable to prevent such raids, which had a devastating economic effect on the northern provinces of Mexico). (See Document 8: The Treaty of Guadalupe Hidalgo, 1848.)

Some Mexican statesmen, such as “radical” Manuel Rejón, urged the Mexican Congress to reject the treaty. Rejón blamed the United States for an uninterrupted series of aggressions. Since the United States had started the war, Rejón argued, there was no reason for Mexico to agree to cede it land. Other Mexicans, such as moderate Peña y Peña, contended that under the circumstances the treaty was the best that could be obtained. They emphasized that the treaty included political, economic, and religious guarantees for Mexicans residing in the ceded territory, a promise to suppress the incursions into Mexico being made by raiding Indians (who presented serious threats to life and property), a joint commission to determine the exact details of the boundary line, and a cash payment of $15 million at a time when the Mexican treasury was deeply in debt. (The Mexicans did not know that Polk had been prepared to pay $15-40 million for the territory in 1845-46.) Although the U.S. called this simply a payment, to preserve its national honor, Mexico called it an “indemnity.” Peña y Peña feared that the continuation of war would bring anarchy and even greater loss to Mexico.

Although Polk was annoyed by Trist’s actions, he realized that northern opposition to the war was growing in the country and in Congress (the Whigs had gained a majority in the House in the 1846 election) as was contrary sentiment among southern Democrats for conquest of all of Mexico. (See Document 9: Excerpts from Abraham Lincoln’s speech in Congress protesting U.S. Aggression against Mexico, and Document 10: Excerpts from Henry David Thoreau’s Essay on “Civil Disobedience,” 1849.) Since Trist had generally conformed to his original instructions, Polk submitted the treaty to the U.S. Senate, which ratified it (38 to 14) on March 10, 1848 without the provision guaranteeing land titles and rights to the Mexicans who were currently living in the areas that were ceded to the United States by Mexico. The Mexican Congress ratified it two months later. The Mexican Cession expanded the size of the United States by one-third and extended it across the continent from sea to sea.

The Legacy

The war had profound effects on both countries. Some 1,700 U.S. soldiers had been killed in battle and another 11,500 died from other causes, mainly disease. Mexican fatalities numbered approximately 50,000. The war cost the United States approximately $100 million, at a time when U.S. government revenues were $36 million, expenditures were $45 million, and the U.S. national debt was $63 million, mostly because of the war with Mexico. The hostilities bankrupted the Mexican treasury. Mexico saw large amounts of property, agricultural goods, livestock and even art treasures destroyed by invading U.S. armies and was forced to relinquish half of its territory.
The war contributed to animosity between the two neighboring countries for decades to come. Adding to the animosity was Mexico’s sense of betrayal by the U.S.’s refusal to recognize land ownership and other rights promised to Mexicans living in the land that was ceded by Article 20 of the treaty as originally negotiated. This article was deleted by the United States Senate when it approved the treaty. Furthermore, Mexico believed that it had gained some advantage from the United States pledge to restrain the Indians in the northern provinces of Mexico (south of the new international border between the two countries). However, restraining the Indians tribes from raiding the northern provinces of Mexico proved to be more difficult than the United States government had imagined. In 1854, the United States purchased 30,000 square miles of land from Mexico (the Gadsden Purchase) in what is now southern New Mexico and Arizona for a southern transcontinental railroad route. The land was populated primarily by Comanches and Apaches, and the purchase helped address Mexican claims that the United States was not meeting its agreement to control the Indians. In fact, it took the United States forty years to accomplish the goal of containing these western Indians.

**Costs of the war**

- 1,700 North Americans killed in battle and 11,500 died from disease
- 50,000 Mexican fatalities
- War cost U.S. approximately $100 million
- War left Mexico bankrupt

Most importantly, soon after the war between Mexico and the United States, both countries endured civil wars. California’s admission to the Union in 1850 as a free state demonstrated to the slaveholding South that it would soon become a minority and that slavery might be eventually eliminated. Thus began the final path to disunion. (See Chapter 9: The Compromise of 1850.)

Although the heroic deaths of six young cadets (“los ninos’) from the Mexican National Military Academy who chose to die rather than to surrender at the Battle of Chapultepec at Mexico City later became hallowed symbols of Mexican honor and patriotism, the country’s politics, stormy since independence, grew even more tumultuous during the 1850s. U.S. troops left a country demoralized by defeat and open to uprisings, riots and continued political and economic instability. Santa Anna returned to power as “perpetual dictator” in 1853 but was overthrown two years later by a reform group, led by liberal Benito Juarez, who established the Constitution of 1857 which provided for the secularization of much church property and a reduction of the privileges of the army. Conservative opposition was so bitter, however, that a civil war, known as the War of Reform (1858-61), ensued. The liberals triumphed, and the conservatives sought foreign assistance. Responding to their pleas and his own imperial ambitions, Emperor Napoleon III of France sent French troops and a Hapsburg prince, Maximilian, to establish a brief (1864-67) and ill-fated empire in Mexico. By 1867, a combination of factors—primarily determined Mexican resistance, U.S. support for the insurgents’ cause and the eventual withdrawal of support by Napoleon—
enabled Benito Juarez to overthrow Emperor Maximilian and re-establish republican government in Mexico. But because of conservative opposition, neither Juarez nor his successor was able to implement the liberal reform programs. In 1876, General Porfiro Diaz led a successful armed revolt and, except for a brief period (1880–1884), held the reins of power until 1911. Diaz's dictatorial regime, while providing Mexico with political stability and considerable economic growth through outside investment, also brought increased social and economic inequity for the mestizo majority, and ultimately paved the way for the outbreak of revolution in 1910.

The Mexican Revolution evolved as a long and complex sequence of violent events lasting more than a decade. A moderate was elected president but his policies pleased no one and he was toppled in a coup in 1913 led by the army commander, who was deposed within a year. A new constitution was instituted in 1917 with promises of extensive land and labor reform. President Wilson twice sent troops into Mexico to protect American interests. After a series of coups and assassinations in the 1920s, the Institutional Revolutionary Party (PRI) was formed and controlled politics in Mexico for the next 70 years. During the Great Depression of the 1930s, Mexico nationalized the holdings of foreign oil companies. The possession of oil fields brought Mexico increasing prosperity after World War II. In 1976, vast new oil reserves were discovered, banks were nationalized and tight currency controls imposed. After the overborrowing and mismanagement of oil revenues led to inflation, the government defaulted on its debt in 1982, and the Mexican economy collapsed in 1994. The long-standing commitment to a centralized state economy began to be dismantled. The United States offered a rapid rescue package in 1994 and major economic reforms were instituted by Mexican President Ernesto Zedillo. The Mexican economy was able to quickly recover. Democratic reforms by Zedillo's administration caused the PRI to lose its absolute majority in Congress in 1997. In 2000, after 71 years of PRI control, Vincente Fox, of the opposition National Action Party (PAN) won the presidential election. By a razor-thin margin, the PAN candidate, Felipe Calderon, won the presidential election in 2006.
In trying to put the past behind us, it is clear that the people of the United States have been divided over the Mexican War from the beginning. The war was much more popular in the South and Southwest than in the North. In subsequent decades, the North continued to view it as an unjust war. In addition, the war and the area ceded by Mexico were blamed for leading to Southern secession and the Civil War. The brief flirtation by the United States with an overseas empire at the turn of the century led some to justify the Mexican War as an earlier example of the nation's Manifest Destiny to expand and bring democracy to other peoples. But a re-evaluation of unilateral U.S. intervention in Latin American countries under Presidents Theodore Roosevelt, William Howard Taft and Woodrow Wilson soon brought President James Polk's earlier intervention into disrepute again. The “Good Neighbor” policy begun in the late 1920s under President Herbert Hoover became a major aspect of U.S. policy toward Latin America under President Franklin D. Roosevelt. Although Polk's intervention of 1846-48 remained in disrepute, the threat of communism during the Cold War era was used to justify numerous direct or indirect U.S. military interventions in Latin America for fifty years after World War II.

Although the United States has never officially apologized to Mexico for its seizure by force of the northern provinces of Mexico in the nineteenth century, the private comments of Nicholas P. Trist, the U.S. negotiator at the peace Treaty of Guadalupe Hidalgo in 1848, demonstrate his recognition of the injustice of the war. As Trist told friends years later: “My object throughout was...to make the treaty as little exacting...upon Mexico as was compatible with its being accepted at home [by President Polk and the Democratic majority in the U.S. Congress]. In this I was governed by two considerations: One was the inequity of the war, as an abuse of power on our part. The other was the more disadvantageous the treaty was made to Mexico, the stronger would be the ground of opposition to it in the Mexican Congress by the party who had boasted of its ability to frustrate any peace measures.” (See Document 7: Excerpts from Letters from Nicholas Trist). Thus, even the U.S. envoy who negotiated the peace treaty that ceded much of northern Mexico to the United States, was ashamed of what his country had done.

Mexico is now the United States' third largest trading partner. However, relations between Mexico and the United States remain strained primarily because of economic, cultural and immigration issues between the two countries. (See Volume Two, Chapter 7: Immigration Restrictions and the National Origins Act of 1924 for background and current information about immigration.) In recent years, both governments have been attempting to find ways to turn conflicting interests into policies of mutual benefit. The North American Free Trade Agreement (NAFTA), which phased out tariffs between Canada, the United States and Mexico over a fifteen year period beginning in 1994, was one such attempt. NAFTA has been supplemented by the North American Agreement on Environmental Cooperation and the North American Agreement on Labor Cooperation. As the economies of these three North American countries become more intertwined in an increasingly globalized world, there is even more reason for them to find ways to peacefully resolve continuing sources of conflict.

The belief in American exceptionalism and a manifest destiny, and a tradition of westward conquest and expansion across the continent, may have helped create a national image of Americans as providing in Jefferson's words, "an empire for liberty." But, however sincere, the rhetoric of liberty has often concealed some very grim realities. The story of the Mexican War, a war that might have been avoided—as war with Great Britain over the Oregon Territory was avoided by the very same president—carries with it a warning about the injustice that may be perpetrated by hubris and ambition as well as the unforeseen, tragic consequences that may result from war.

Questions for Discussion

1. What were the causes of the war between the United States and Mexico in 1846?

2. Would it have been historically realistic for Mexico to have accepted a settlement to the dispute with the United States without having been forced by armed conflict and internal strife?
3. How might Mexico's national pride have permitted a settlement without violence?

4. What might have satisfied the interests of both countries while still maintaining national pride?

5. Could Mexico and the United States have accepted a resolution that acknowledged the annexation of Texas by the U.S. but with the southwestern boundary as the Nueces River rather than the Rio Grande?

6. How might subsequent history have been different if the conflict were resolved without a war?

Some possibilities include:

- A negotiated or mediated agreement without war could have avoided destruction of lives and property. It might have preserved Mexico's self esteem and helped Mexico avoid the next three decades of rebellion, civil war and foreign intervention which it had to endure, and also might have hastened economic and social development.

- The war did not end the friction between the two countries. In fact, it probably intensified it. The invaders from the United States treated Mexicans as they did the Indians as racial inferiors. Mexicans were left with an even more bitter fear and hostility towards North Americans. This virulent xenophobia was disseminated and popularized in the traditional Mexican corrido, the folk song of the common people. “Yankeeophobia” was given additional respectability by the intellectual community's tirades against U.S. imperialism. A mediated agreement might have avoided the worst of such sentiments and might have provided a basis for building a trustful and cooperative relationship between the two countries.

- The Treaty of Guadalupe Hidalgo resulted in Mexico's loss of half of its territory. If there had been a mediated settlement based on law rather than force of arms, perhaps Mexico would have ceded or sold less land. Consequently much of the current southwestern United States might today still be part of Mexico. Mexico, rather than the United States, might have been the beneficiary of the California Gold Rush, which began a mere few months after the end of hostilities, and of the lucrative trade between the West Coast and Asia, great booms to its economic development.

**Additional Resources**

The Avalon Project at Yale Law School. [http://www.yale.edu/lawweb/avalon.diplomacy/mexico/mxtreaty.htm](http://www.yale.edu/lawweb/avalon.diplomacy/mexico/mxtreaty.htm)


Ramirez, Jose Fernando (edited by Walter V. Scholes and translated by Elliott B. Scherr). *Mexico During the War with the United States*. Columbia, Mo.: University of Missouri, 1950.


Chapter Eight: War Between Mexico and the United States


**DOCUMENTS ON CD**

Document 1: Joint Resolution of Congress, March 1, 1845
Document 2: Excerpt from biography of James K. Polk, March 1845
Document 3: Secret Instructions from President Polk to John Slidell, November 1845
Document 4: Excerpt from the Diary of James K. Polk, May 1846
Document 5: President Polk's Message on War with Mexico, May 11, 1846
Document 6: Excerpts from Letters from Jose Ramirez in Mexico City, 1847
Document 7: Excerpts from letters of Nicholas Trist
Document 8: Treaty of Guadalupe Hidalgo, February 2, 1848
Document 9: Excerpts from Lincoln's speech in Congress protesting U.S. aggression against Mexico, 1848

**TEACHER OVERHEADS/STUDENT HANDOUTS ON CD**

1. Timeline 1819-1829
2. Map of the Missouri Compromise, 1820
3. Timeline, 1829-1836
4. Timeline 1836-1845
5. Map of the Disputed Territory, 1845
6. Positions and Interests of Mexico, 1845
7. Positions and Interests of the United States, 1845
8. Directions: Mock Negotiations
10. Biography: John Slidell
11. Alternative Mock Mediation
12. Debriefing
13. What really happened?
14. Treaty of Guadalupe Hidalgo
15. Map of the Mexican Cession, 1848
16. Costs of the war
17. Questions for Discussion

**Sources and Credits of Illustrations**

p. 180: Map of the Missouri Compromise of 1850, *University of Texas*
p. 181: General Santa Ana, *LC-USZ262-21276*
p. 182: President John Tyler, *Office of the White House*
p. 183: Map of Disputed Territory, 1845-1846, *The National Park Service*
p. 184: Manuel Pena y Pena, *University of Texas*
p. 184: John Slidell, *LC-USZC4-11108*
p. 189: Battle of Buena Vista, *Library of Congress Prints and Photographs Division*
p. 190: Scott's Grand Entry into Mexico City, *Library of Congress Prints and Photographs Division*
p. 192: Map of the Mexican Cession, 1848, *University of Texas*
Chapter Eight:

War Between Mexico and the United States

Student Handouts
Teacher Overheads
Objectives
Timelines: The U.S and Mexico
- 1819-1829
- 1834-1836
- 1845-1849
Map of the Disputed Territory
Mock Mediation and Negotiation between U.S. and Mexico
- Introduction
- Directions: Mock Negotiation
- Participants
  - Manuel de la Peña y Peña
  - John Slidell
- Positions and Interests
  - Mexico
  - U.S.
- Directions: Mock Mediation
- Debriefing
What Really Happened?
- Image of U.S. Occupation of Mexico City
- Treaty of Guadalupe Hidalgo
- Map of Mexican Cession
- Costs of War
Questions for Discussion
Objectives

- Explain the many forces encouraging U.S. westward expansion during the first half of 19th century
- Analyze the conflicting interests that led to war between Mexico and the United States in 1846
- Understand the interplay of individual decisions and historical events in shaping history
- Contrast the peaceful resolution of the boundary dispute with Great Britain regarding Oregon with the declaration of war with Mexico in 1846
- Understand the influence of personal and national pride in conflicts
- Analyze the costs and consequences of the war between Mexico and the United States
**Timeline: The United States and Mexico**

**1819-1829**

**1819** — Adams-Onis Treaty between Spain and U.S.
- Spain encouraged immigration to sparsely populated area of Texas through land grants
- North Americans (Anglo-Protestants) moved to Texas to grow cotton with slaves

**1821** — Mexico obtained independence from Spain
- U.S. offered to purchase Texas territory— rebuffed by Mexico

**1824** — Mexican constitutional republic established

**1829** — Mexico abolished slavery
**Timeline: The United States and Mexico**

**1834-1836**

**Gen. Santa Anna**

1834: Gen. Santa Anna seized power in Mexico City and attempted to tighten central government control over outlying provinces.

1835: Skirmishes between Texans and Mexican soldiers — Anglo - Texans set up provisional government.

1836: 30,000 Anglos, 5,000 slaves and 8,000 Hispanic Mexicans in Texas

- Santa Anna led Mexican army of 5,000 killing all 200 Texans defending old Alamo mission in San Antonio.
- North Americans infuriated by the slaughter.
- Texan army, reinforced by volunteers, defeated Mexican at San Jacinto.
- Santa Anna captured and forced to sign treaty recognizing independence of Texas with Rio Grande as southwest border (Nueces River was the traditional boundary).
- Texas sought annexation by U.S., delayed because of slavery issues.
Timeline: the United States and Mexico
1840-1845

1840: International Claims Commission settled outstanding claims of U.S. nationals against Mexican government for losses during war of independence at $2 M. Mexico starts to repay.

1842: Mexico stopped payments because of fiscal problems. Border raids by Mexico

1844: Pres. Tyler proposed Congress annex Texas by joint resolution.

1845: Gen. Herrera, new president of Mexico, willing to recognize independence of Texas if not annexed, but too late, annexation approved
(Jan.) Mexico broke off diplomatic relations
(Mar.) James Polk sworn in as president of U.S.
(June) U.S. Gen. Taylor near Rio Grande

President James K. Polk (1845)
Map of the Disputed Territory, 1845
Could war between Mexico and the United States have been avoided through negotiation or mediation?

It is December, 1845. Mexican President Herrera has indicated a willingness to receive a special envoy from the United States. U.S. President Polk has sent John Slidell as a special envoy on a secret mission to Mexico with instructions to negotiate the Texas boundary and the outstanding claims against Mexico by U.S. citizens and to try to purchase the sparsely populated northern Mexican states of California and New Mexico. Instead of his mission being revealed and compromised, let us take a step from history and see if Mr. Slidell and Mexican Foreign Minister Manuel de la Peña y Peña can negotiate a resolution to the growing hostility between their countries.
Directions: Mock Negotiation

Directions:

Divide into groups of three:

1. John Slidell, negotiator for the United States
2. Manuel de la Peña y Peña, negotiator for Mexico
3. An observer/recorder/reporter

The Roles:

*The Negotiators* should use conflict resolution skills to try to resolve the dispute, consistent with the directions from their presidents.

*The Observer/Recorder/Reporters* do not participate in the negotiations. They observe, record what happened, both in terms of the process and the results (including writing down the terms of any agreement) and report.
Negotiating for Mexico:

Manuel de la Peña y Peña is a noted Mexican lawyer, jurist and public servant. He is moderate politically and recognizes that Mexico cannot defeat the United States and cannot even control its northern states. He is looking for a way to resolve the situation with the United States but also concerned about Mexico’s national honor.
John Slidell

*Negotiating for the United States*

**Negotiating for the United States:**

John Slidell was originally from New York City, graduated from Columbia University and went into the mercantile business. He moved to New Orleans, where he practiced law and became a member of Congress for 1843-45 as a Democrat from Louisiana. His political ambition is to obtain a Senate seat. He has instructions from President Polk to obtain California, New Mexico and the disputed area of Texas by threats or offers to purchase it.
Positions and Interests of Mexico, 1845

Mexican position/complaints against the United States:

- Annexation of Texas
- Sending troops into Mexico
- U.S. policy of pushing the Indians westward and support for slavery
- U.S. support of claims against Mexico by U.S. citizens, many of which were flimsy or fraudulent
- U.S. claiming the land between the Nueces and the Rio Grande Rivers which was without historical basis.

Underlying fears and interests of Mexico:

- Mexican honor, pride and self – esteem hurt by the loss of Texas
- Mexico could ill-afford to lose trade revenues from North Americans
- Mexico distrusted the U.S.
- Mexico needed political and economic stability
- Fear that with Indian blood they would be seen as “racial inferiors” and treated by the North Americans like their Native Indian population (removed from their lands)or African population (enslaved).
Positions and Interests of the U. S., 1845

United States position/complaints against Mexico:

- Mexico owed U.S. nationals more than $2 million of unpaid damages
- Mexico not using or settling the land in dispute
- U.S. supported the claim by Texas that the western border of Texas was the Rio Grande rather than the Nueces River
- Mexico was standing in the way of America's “manifest destiny”

Underlying fears and interests of the United States:

- Economics: U.S. wanted ports on California coast to trade with Far East, land speculation and settlement.
- Fear that the British would take Texas and abolish slavery
- Politics: Both parties looked to westward expansion. Most Democrats were willing to go to war. Most Whigs preferred peaceful annexation through settlement.
- Race: Anglo-American belief in their racial superiority
- Ideology: U.S. a “beacon to the world” for freedom and democracy; expansion “manifest destiny” of U.S.
- Religion: Protestant North American image of Spanish Catholics as lazy and corrupt
Alternative Mock Mediation

If you think that it will be difficult for your students to negotiate a resolution, you may want to include a mediator to help them.

Directions:

Divide into groups of four:

• John Slidell, representative for the United States

• Sr. Peña y Peña, representative for Mexico

• A Mediator from the “ABC” Commission, an international mediation group from Argentina, Brazil and Chile. The mediator will use mediation skills, including separately caucusing with each party, to help them come to an agreement

• A reporter to observe, record and report
Debriefing

The Process

- To what extent did the parties use active listening skills?
- To what extent did the parties brainstorm and evaluate possible alternatives?
- To what extent were the parties able to articulate their interests?
- To what extent did rhetoric get in the way of pursuing the parties interests?

The Results

- Were the parties able to reach a mutually acceptable solution? Why or why not?
- To what extent were the roles played with historical accuracy?
**What really happened?**

- When the nature of John Slidell’s visit became public, Pres. Herrera would not receive him. Herrera was overthrown as president of Mexico.

- President Polk ordered Gen. Taylor to occupy disputed Texas territory Jan. 1846

- Based on skirmish in disputed area, U.S. invaded Mexico in May 1846

- Mexico and the United States went to war in 1846!

The Battle of Buena Vista, 1847
War ended with the U.S. occupation of Mexico City September 14, 1847

“Scott’s Grand Entry into the City of Mexico, September 14th, 1847”
The Treaty of Guadalupe Hidalgo, 1848

- The war ended with the Treaty of Guadalupe Hidalgo in February 1848
- Mexico ceded California and New Mexico to the U.S. and confirmed the annexation of Texas to the Rio Grande
- U.S. paid Mexico $15 million for California and New Mexico and $3 million claims of American citizens against Mexico
- U.S. agreed Mexicans living in area could continue to reside there and be secure in their land and their religion—provision deleted by U.S. Senate
Map of the Mexican Cession, 1848

Map of Showing the Territory Gained by the United State from the 1848 Mexican Cession
Costs of the war

- 13,000 North Americans killed (most from diseases rather than in battle)
- 50,000 Mexican fatalities
- War cost U.S. approximately $100 million
- War bankrupt Mexico
Questions for Discussion

1. Would it have been historically realistic for Mexico to have accepted a settlement to the dispute with the United States without having been forced by armed conflict and internal strife?

2. Would national pride have permitted a settlement without violence?

3. Could Mexico and the United States have accepted a resolution that acknowledged the annexation of Texas by the U.S. but with the southwestern boundary at the Nueces River rather than the Rio Grande?

4. What might have satisfied the interests of both countries while still maintaining national pride?
Conflict Resolution and United States History

Chapter Eight: War between Mexico and the United States
Objectives

- Explain the many forces encouraging U.S. westward expansion during the first half of 19th century
- Analyze the conflicting interests that led to war between Mexico and the United States in 1846
- Understand the interplay of individual decisions and historical events in shaping history
- Contrast the peaceful resolution of the boundary dispute with Great Britain regarding Oregon with the declaration of war with Mexico in 1846
- Understand the influence of personal and national pride in conflicts
- Analyze the costs and consequences of the war between Mexico and the United States
Timeline: the United States and Mexico

1819—Adams-Onis Treaty between Spain and US
* Spain encouraged immigration to sparsely populated area of Texas through land grants
* North Americans (Anglo-Protestants) moved to Texas to grow cotton with slaves

1821—Mexico obtained independence from Spain
* US offered to purchase Texas territory—rebuffed by Mexico

1824—Mexican constitutional republic established
1829—Mexico abolished slavery

Continued
Timeline: the United States and Mexico

The United States after the Missouri Compromise, 1820
Timeline: the United States and Mexico

1834: Gen. Santa Anna seized power in Mexico City and attempted to tighten central government control over outlying provinces.

1835: Skirmishes between Texans and Mexican soldiers—Anglo-Texans set up provisional government.

1836: 30,000 Anglos, 5,000 slaves and 8,000 Hispanic Mexicans in Texas.

* Santa Anna led Mexican army of 5,000 killing all 200 Texans defending old Alamo mission in San Antonio.
* North Americans infuriated by the slaughter.
* Texan army, reinforced by volunteers, defeated Mexican at San Jacinto.
* Santa Anna captured and forced to sign treaty recognizing independence of Texas with Rio Grande as southwest border (Nueces River was the traditional boundary).
* Texas sought annexation by US, delayed because of slavery issues.

General Santa Anna
Timeline: the United States and Mexico

1840—International Claims Commission settled outstanding claims of US nationals against Mexican government for losses during war of independence at $2 M. Mexico starts to repay.

1842—Mexico stopped payments because of fiscal problems. Border raids by Mexico

1844—Pres. Tyler proposed Congress annex Texas by joint resolution.

1845—Gen. Herrera, new president of Mexico, willing to recognize independence of Texas if not annexed, but too late, annexation approved (Jan.) Mexico broke off diplomatic relations (Mar.) James Polk sworn in as president of U.S. (June) U.S. Gen. Taylor near Rio Grande

President James K. Polk (1845)
Library of Congress, LC-USZ62-23836
The Disputed Territory

 CLAIMED BY TEXAS

 El Paso

 Red R.

 UNITED

 Missouri R. St. Louis

 START

 Texas 1845-1846

 MEXICO

 Texas

 El Paso

 No Granje

 42°
Could war between Mexico and the United States have been avoided through negotiation or mediation?

It is December, 1845. Mexican President Herrera has indicated a willingness to receive a special envoy from the United States. U.S. President Polk has sent John Slidell as a special envoy on a secret mission to Mexico with instructions to negotiate the Texas boundary and the outstanding claims against Mexico by U.S. citizens and to try to purchase the sparsely populated northern Mexican states of California and New Mexico. Instead of his mission being revealed and compromised, let us take a step from history and see if Mr. Slidell and Mexican Foreign Minister Manuel de la Peña y Peña can negotiate a resolution to the growing hostility between their countries.
Mock Negotiations

Directions:
Divide into groups of three:
1. John Slidell, negotiator for the United States
2. Manuel de la Peña y Peña, negotiator for Mexico
3. A reporter

The Roles:
The Negotiators should use conflict resolution skills to try to resolve the dispute, consistent with the directions from their presidents.
The Reporters do not participate in the negotiations. They observe, record what happened, both in terms of the process and the results (including writing down the terms of any agreement) and report.
Steps in Negotiations

1. Discuss the rules—no triggers
2. Each party presents facts, feelings and issues from his or her perspective
3. Actively listen—indicate that you heard and understood
4. Brainstorm possible solutions
5. Evaluate alternatives
6. Agree on a solution
7. Agree what to do if conflict recurs
8. Write down the agreement
9. Preserve the relationship
Negotiating for Mexico:

**Manuel de la Peña y Peña** is a noted Mexican lawyer, jurist and public servant. He is moderate politically and recognizes that Mexico cannot defeat the United States and cannot even control its northern states. He is looking for a way to resolve the situation with the United States but also concerned about Mexico’s national honor.
Mock Negotiation

Negotiating for the United States:

John Slidell was originally from New York City, graduated from Columbia University and went into the mercantile business. He moved to New Orleans, where he practiced law and became a member of Congress for 1843-45 as a Democrat from Louisiana. His political ambition is to obtain a Senate seat. He has instructions from President Polk to obtain California, New Mexico and the disputed area of Texas by threats or offers to purchase it.
Positions and Interests of Mexico, 1845

**Mexican position/complaints against the United States:**
- Annexation of Texas
- Sending troops into Mexico
- U.S. policy of pushing the Indians westward and support for slavery
- U.S. support of claims against Mexico by U.S. citizens, many of which were flimsy or fraudulent
- Claiming the land between the Nueces and the Rio Grande Rivers, which was without historical basis.

**Underlying fears and interests of Mexico:**
- Mexican honor, pride and self-esteem hurt by the loss of Texas
- Mexico could ill-afford to lose trade revenues from North Americans
- Mexico distrusted the U.S.
- Mexico needed political and economic stability
- Fear that with Indian blood they would be seen as “racial inferiors” and treated by the North Americans like their Native Indian population (removed from their lands) or African population (enslaved).
Positions and Interests of the U.S., 1845

United States position/complaints against Mexico:
- Mexico owed U.S. nationals more than $2 million of unpaid damages
- Mexico not using or settling the land in dispute
- U.S. supported the claim by Texas that the western border of Texas was the Rio Grande rather than the Nueces River
- Mexico was standing in the way of America's “manifest destiny”

Underlying fears and interests of the United States:
- Economics: U.S. wanted ports on California coast to trade with Far East, land speculation and settlement.
- Fear that the British would take Texas and abolish slavery
- Politics: Both parties looked to westward expansion. Most Democrats were willing to go to war. Most Whigs preferred peaceful annexation through settlement.
- Race: Anglo-American belief in their racial superiority
- Ideology: U.S. a “beacon to the world” for freedom and democracy; expansion “manifest destiny” of U.S.
- Religion: Protestant North American image of Spanish Catholics as lazy and corrupt
Alternative Mock Mediation

If you think that it will be difficult for your students to negotiate a resolution, you may want to include a mediator to help them.

**Directions:**
Divide into groups of four:

1. John Slidell, representative for the United States
2. Sr. Peña y Peña, representative for Mexico
3. A Mediator from the “ABC” Commission, an international mediation group from Argentina, Brazil and Chile. The mediator will use mediation skills, including separately caucusing with each party, to help them come to an agreement
4. A reporter to observe, record and report
Steps in Mediation

1. Mediator introduces himself and the disputants and sets the ground rules—no triggers, no interruptions, respect each other, and agree to work together on resolving the issue.

2. Each side tells story

3. Mediator helps disputants to identify facts and issues through questions, paraphrasing and reframing

4. Mediator summarizes and the parties agree on issues and interests

5. Mediator helps disputants brainstorm alternative solutions

6. Mediator helps disputants to evaluate, discuss and revise solutions

7. Optional Caucus: sometimes the mediator may speak separately with each of the disputants

8. Mediator helps disputants agree on a solution

9. Mediator writes down the agreement, including what to do if the conflict recurs.
Debriefing

The Process

- To what extent did the parties use active listening skills?
- To what extent did the parties brainstorm and evaluate possible alternatives?
- To what extent were the parties able to articulate their interests?
- To what extent did rhetoric get in the way of pursuing the parties interests?

The Results

- Were the parties able to reach a mutually acceptable solution?
- Why or why not?
- To what extent were the roles played with historical accuracy?
What really happened?

- When the nature of John Slidell’s visit became public, Pres. Herrera would not receive him. Herrera was overthrown as president of Mexico.
- President Polk ordered Gen. Taylor to occupy disputed Texas territory Jan. 1846
- Based on skirmish in disputed area, U.S. invaded Mexico in May 1846
What really happened?

Mexico and the U.S. went to war in 1846:
The Battle of Buena Vista, 1847
War ended with the U.S. occupation of Mexico City, September 14, 1847
The Treaty of Guadalupe Hidalgo, 1848
The Mexican Cession

- The war ended with the Treaty of Guadalupe Hidalgo in February 1848
- Mexico ceded California and New Mexico to the US and confirmed the annexation of Texas to the Rio Grande
- US paid Mexico $15 million for California and New Mexico and $3 million claims of American citizens against Mexico
- US agreed Mexicans living in area could continue to reside there and be secure in their land and their religion—provision deleted by U.S. Senate
The Mexican Cession, 1848
Costs of the war:

- 13,000 North Americans killed (most from diseases rather than in battle)
- 50,000 Mexican fatalities
- War cost U.S. approximately $100 million
- War bankrupt Mexico
Questions for Discussion

1. Would it have been historically realistic for Mexico to have accepted a settlement to the dispute with the United States without having been forced by armed conflict and internal strife?

2. Would national pride have permitted a settlement without violence?

3. Could Mexico and the United States have accepted a resolution that acknowledged the annexation of Texas by the U.S. but with the southwestern boundary at the Nueces River rather than the Rio Grande?

4. What might have satisfied the interests of both countries while still maintaining national pride?
Chapter Eight:

War Between Mexico and the United States

Documents
Table of Contents for Chapter Eight Documents

Document 1: Joint Resolution of Congress, March 1, 1845

Document 2: Excerpt from biography of James K. Polk, March, 1845

Document 3: Secret Instructions from President Polk to John Slidell, November, 1845

Document 4: Excerpt from the Diary of James K. Polk, May, 1846

Document 5: President Polk’s Message on War with Mexico, May 11, 1846

Document 6: Excerpts from Letters from Jose Ramirez in Mexico City, 1847

Document 7: Excerpts from letters of Nicholas Trist

Document 8: Treaty of Guadalupe Hidalgo, February 2, 1848

Document 9: Excerpts from Lincoln's speech in Congress protesting U.S. aggression against Mexico, 1848

Document 10: Excerpts from Henry David Thoreau's essay on “Civil Disobedience”
Joint Resolution of Congress  
(Admitting Texas as a State)  
March 1, 1845

Resolved. . . , That Congress doth consent that the territory properly included within, and rightfully belonging to the Republic of Texas, may be erected into a new ‘State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said republic, by deputies in convention assembled, with the consent of the existing government, in order that the same may be admitted as one of the States of this Union.

2. That the foregoing consent of Congress is given upon the following conditions, and with the following guarantees, to wit: First, Said State to be formed, subject to the adjustment by this government of all questions of boundary that may arise with other governments; and the constitution thereof, with the proper evidence of its adoption by the people of said Republic of Texas, shall be transmitted to the President of the United States, to be laid before Congress for its final action, on or before the first day of January, one thousand eight hundred and forty-six. Second, Said State, when admitted into the Union, after ceding to the United States, all public edifices, fortifications, barracks, ports and harbors, navy and navy-yards, docks, magazines, arms, armaments, and all other property and means pertaining to the public defence belonging to said Republic of Texas, shall retain all the public funds, debts, taxes, and dues of every kind, which may belong to or be due and owing said republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas, and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct; but in no event are said debts and liabilities to become a charge upon the Government of the United States. Third, New States, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the federal constitution. And such States as may be formed out of that portion of said territory south of thirty-six degrees thirty minutes north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union with or without slavery, as the people of each State asking admission may desire. And in such State or States as shall be formed out of said territory north of said Missouri compromise line, slavery, or involuntary servitude, (except for crime,) shall be prohibited.

3. That if the President of the United States shall in his judgment and discretion deem it most advisable, instead of proceeding to submit the foregoing resolution to the Republic of Texas, as an overture on the part of the United States for admission, to negotiate with that Republic; then,

   Be it resolved, That a State, to be formed out of the present Republic of Texas, with suitable extent and boundaries, and with two representatives in Congress, until the next apportionment of representation, shall be admitted into the Union, by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such admission, and the cession of the remaining Texan territory to the United States shall be agreed upon by the Governments of Texas and the United States: And that the sum of one hundred thousand dollars be, and the same is hereby, appropriated to defray the expenses of missions and negotiations, to agree upon the terms of said admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted to the two houses of Congress, as the President may direct.

Around the time of his inauguration on March 4, 1845 (federal inaugurations were not changed to January until 1937), James K. Polk confided to his friend and political supporter, the historian George Bancroft of Massachusetts, whom he would appoint Secretary of the Navy, the major goals for his administration, including the acquisition of California from Mexico, which Polk certainly had not stated publicly. As Bancroft later recalled the scene:

“Speaking energetically, he [Polk] raised his hand high in the air and brought it down with force on his thigh, he said, there are to be four great measures of my administration,

- The settlement of the Oregon [boundary] question with Great Britain.
- The acquisition of California and a large district on the coast.
- The reduction of the Tariff to a revenue basis [from a high tariff protecting American industries mainly in the North].
- The complete and permanent establishment of the Constitutional Treasury, as he loved to call it, but as others called it, `The Independent Treasury’ [to replace the powerful centralized Bank of the United States, which had been terminated by President Andrew Jackson].”

Source: George Bancroft, “Biographical Sketch of J.K. Polk,” p. 25, typescript of uncompleted historical account of the Polk administration in the George Bancroft Collection, New York Public Library. Emphasis added. Bancroft, who wrote several other similar accounts of this episode in which the only difference was whether it had occurred just before or just after Polk’s inauguration, is quoted in Charles Sellers, James K. Polk: Continentalist, 1843-1846 (Princeton, NJ: Princeton University Press, 1966), 213.
Secret Instructions from President Polk to John Slidell, Envoy to Mexico

Washington D.C., November 10, 1845

“The bearer of this letter will carry you to your commission and instructions as minister to Mexico. Dr. Parrott [Polk’s agent sent to Mexico to ascertain whether the government of Mexico would receive an envoy from the United States], the special messenger bringing dispatches from Mexico, did not arrive at Washington until last night. The dispatches which he brings, copies of which are furnished to you, confirm the intelligence which we had received at the date of my letter to you of the 17th September. It is probably known or suspected here that Dr. Parrott had dispatches to the government, but it is not known that a minister has been appointed to Mexico. I think it is important that this fact should not be made public until the meeting of Congress, by which time I hope you will be in the Mexican capital, ready to pursue the object of your mission without being thwarted and embarrassed by the interference and influence of the foreign representatives there, which they would undoubtedly do if they were apprised of your appointment. Your instructions have been very carefully considered, have received the united approbation of the cabinet, and I have but little to add to them.

I will say, however, that I am exceedingly desirous to acquire California, and am ready to take the whole responsibility—if it cannot be had for less—of paying the whole amount authorized by your instructions. If you can acquire both New Mexico and California, for the sum authorized, the nation I have no doubt will approve the act. I have not communicated with Dr. Parrott what your instructions are, but in conversation with him this morning I learned his opinion—based on an intimate knowledge of the public men and people of Mexico—that both New Mexico and California could be had, for $15,000,000. This, however, was a mere opinion. He concurs in the opinion which I had previously entertained, that whatever you may be able to effect must be effected speedily. I hope therefore that you will lose no time after your arrival in Mexico in entering on the negotiation. It is important that it should be brought to a conclusion at the earliest practicable period, and the result communicated to the government here. I desire to make known the Congress the result in time to enable that body to take such action as may be proper before the adjournment of their next session. If unfortunately you should fail to effect a satisfactory adjustment of the pending differences between the two countries (which I will not anticipate), we must take redress for the wrongs and injuries we have suffered into our own hands, and I will call Congress to provide the proper remedies. If, on the other hand, a treaty should be made in time to receive ratification of the Senate and for the necessary legislative action to be had to carry it into effect...”

"Saturday, 9th May, 1846.—The Cabinet held a regular meeting today; all the members present. I brought up the Mexican question, and the question of what it was the duty of the administration in the present state of our relations with that country. The subject was fully discussed. All agreed that if the Mexican forces at Matamoras [on the southern side of the Rio Grande River] committed any act of hostility on General [Zachary] Taylor’s forces [on the northern side of the river claimed as the international border by the United States Government], I should immediately send a message to Congress recommending an immediate declaration of war. I stated to the Cabinet that up to this time, as we knew, we had heard of no open act of aggression by the Mexican army, but that the danger was imminent that such acts would be created. I said that in my opinion we had ample cause of war, and that it was impossible that we could stand in status quo, or that I could remain silent much longer; that I thought it was my duty to send a message to Congress very soon and recommend definite measures. I told them I thought I ought to make such a message by Tuesday next, that the country was excited and impatient on the subject [the rejection of the US envoy, John Slidell by Mexico, resulted in an outcry by the Democratic press in the South and West], and if I failed to do so I would not be doing my duty. I then propounded the distinct question to the Cabinet, and took their opinions individually, whether I should make a message to Congress on Tuesday, and whether in that message I should recommend a declaration of war against Mexico. All except the Secretary of the Navy gave their opinion in the affirmative. Mr. [George] Bancroft dissented but said if any act of hostility should be committed by the Mexican forces he was then in favour of immediate war. Mr. [James] Buchanan [Secretary of State] said he would feel better satisfied in his course if the Mexican forces had or should commit any act of hostility, but that as matters stood we had ample cause of war against Mexico, and he gave his assent to the measure. It was agreed that the message should be prepared and submitted to the Cabinet in their meeting on Tuesday. A history of our causes of complaint against Mexico had been at my request previously drawn up by Mr. Buchanan."

Later than day, May 9, as Polk began work on the war message, word arrived in Washington from Texas that on April 24, a Mexican cavalry force had crossed the Rio Grande north of Matamoras, surrounded a reconnoitering party of some sixty American cavalry, killed or wounded sixteen troopers [actually eleven were killed and five wounded in the action that occurred the next day, April 25] and forced the rest to surrender. General Taylor’s report stated that “hostilities may now be considered as commenced.” Polk added this to his war message delivered to Congress on Monday, May 11 asserting that among other charges that “Mexico has . . . shed American blood upon American soil.”

Congress approved the declaration of war (the House on May 11 and the Senate on May 12). On May 13, Polk refused a request by Secretary of State James Buchanan’s to assure Britain and France that the United States had no aim of territorial conquest in Mexico, despite Buchanan’s fear that without such assurance, London and Paris might support Mexico in the war.

"Wednesday, May 13, 1846.---..... Most of the Cabinet were in attendance. . . . a proclamation announcing the existence of war was prepared and signed by me. . . . [the Secretary of State] Mr. Buchanan read the draft of a dispatch which he had prepared to our Ministers [Ambassadors] at London, Paris, and other foreign courts, announcing the declaration of war against Mexico, with a statement of the causes and objects of the war. . . . Among other things Mr. Buchanan had stated that our object was not to dismember Mexico or to make conquests, and that the Del Norte [Rio Grande] was the boundary to which we claimed; or rather that in going to war we did not do so with a view to acquire California or New Mexico or any other portion of Mexican territory. I told Mr. Buchanan that I thought such a declaration to foreign governments unnecessary and improper. . . . I told him [Secretary of State Buchanan] that though we had not gone to war for conquest, yet it was clear that in making peace we would if practicable obtain California
and such other portion of the Mexican territory as would be sufficient to indemnify our claimants on Mexico, and to defray the expense of the war which that power by her long continued wrongs, and injuries had forced us to wage."

. . . . I told him that that the war with Mexico was an affair with which neither England, France, nor any other power had any concern. . . . I would not tie up my hands or make any pledge to any foreign power as to the terms on which I would ultimately make peace with Mexico.”

President Polk’s Message on War with Mexico
May 11, 1846

The existing state of the relations between the United States and Mexico renders it proper that I should bring the subject to the consideration of Congress....

In my message at the commencement of the present session I informed you that upon the earnest appeal both of the Congress and convention of Texas I had ordered an efficient military force to take a position "between the Nueces and the Del Norte." This had become necessary to meet a threatened invasion of Texas by the Mexican forces, for which extensive military preparations had been made. The invasion was threatened solely because Texas had determined, in accordance with a solemn resolution of the Congress of the United States, to annex herself to our Union, and under these circumstances it was plainly our duty to extend our protection over her citizens and soil.

This force was concentrated at Corpus Christi, and remained there until after I had received such information from Mexico as rendered it probable, if not certain, that the Mexican Government would refuse to receive our envoy.

Meantime Texas, by the final action of our Congress, had become an integral part of our Union. The Congress of Texas, by its act of December 19, 1836, had declared the Rio del Norte to be the boundary of that Republic. Its jurisdiction had been extended and exercised beyond the Nueces. The country between that river and the Del Norte had been represented in the Congress and in the convention of Texas, had thus taken part in the act of annexation itself, and is now included within one of our Congressional districts. Our own Congress had, moreover, with great unanimity, by the act approved December 31, 1845, recognized the country beyond the Nueces as a part of our territory by including it within our own revenue system, and a revenue officer to reside within that district has been appointed by and with the advice and consent of the Senate. It became, therefore, of urgent necessity to provide for the defense of that portion of our country. Accordingly, on the 13th of January last instructions were issued to the general in command of these troops to occupy the left bank of the Del Norte. This river, which is the southwestern boundary of the State of Texas, is an exposed frontier. From this quarter invasion was threatened; upon it and in its immediate vicinity, in the judgment of high military experience, are the proper stations for the protecting forces of the Government. In addition to this important consideration, several others occurred to induce this movement. Among these are the facilities afforded by the ports at Brazos Santiago and the mouth of the Del Norte for the reception of supplies by sea, the stronger and more healthful military positions, the convenience for obtaining a ready and a more abundant supply of provisions, water, fuel, and forage, and the advantages which are afforded by the Del Norte in forwarding supplies to such posts as may be established in the interior and upon the Indian frontier.

The movement of the troops to the Del Norte was made by the commanding general under positive instructions to abstain from all aggressive acts toward Mexico or Mexican citizens and to regard the relations between that Republic and the United States as peaceful unless she should declare war or commit acts of hostility indicative of a state of war. He was specially directed to protect private property and respect personal rights.

The Mexican forces at Matamoras assumed a belligerent attitude, and on the 12th of April General Ampudia, then in command, notified General Taylor to break up his camp within twenty-four hours and to retire beyond the Nueces River, and in the event of his failure to comply with these demands announced that arms, and arms alone, must decide the question. But no open act of hostility was committed until the 24th of April. On that day General Arista, who had succeeded to the command of the Mexican forces, communicated to General Taylor that "he considered hostilities commenced and should prosecute them." A party of dragoons of 63 men and officers were on the same day dispatched from the American camp up the Rio del Norte, on its left bank, to ascertain whether the Mexican troops had crossed or were preparing to
cross the river, "became engaged with a large body of these troops, and after a short affair, in which some 16 were killed and wounded, appear to have been surrounded and compelled to surrender."

The cup of forbearance had been exhausted even before the recent information from the frontier of the Del Norte. But now, after reiterated menaces, Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon the American soil. She has proclaimed that hostilities have commenced, and that the two nations are now at war.

As war exists, and, notwithstanding all our efforts to avoid it, exists by the act of Mexico herself, we are called upon by every consideration of duty and patriotism to vindicate with decision the honor, the rights, and the interests of our country.

In further vindication of our rights and defense of our territory, I invoke the prompt action of Congress to recognize the existence of the war, and to place at the disposition of the Executive the means of prosecuting the war with vigor, and thus hastening the restoration of peace...

Excerpt from
Letters from José Ramírez in Mexico City, 1847

Mexico has recently suffered major military defeats to the United States at the battle of Buena Vista (February 1847) and at Vera Cruz (March 1847). Ramírez is writing to Don Francisco Elorriaga, the governor from Ramírez’s home state of Durango, in Mexico. The previous December, Elorriaga had lost the presidential election by the Mexican Congress to Gen. Antonio Lopez de Santa Ana.

Mexico City
April 3, 1847:

“...Up to the present time we have been living in a continuous state of alarm over the pretensions of Europe’s monarchies, fancying, also because of a streak of vanity, that our fate was keeping royal councils from their sleep to quarrel over the rich prize. The last few letters I have received from Paredes bring sad disillusionment, for nothing can make these councils stir a finger to help us against the Americans. They regard our destiny with complete indifference. We shall therefore have to depend entirely upon ourselves...”

Mexico City
May 8, 1847:

“...Our situation is truly desperate. Everything, absolutely everything, is lost, and judging by the way things are going it is doubtful whether we can save our independence, the last refuge and symbol of our honor. The animosity and indolence of the political parties that have been quarreling over the possession of power have left us only two ways of escape: either conquest or a peaceful settlement that will always be a shameful one, because we do not have the strength to reject any peace terms that may be offered us. The second way has been rejected, and do not think that it has been because of bravery, but because of vanity and cowardice on the part of some persons, perhaps also because—of treason, for the thirst for vengeance and no doubt an exaggerated patriotism are clothed in other garb so as not to frighten us with their ugliness. Since the continuation of the war in the expectations of signal success is an impossibility it will inevitably result in our being completely overwhelmed; and since effective resistance is bound to grow less day by day, the ease with which the Americans are winning must inspire them with the idea of conquest, which they undoubtedly will be able to realize. With matters brought to this stage, we shall be reduced to the status of colonies, and the rosy dreams of some enthusiasts who are raving about the quick regeneration of the independent states will be shattered by the clanking of their irksome chains...”

“...Just between you and me, the whole Cabinet, including the President, is convinced of the Government's helplessness; it wants to accept mediation but does not dare to do so because it fears Congress, which holds the same convictions. Both groups are afraid of those who shout for war...”

Source: José Fernando Ramírez, Mexico During the War with the United States (edited by Walter V. Scholes, translated by Elliott B. Scherr) (Columbia, Mo: University of Missouri Press, 1950), pp. 117, 139, 141..
Trist had felt shame about what he considered an unjust war by the United States. He recognized the strength of the faction in the U.S. Congress that as a result of the U.S. military victories was demanding all or at least much of Mexico. But he feared that annexing so much of Mexico would generate such divisions over the extension of slavery that it might jeopardize the Union. When the Mexicans suggested that a treaty continue the prohibition of slavery in any territory obtained from Mexico, Trist, although personally sympathetic to the idea explained that such a treaty could not be ratified by the U.S. Senate given the slaveholders’ influence. In December 1847 he ignored President Polk’s order for him to return from Mexico City to Washington. Two decades later, at age sixty-nine, Trist still recalled that dramatic moment when he decided to ignore the president’s orders and remain to negotiate the treaty:

“I stood there as the only man living by whom the work could be done….It must be done by me or remain undone long enough for all chance of its being done to be lost `for an indefinite period.' The only doubtful point was as to the possibility of its being done. This possibility was universally believed to have received its death blow by my recall. Its resuscitation was, at best, but a slender chance—a forlorn hope. However, the state of my mind... was such as make it obligatory...as an act of `solemn duty to my country’...to venture upon the attempt.”


His letters from the time, confirm it. As he explained to a friend on December 4, 1847:

….I should not now make the offer but for my clear and perfect conviction on these three points: First, that peace is still the desire of my government. Secondly, that if the present opportunity for peace is not seized at once, all chances for making a treaty at all will be lost for an indefinite period, probably forever. Thirdly, that this is the utmost point to which the Mexican government can by any possibility venture.”

Nicholas P. Trist to Thornton, December 4, 1847, Diplomatic Correspondence of the United States, Vol. 8, p. 984.

That night, Trist wrote to his wife that night a letter that included a coded postscript that she was to read to Secretary of State James Buchanan:

“...Knowing it to be the very last chance and impressed with the dreadful consequences to our country which cannot fail to attend the loss of that chance, I will make a treaty, if it can be done, on the basis of the Bravo [Rio Grande River] by the 32nd degree [of latitude], giving [$]15 million beside the three million cash.”


Despite the outrage of President Polk and those in Congress who wanted to annex much more or even all of Mexico, Trist negotiated what he thought was the most favorable terms for Mexico that he could get ratified by the U.S. Congress, but he still felt guilty about the treaty. According to his wife, Virginia
Randolph Trist, her husband had often in subsequent years explained to friends and relatives about his feelings at the negotiation and signing of the Treaty of Guadalupe Hidalgo in 1848. Virginia Trist recalled her husband's oft-told tale in a letter to a friend many years later:

“Just as the were about to sign the treaty in the 'sanctuary' [of the shrine at Guadalupe Hidalgo] to which they had repaired for the purpose, one of the Mexicans, Don Bernardo Couto, remarked to him [Nicholas Trist], 'This must be a proud moment for you; no less proud for you than it is humiliating for us.' To this Mr. Trist replied, 'we are making peace, let that be our only thought.' -But, said he to us [Trist to his wife] in relating it, 'Could those Mexicans have seen into my heart at that moment, they would have known that my feeling of shame as an American was far stronger than theirs could be as Mexicans. For though it would not have done for me to say so there, that was a thing for every right-minded Americans to be ashamed of, and I was ashamed of it, most cordially and intensely ashamed of it.

This had been my feeling at all our conferences and especially at moments when I had felt it necessary to insist upon things which they were averse to. Had my course at such moments been governed by my conscience as a man, and my sense of justice as an individual American, I should have yielded in very instance. Nothing prevented my doing so but the conviction that the treaty would then be one which there would be no chance for the acceptance of by our government. My object, throughout was, not to obtain all I could, but on the contrary to make the treaty as little exacting as possible from Mexico, as was compatible with its being accepted at home. In this I was governed by two considerations: one as the iniquity of the war, as an abuse of power on our part; the other was that the more disadvantageous the treaty was made to Mexico, the stronger would be the ground of opposition to it in the Mexican Congress by the party who had boasted of its ability to frustrate any peace measures.”

TREATY OF PEACE, FRIENDSHIP, LIMITS, AND SETTLEMENT BETWEEN THE UNITED STATES OF
AMERICA AND THE UNITED MEXICAN STATES CONCLUDED AT GUADALUPE HIDALGO,
FEBRUARY 2, 1848; RATIFICATION ADVISED BY SENATE, WITH AMENDMENTS, MARCH 10, 1848;
RATIFIED BY PRESIDENT, MARCH 16, 1848; RATIFICATIONS EXCHANGED AT QUERETARO, MAY
30, 1848; PROCLAIMED, JULY 4, 1848.

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 establish
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 neighbors 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 —y 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, and the ratifications
exchanged) 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
State 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 completed with the least possible delay; the Mexican Government hereby binding itself to
afford every facility in power for rendering the same convenient 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 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 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 definitely 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, or other public property. The city of Mexico, within the inner line of intrenchments surrounding the said city, is comprehended in the above stipulation, as regards the restoration of artillery, apparatus of war, &c.

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 evacuation, and rendering it convenient to the troops, 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 embarcation 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 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 the 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 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 Pacific Ocean, distant one marine league due south of the southernmost point of the port of San Diego, according to the plan of said port made in the year 1782 by Don Juan Pantoja, second sailing-master of the Spanish fleet, and published at Madrid in the year 1802, in the atlas to the voyage of the schooners Sutil and Mexicana; of which plan a copy is hereunto added, signed and sealed by the respective Plenipotentiaries.

In order to designate the boundary line with due precision, upon authoritative maps, and to establish upon the ground land-marks which shall show the limits of both republics, as described in the present article, the two Governments shall each appoint a commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of ratifications of this treaty, shall meet at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations; and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two Governments will amicably agree regarding what may be necessary to these persons, and also as to their respective escorts, should such be necessary.

The boundary line established by this article shall be religiously respected by each of the two republics, and no change shall ever be made therein, except by the express and free consent of both nations, lawfully given by the General Government of each, in conformity with its own constitution.

ARTICLE VI

The vessels and citizens of the United States shall, in all time, have a free and uninterrupted passage by the Gulf of California, and by the river Colorado below its confluence with the Gila, to and from their possessions situated north of the boundary line defined in the preceding article; it being understood that this passage is to be by navigating the Gulf of California and the river Colorado, and not by land, without the express consent of the Mexican Government.

If, by the examinations which may be made, it should be ascertained to be practicable and advantageous to construct a road, canal, or railway, which should in whole or in part run upon the river Gila, or upon its right or its left bank, within the space of one marine league from either margin of the river, the Governments of both republics will form an agreement regarding its construction, in order that it may serve equally for the use and advantage of both countries.

ARTICLE VII

The river Gila, and the part of the Rio Bravo del Norte lying below the southern boundary of New Mexico, being, agreeably to the fifth article, divided in the middle between the two republics, the navigation of the Gila and of the Bravo below said boundary shall be free and common to the vessels and citizens of both countries; and neither shall, without the consent of the other, construct any work that may impede or interrupt, in whole or in part, the exercise of this right; not even for the purpose of favoring new methods of
navigation. Nor shall any tax or contribution, under any denomination or title, be levied upon vessels or persons navigating the same or upon merchandise or effects transported thereon, except in the case of landing upon one of their shores. If, for the purpose of making the said rivers navigable, or for maintaining them in such state, it should be necessary or advantageous to establish any tax or contribution, this shall not be done without the consent of both Governments.

The stipulations contained in the present article shall not impair the territorial rights of either republic within its established limits.

ARTICLE VIII

Mexicans now established in territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican Republic, retaining the property which they possess in the said territories, or disposing thereof, and removing the proceeds wherever they please, without their being subjected, on this account, to any contribution, tax, or charge whatever.

Those who shall prefer to remain in the said territories may either retain the title and rights of Mexican citizens, or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.

In the said territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guarantees equally ample as if the same belonged to citizens of the United States.

ARTICLE IX

The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and in the mean time, shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.

ARTICLE X

[Stricken out by the United States Amendments]

ARTICLE XI

Considering that a great part of the territories, which, by the present treaty, are to be comprehended for the future within the limits of the United States, is now occupied by savage tribes, who will hereafter be under the exclusive control of the Government of the United States, and whose incursions within the territory of Mexico would be prejudicial in the extreme, it is solemnly agreed that all such incursions shall be forcibly restrained by the Government of the United States whenever this may be necessary; and that when they cannot be prevented, they shall be punished by the said Government, and satisfaction for the same shall be exacted all in the same way, and with equal diligence and energy, as if the same incursions were meditated or committed within its own territory, against its own citizens.

It shall not be lawful, under any pretext whatever, for any inhabitant of the United States to purchase or acquire any Mexican, or any foreigner residing in Mexico, who may have been captured by Indians inhabiting the territory of either of the two republics; nor to purchase or acquire horses, mules, cattle, or property of any kind, stolen within Mexican territory by such Indians.
And in the event of any person or persons, captured within Mexican territory by Indians, being carried into the territory of the United States, the Government of the latter engages and binds itself, in the most solemn manner, so soon as it shall know of such captives being within its territory, and shall be able so to do, through the faithful exercise of its influence and power, to rescue them and return them to their country or deliver them to the agent or representative of the Mexican Government. The Mexican authorities will, as far as practicable, give to the Government of the United States notice of such captures; and its agents shall pay the expenses incurred in the maintenance and transmission of the rescued captives; who, in the mean time, shall be treated with the utmost hospitality by the American authorities at the place where they may be. But if the Government of the United States, before receiving such notice from Mexico, should obtain intelligence, through any other channel, of the existence of Mexican captives within its territory, it will proceed forthwith to effect their release and delivery to the Mexican agent, as above stipulated.

For the purpose of giving to these stipulations the fullest possible efficacy, thereby affording the security and redress demanded by their true spirit and intent, the Government of the United States will now and hereafter pass, without unnecessary delay, and always vigilantly enforce, such laws as the nature of the subject may require. And, finally, the sacredness of this obligation shall never be lost sight of by the said Government, when providing for the removal of the Indians from any portion of the said territories, or for its being settled by citizens of the United States; but, on the contrary, special care shall then be taken not to place its Indian occupants under the necessity of seeking new homes, by committing those invasions which the United States have solemnly obliged themselves to restrain.

ARTICLE XII

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.

Immediately after the treaty shall have been duly ratified by the Government of the Mexican Republic, the sum of three millions of dollars shall be paid to the said Government by that of the United States, at the city of Mexico, in the gold or silver coin of Mexico. The remaining twelve millions of dollars shall be paid at the same place, and in the same coin, in annual installments of three millions of dollars each, together with interest on the same at the rate of six per centum per annum. This interest shall begin to run upon the whole sum of twelve millions from the day of the ratification of the present treaty by the Mexican Government, and the first of the installments shall be paid at the expiration of one year from the same day. Together with each annual installment, as it falls due, the whole interest accruing on such installment from the beginning shall also be paid.

ARTICLE XIII

The United States engage, moreover, to assume and pay to the claimants all the amounts now due them, and those hereafter to become due, by reason of the claims already liquidated and decided against the Mexican Republic, under the conventions between the two republics severally concluded on the eleventh day of April, eighteen hundred and thirty-nine, and on the thirtieth day of January, eighteen hundred and forty-three; so that the Mexican Republic shall be absolutely exempt, for the future, from all expense whatever on account of the said claims.

ARTICLE XIV

The United States do furthermore discharge the Mexican Republic from all claims of citizens of the United States, not heretofore decided against the Mexican Government, which may have arisen previously to the date of the signature of this treaty; which discharge shall be final and perpetual, whether the said claims be rejected or be allowed by the board of commissioners provided for in the following article, and whatever shall be the total amount of those allowed.
ARTICLE XV

The United States, exonerating Mexico from all demands on account of the claims of their citizens mentioned in the preceding article, and considering them entirely and forever canceled, whatever their amount may be, undertake to make satisfaction for the same, to an amount not exceeding three and one-quarter millions of dollars. To ascertain the validity and amount of those claims, a board of commissioners shall be established by the Government of the United States, whose awards shall be final and conclusive; provided that, in deciding upon the validity of each claim, the boa shall be guided and governed by the principles and rules of decision prescribed by the first and fifth articles of the unratified convention, concluded at the city of Mexico on the twentieth day of November, one thousand eight hundred and forty-three; and in no case shall an award be made in favour of any claim not embraced by these principles and rules.

If, in the opinion of the said board of commissioners or of the claimants, any books, records, or documents, in the possession or power of the Government of the Mexican Republic, shall be deemed necessary to the just decision of any claim, the commissioners, or the claimants through them, shall, within such period as Congress may designate, make an application in writing for the same, addressed to the Mexican Minister of Foreign Affairs, to be transmitted by the Secretary of State of the United States; and the Mexican Government engages, at the earliest possible moment after the receipt of such demand, to cause any of the books, records, or documents so specified, which shall be in their possession or power (or authenticated copies or extracts of the same), to be transmitted to the said Secretary of State, who shall immediately deliver them over to the said board of commissioners; provided that no such application shall be made by or at the instance of any claimant, until the facts which it is expected to prove by such books, records, or documents, shall have been stated under oath or affirmation.

ARTICLE XVI

Each of the contracting parties reserves to itself the entire right to fortify whatever point within its territory it may judge proper so to fortify for its security.

ARTICLE XVII

The treaty of amity, commerce, and navigation, concluded at the city of Mexico, on the fifth day of April, A. D. 1831, between the United States of America and the United Mexican States, except the additional article, and except so far as the stipulations of the said treaty may be incompatible with any stipulation contained in the present treaty, is hereby revived for the period of eight years from the day of the exchange of ratifications of this treaty, with the same force and virtue as if incorporated therein; it being understood that each of the contracting parties reserves to itself the right, at any time after the said period of eight years shall have expired, to terminate the same by giving one year's notice of such intention to the other party.

ARTICLE XVIII

All supplies whatever for troops of the United States in Mexico, arriving at ports in the occupation of such troops previous to the final evacuation thereof, although subsequently to the restoration of the custom-houses at such ports, shall be entirely exempt from duties and charges of any kind; the Government of the United States hereby engaging and pledges its faith to establish and vigilantly to enforce, all possible guards for securing the revenue of Mexico, by preventing the importation, under cover of this stipulation, of any articles other than such, both in kind and in quantity, as shall really be wanted for the use and consumption of the forces of the United States during the time they may remain in Mexico. To this end it shall be the duty of all officers and agents of the United States to denounce to the Mexican authorities at the respective ports any attempts at a fraudulent abuse of this stipulation, which they may know of, or may have reason to suspect, and to give to such authorities all the aid in their power with regard thereto; and every such attempt, when duly proved and established by sentence of a competent
tribunal, They shall be punished by the confiscation of the property so attempted to be fraudulently introduced.

ARTICLE XIX

With respect to all merchandise, effects, and property whatsoever, imported into ports of Mexico, whilst in the occupation of the forces of the United States, whether by citizens of either republic, or by citizens or subjects of any neutral nation, the following rules shall be observed:

(1) All such merchandise, effects, and property, if imported previously to the restoration of the custom-houses to the Mexican authorities, as stipulated for in the third article of this treaty, shall be exempt from confiscation, although the importation of the same be prohibited by the Mexican tariff.

(2) The same perfect exemption shall be enjoyed by all such merchandise, effects, and property, imported subsequently to the restoration of the custom-houses, and previously to the sixty days fixed in the following article for the coming into force of the Mexican tariff at such ports respectively; the said merchandise, effects, and property being, however, at the time of their importation, subject to the payment of duties, as provided for in the said following article.

(3) All merchandise, effects, and property described in the two rules foregoing shall, during their continuance at the place of importation, and upon their leaving such place for the interior, be exempt from all duty, tax, or impost of every kind, under whatsoever title or denomination. Nor shall they be there subject to any charge whatsoever upon the sale thereof.

(4) All merchandise, effects, and property, described in the first and second rules, which shall have been removed to any place in the interior, whilst such place was in the occupation of the forces of the United States, shall, during their continuance therein, be exempt from all tax upon the sale or consumption thereof, and from every kind of impost or contribution, under whatsoever title or denomination.

(5) But if any merchandise, effects, or property, described in the first and second rules, shall be removed to any place not occupied at the time by the forces of the United States, they shall, upon their introduction into such place, or upon their sale or consumption there, be subject to the same duties which, under the Mexican laws, they would be required to pay in such cases if they had been imported in time of peace, through the maritime custom-houses, and had there paid the duties conformably with the Mexican tariff.

(6) The owners of all merchandise, effects, or property, described in the first and second rules, and existing in any port of Mexico, shall have the right to reship the same, exempt from all tax, impost, or contribution whatever.

With respect to the metals, or other property, exported from any Mexican port whilst in the occupation of the forces of the United States, and previously to the restoration of the custom-house at such port, no person shall be required by the Mexican authorities, whether general or state, to pay any tax, duty, or contribution upon any such exportation, or in any manner to account for the same to the said authorities.

ARTICLE XX

Through consideration for the interests of commerce generally, it is agreed, that if less than sixty days should elapse between the date of the signature of this treaty and the restoration of the custom-houses, conformably with the stipulation in the third article, in such case all merchandise, effects and property whatsoever, arriving at the Mexican ports after the restoration of the said custom-houses, and previously to the expiration of sixty days after the day of signature of this treaty, shall be admitted to entry; and no other duties shall be levied thereon than the duties established by the tariff found in force at such custom-houses at the time of the restoration of the same. And to all such merchandise, effects, and property, the rules established by the preceding article shall apply.

ARTICLE XXI

If unhappily any disagreement should hereafter arise between the Governments of the two republics, whether with respect to the interpretation of any stipulation in this treaty, or with respect to any
other particular concerning the political or commercial relations of the two nations, the said Governments, in
the name of those nations, do promise to each other that they will endeavour, in the most sincere and
earnest manner, to settle the differences so arising, and to preserve the state of peace and friendship in
which the two countries are now placing themselves, using, for this end, mutual representations and pacific
negotiations. And if, by these means, they should not be enabled to come to an agreement, a resort shall
not, on this account, be had to reprisals, aggression, or hostility of any kind, by the one republic against the
other, until the Government of that which deems itself aggrieved shall have maturely considered, in the
spirit of peace and good neighbourship, whether it would not be better that such difference should be
settled by the arbitration of commissioners appointed on each side, or by that of a friendly nation. And
should such course be proposed by either party, it shall be acceded to by the other, unless deemed by it
altogether incompatible with the nature of the difference, or the circumstances of the case.

ARTICLE XXII

If (which is not to be expected, and which God forbid) war should unhappily break out between the
two republics, they do now, with a view to such calamity, solemnly pledge themselves to each other and to
the world to observe the following rules; absolutely where the nature of the subject permits, and as closely
as possible in all cases where such absolute observance shall be impossible:

1) The merchants of either republic then residing in the other shall be allowed to remain twelve
months (for those dwelling in the interior), and six months (for those dwelling at the seaports) to collect their
debts and settle their affairs; during which periods they shall enjoy the same protection, and be on
the same footing, in all respects, as the citizens or subjects of the most friendly nations; and, at the expiration
thereof, or at any time before, they shall have full liberty to depart, carrying off all their effects without
molestation or hindrance, conforming therein to the same laws which the citizens or subjects of the most
friendly nations are required to conform to. Upon the entrance of the armies of either nation into the
territories of the other, women and children, ecclesiastics, scholars of every faculty, cultivators of the earth,
merchants, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or
places, and in general all persons whose occupations are for the common subsistence and benefit of
mankind, shall be allowed to continue their respective employments, unmolested in their persons. Nor shall
their houses or goods be burnt or otherwise destroyed, nor their cattle taken, nor their fields wasted, by the
armed force into whose power, by the events of war, they may happen to fall; but if the necessity arise to
take anything from them for the use of such armed force, the same shall be paid for at an equitable price.
All churches, hospitals, schools, colleges, libraries, and other establishments for charitable and beneficent
purposes, shall be respected, and all persons connected with the same protected in the discharge of their
duties, and the pursuit of their vocations.

2) In order that the fate of prisoners of war may be alleviated all such practices as those of
sending them into distant, inclement or unwholesome districts, or crowding them into close and noxious
places, shall be studiously avoided. They shall not be confined in dungeons, prison ships, or prisons; nor
be put in irons, or bound or otherwise restrained in the use of their limbs. The officers shall enjoy liberty on
their paroles, within convenient districts, and have comfortable quarters; and the common soldiers shall be
dispose( in cantonments, open and extensive enough for air and exercise and lodged in barracks as roomy
and good as are provided by the party in whose power they are for its own troops. But if any office shall
break his parole by leaving the district so assigned him, o any other prisoner shall escape from the limits of
his cantonment after they shall have been designated to him, such individual, officer, or other prisoner,
shall forfeit so much of the benefit of this article as provides for his liberty on parole or in cantonment. And if
any officer so breaking his parole or any common soldier so escaping from the limits assigned him, shall
afterwards be found in arms previously to his being regularly exchanged, the person so offending shall be
dealt with according to the established laws of war. The officers shall be daily furnished, by the party in
whose power they are, with as many rations, and of the same articles, as are allowed either in kind or by
commutation, to officers of equal rank in its own army; and all others shall be daily furnished with such
ration as is allowed to a common soldier in its own service; the value of all which supplies shall, at the close
of the war, or at periods to be agreed upon between the respective commanders, be paid by the other
party, on a mutual adjustment of accounts for the subsistence of prisoners; and such accounts shall not be
mingled with or set off against any others, nor the balance due on them withheld, as a compensation or
reprisal for any cause whatever, real or pretended. Each party shall be allowed to keep a commissary of
prisoners, appointed by itself, with every cantonment of prisoners, in possession of the other; which
commissary shall see the prisoners as often as he pleases; shall be allowed to receive, exempt from all
duties and taxes, and to distribute, whatever comforts may be sent to them by their friends; and shall be free
to transmit his reports in open letters to the party by whom he is employed.
And it is declared that neither the pretense that war dissolves all treaties, nor any other whatever, shall be
considered as annulling or suspending the solemn covenant contained in this article. On the contrary, the
state of war is precisely that for which it is provided; and, during which, its stipulations are to be as sacredly
observed as the most acknowledged obligations under the law of nature or nations.

ARTICLE XXIII

This treaty shall be ratified by the President of the United States of America, by and with the advice
and consent of the Senate thereof; and by the President of the Mexican Republic, with the previous
approbation of its general Congress; and the ratifications shall be exchanged in the City of Washington, or
at the seat of Government of Mexico, in four months from the date of the signature hereof, or sooner if
practicable.

In faith whereof we, the respective Plenipotentiaries, have signed this treaty of peace, friendship,
limits, and settlement, and have hereunto affixed our seals respectively. Done in quintuplicate, at the city of
Guadalupe Hidalgo, on the second day of February, in the year of our Lord one thousand eight hundred
and forty-eight.

N. P. TRIST
Luis P. Cuevas
Bernardo Couto
Migl. Atristain

Article IX was modified and Article X were stricken by the US Congress. Here are the original
articles.

In addition, there is an explanation or agreement of why the articles where stricken which is known
as the protocol of Querétaro

ARTICLE IX

The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the
Mexican Republic, conformably with what is stipulated in the preceding Article, shall be incorporated into
the Union of the United States, and admitted as soon as possible, according to the principles of the Federal
Constitution, to the enjoyment of all the rights of citizens of the United States. In the mean time, they shall
be maintained and protected in the enjoyment of their liberty, their property, and the civil rights now vested
in them according to the Mexican laws. With respect to political rights, their condition shall be on an equality
with that of the inhabitants of the other territories of the United States; and at least equally good as that of
the inhabitants of Louisiana and the Floridas, when these provinces, by transfer from the French Republic
and the Crown of Spain, became territories of the United States.

The same most ample guaranty shall be enjoyed by all ecclesiastics and religious corporations or
communities, as well in the discharge of the offices of their ministry, as in the enjoyment of their property of
every kind, whether individual or corporate. This guaranty shall embrace all temples, houses and edifices
dedicated to the Roman Catholic worship; as well as all property destined to its [sic] support, or to that of
schools, hospitals and other foundations for charitable or beneficent purposes. No property of this nature shall be considered as having become the property of the American Government, or as subject to be, by it, disposed of or diverted to other uses.

Finally, the relations and communication between the Catholics living in the territories aforesaid, and their respective ecclesiastical authorities, shall be open, free and exempt from all hindrance whatever, even although such authorities should reside within the limits of the Mexican Republic, as defined by this treaty; and this freedom shall continue, so long as a new demarcation of ecclesiastical districts shall not have been made, conformably with the laws of the Roman Catholic Church.

ARTICLE X

All grants of land made by the Mexican government or by the competent authorities, in territories previously appertaining to Mexico, and remaining for the future within the limits of the United States, shall be respected as valid, to the same extent that the same grants would be valid, to the said territories had remained within the limits of Mexico. But the grantees of lands in Texas, put in possession thereof, who, by reason of the circumstances of the country since the beginning of the troubles between Texas and the Mexican Government, may have been prevented from fulfilling all the conditions of their grants, shall be under the obligation to fulfill the said conditions within the periods limited in the same respectively; such periods to be now counted from the date of the exchange of ratifications of this Treaty: in default of which the said grants shall not be obligatory upon the State of Texas, in virtue of the stipulations contained in this Article.

The foregoing stipulation in regard to grantees of land in Texas, is extended to all grantees of land in the territories aforesaid, elsewhere than in Texas, put in possession under such grants; and, in default of the fulfillment of the conditions of any such grant, within the new period, which, as is above stipulated, begins with the day of the exchange of ratifications of this treaty, the same shall be null and void.

THE PROTOCOL OF QUERÉTARO

In the city of Querétaro on the twenty-sixth of the month of May eighteen hundred and forty-eight at a conference between Their Excellencies Nathan Clifford and Ambrose H. Sevier Commissioners of the United States of America, with full powers from their Government to make to the Mexican Republic suitable explanations in regard to the amendments which the Senate and Government of the said United States have made in the treaty of peace, friendship, limits and definitive settlement between the two Republics, signed in Guadalupe Hidalgo, on the second day of February of the present year, and His Excellency Don Luis de la Rosa, Minister of Foreign Affairs of the Republic of Mexico, it was agreed, after adequate conversation respecting the changes alluded to, to record in the present protocol the following explanations which Their aforesaid Excellencies the Commissioners gave in the name of their Government and in fulfillment of the Commission conferred upon them near the Mexican Republic.

First.

The American Government by suppressing the IXth article of the Treaty of Guadalupe and substituting the III article of the Treaty of Louisiana did not intend to diminish in any way what was agreed upon by the aforesaid article IXth in favor of the inhabitants of the territories ceded by Mexico. Its understanding that all of that agreement is contained in the IIIId article of the Treaty of Louisiana. In consequence, all the privileges and guarantees, civil, political and religious, which would have been possessed by the inhabitants of the ceded territories, if the IXth article of the Treaty had been retained, will be enjoyed by them without any difference under the article which has been substituted.

Second.

The American Government, by suppressing the Xth article of the Treaty of Guadalupe did not in any way intend to annul the grants of lands made by Mexico in the ceded territories. These grants, notwithstanding the suppression of the article of the Treaty, preserve the legal value which they may
possess; and the grantees may cause their legitimate titles to be acknowledged before the American tribunals.

Conformably to the law of the United States, legitimate titles to every description of property personal and real, existing in the ceded territories, are those which were legitimate titles under the Mexican law in California and New Mexico up to the 13th of May 1846, and in Texas up to the 2d March 1836.

Third.

The Government of the United States by suppressing the concluding paragraph of article Xlith of the Treaty, did not intend to deprive the Mexican Republic of the free and unrestrained faculty of ceding, conveying or transferring at any time (as it may judge best) the sum of the twelve [sic] millions of dollars which the same Government of the United States is to deliver in the places designated by the amended article.

And these explanations having been accepted by the Minister of Foreign Affairs of the Mexican Republic, he declared in name of his Government that with the understanding conveyed by them, the same Government would proceed to ratify the Treaty of Guadalupe as modified by the Senate and Government of the United States. In testimony of which their Excellencies the aforesaid Commissioners and the Minister have signed and sealed in quintuplicate the present protocol.

[Seal] A. H. Sevier
[Seal] Nathan Clifford
[Seal] Luis de la Rosa

Source: Library of Congress
Mr. Chairman:

Some, if not all the gentlemen on, the other side of the House, who have addressed the committee within the last two days, have spoken rather complainingly, if I have rightly understood them, of the vote given a week or ten days ago, declaring that the war with Mexico was unnecessarily and unconstitutionally commenced by the President.

I admit that such a vote should not be given, in mere party wantonness, and that the one given, is justly censurable, if it have no other, or better foundation. I am one of those who joined in that vote; and I did so under my best impression of the truth of the case. How I got this impression, and how it may possibly be removed, I will now try to show.

When the war began, it was my opinion that all those who, because of knowing too little, or because of knowing too much, could not conscientiously approve the conduct of the President, in the beginning of it, should, nevertheless, as good citizens and patriots, remain silent on that point, at least till the war should be ended. Some leading democrats, including Ex President Van Buren, have taken this same view, as I understand them; and I adhered to it, and acted upon it, until since I took my seat here; and I think I should still adhere to it, were it not that the President and his friends will not allow it to be so.

Besides the continual effort of the President to argue every silent vote given for supplies, into an endorsement of the justice and wisdom of his conduct--besides that singularly candid paragraph, in his late message in which he tells us that Congress, with great unanimity, only two in the Senate and fourteen in the House dissenting, had declared that, "by the act of the Republic of Mexico, a state of war exists between that Government and the United States," when the same journals that informed him of this, also informed him, that when that declaration stood disconnected from the question of supplies, sixty seven in the House, and not fourteen merely, voted against it--besides this open attempt to prove, by telling the truth, what he could not prove by telling the whole truth...

Upon these resolutions, when they shall be put on their passage I shall be compelled to vote; so that I can not be silent, if I would. Seeing this, I went about preparing myself to give the vote understandingly when it should come. I carefully examined the President's messages, to ascertain what he himself had said and proved upon the point.

The result of this examination was to make the impression, that taking for true, all the President states as facts, he falls far short of proving his justification; and that the President would have gone farther with his proof, if it had not been for the small matter, that the truth would not permit him. Under the impression thus made, I gave the vote before mentioned. I propose now to give, concisely, the process of the examination I made, and how I reached the conclusion I did. The President, in his first war message of May 1846, declares that the soil was ours on which hostilities were commenced by Mexico; and he repeats that declaration, almost in the same language, in each successive annual message, thus showing that he esteems that point, a highly essential one.

In the importance of that point, I entirely agree with the President. To my judgment, it is the very point, upon which he should be justified, or condemned. In his message of December 1846, it seems to have occurred to him, as is certainly true, that title--ownership--to soil, or any thing else, is not a simple fact; but is a conclusion following one or more simple facts; and that it was incumbent upon him, to present the facts, from which he concluded, the soil was ours, on which the first blood of the war was shed.

Accordingly a little below the middle of page twelve in the message last referred to, he enters upon that task; forming an issue, and introducing testimony, extending the whole, to a little below the middle of page fourteen. Now I propose to try to show, that the whole of this,--issue and evidence--is, from beginning to end, the sheerest deception. The issue, as he presents it, is in these words
"But there are those who, conceding all this to be true, assume the ground that the true western boundary of Texas is the Nueces, instead of the Rio Grande; and that, therefore, in marching our army to the east bank of the latter river, we passed the Texan line, and invaded the territory of Mexico."

His first item is, that the Rio Grande was the Western boundary of Louisiana, as we purchased it of France in 1803; and seeming to expect this to be disputed, he argues over the amount of nearly a page, to prove it true; at the end of which he lets us know, that by the treaty of 1819, we sold to Spain the whole country from the Rio Grande eastward, to the Sabine. Now, admitting for the present, that the Rio Grande, was the boundary of Louisiana, what, under heaven, had that to do with the present boundary between us and Mexico?

How, Mr. Chairman, the line, that once divided your land from mine, can still be the boundary between us, after I have sold my land to you, is, to me, beyond all comprehension. And how any man, with an honest purpose only, of proving the truth, could ever have thought of introducing such a fact to prove such an issue, is equally incomprehensible.

His [the President's] next piece of evidence is that "The Republic of Texas always claimed this river (Rio Grande) as her western boundary." That is not true, in fact. Texas has claimed it, but she has not always claimed it. There is, at least, one distinguished exception. Her state constitution,--the republic's most solemn, and well considered act--that which may, without impropriety, be called her last will and testament revoking all others--makes no such claim. But suppose she had always claimed it. Has not Mexico always claimed the contrary? so that there is but claim against claim, leaving nothing proved, until we get back of the claims, and find which has the better foundation…

Santa Anna does not therein, assume to bind Mexico; he assumes only to act as the President-Commander-in-chief of the Mexican Army and Navy; stipulates that the then present hostilities should cease, and that he would not himself take up arms, nor influence the Mexican people to take up arms, against Texas during the existence of the war of independence.

He did not recognize the independence of Texas; he did not assume to put an end to the war; but clearly indicated his expectation of it's continuance; he did not say one word about boundary, and, most probably, never thought of it. It is stipulated therein that the Mexican forces should evacuate the territory of Texas, passing to the other side of the Rio Grande; and in another article, it is stipulated that, to prevent collisions between the armies, the Texan army should not approach nearer than within five leagues--of what is not said--but clearly, from the object stated it is--of the Rio Grande…

Next comes the evidence of Texas before annexation, and the United States, afterwards, exercising jurisdiction beyond the Nueces, and between the two rivers. This actual exercise of jurisdiction is the very class or quality of evidence we want. It is excellent so far as it goes; but does it go far enough? He tells us it went beyond the Nueces; but he does not tell us it went to the Rio Grande. He tells us, jurisdiction was exercised between the two rivers, but he does not tell us it was exercised over all the territory between them.

...But next the President tells us, the Congress of the United States understood the state of Texas they admitted into the union, to extend beyond the Nueces. Well, I suppose they did. I certainly so understood it. But how far beyond? That Congress did not understand it to extend clear to the Rio Grande, is quite certain by the fact of their joint resolutions, for admission, expressly leaving all questions of boundary to future adjustment. And it may be added, that Texas herself, is proved to have had the same understanding of it that our Congress had, by the fact of the exact conformity of her new constitution, to those resolutions.

If, as is probably true, Texas was exercising jurisdiction along the western bank of the Nueces, and Mexico was exercising it along the eastern bank of the Rio Grande, then neither river was the boundary; but the uninhabited country between the two, was. The extent of our territory in that region depended, not on any treaty-fixed boundary (for no treaty had attempted it) but on revolution.
...And if, so answering, he can show that the soil was ours, where the first blood of the war was shed--that it was not within an inhabited country, or, if within such, that the inhabitants had submitted themselves to the civil authority of Texas, or of the United States, and that the same is true of the site of Fort Brown, then I am with him for his justification. In that case I, shall be most happy to reverse the vote I gave the other day. I have a selfish motive for desiring that the President may do this. I expect to give some votes, in connection with the war, which, without his so doing, will be of doubtful propriety in my own judgment, but which will be free from the doubt if he does so.

But if he can not, or will not do this--if on any pretence, or no pretence, he shall refuse or omit it, then I shall be fully convinced, of what I more than suspect already, that he is deeply conscious of being in the wrong that he feels the blood of this war, like the blood of Abel, is crying to Heaven against him.

...So then, the national honor, security of the future, and every thing but territorial indemnity, may be considered the no-purposes, and indefinite, objects of the war! But, having it now settled that territorial indemnity is the only object, we are urged to seize, by legislation here, all that he was content to take, a few months ago, and the whole province of lower California to boot, and to still carry on the war--to take all we are fighting for, and still fight on.

Again, the President is resolved, under all circumstances, to have full territorial indemnity for the expenses of the war; but he forgets to tell us how we are to get the excess, after those expenses shall have surpassed the value of the whole of the Mexican territory. So again, he insists that the separate national existence of Mexico, shall be maintained; but he does not tell us how this can be done, after we shall have taken all her territory.

Lest the questions, I here suggest, be considered speculative merely, let me be indulged a moment in trying [to] show they are not.

The war has gone on some twenty months; for the expenses of which, together with an inconsiderable old score, the President now claims about one half of the Mexican territory; and that, by far the better half, so far as concerns our ability to make any thing out of it.

It is comparatively uninhabited; so that we could establish land offices in it, and raise some money in that way. But the other half is already inhabited, as I understand it, tolerably densely for the nature of the country; and all it's lands, or all that are valuable, already appropriated as private property.

...Again, it is a singular [peculiar] omission in this [Presidential] message, that it, no where intimates when the President expects the war to terminate. At its beginning, General [Winfield] Scott [the ranking U.S. Army general] was, by this same President, driven into disfavor, if not disgrace, for intimating that peace could not be conquered in less than three or four months.

But now, at the end of about twenty months, during which time our arms have given us the most splendid successes--every department, and every part, land and water, officers and privates, regulars and volunteers, doing all that men could do, and hundreds of things which it had ever before been thought men could not do,--after all this, this same President gives us a long message, without showing us, that, as to the end, he himself, has, even an imaginary conception.

As I have before said, he knows not where he is. He is a bewildered, confounded, and miserably perplexed man. God grant he may be able to show, there is not something about his conscious, more painful than all his mental perplexity!

Henry David Thoreau was born in Concord, Massachusetts in 1817. He graduated from Harvard and taught intermittently. He lived at Walden Pond from July 4, 1845 to September 6, 1847. His antislavery convictions led him to refuse to pay the Massachusetts poll tax during the Mexican War, which he regarded as an effort to expand the slave power. He was arrested and jailed and later related his experiences in his essay on “Civil Disobedience,” which became one of the leading works on peaceful resistance. Thoreau wrote poetry and was a naturalist. He was also a social critic who believed in moral imperatives.

“It is not a man’s duty, as a matter of course, to devote himself to the eradication of any, even the most enormous wrong; he may still properly have other concerns to engage him; but it is his duty, at least, to wash his hands of it, and, if he gives it no thought longer, not to give it practically his support. If I devote myself to other pursuits and contemplations, I must first see, at least, that I do not pursue them sitting upon another man’s shoulders. I must get off him first, that he may pursue his contemplations too. See what gross inconsistency is tolerated. I have heard some of my townsmen say, “I should like to have them order me out to help put down an insurrection of the slaves, or to march to Mexico,--see if I would go;” and yet these very men have each, directly by the allegiance, and do indirectly, at least, by their money, furnished a substitute. The soldier is applauded who refuses to serve in an unjust war by those who do not refuse to sustain the unjust government which makes the war: is applauded by those whose own act and authority he disregards and sets at naught; as if the State were penitent to that degree that it hired one to scourge it while it sinned, but not to that degree that it left off sinning for a moment. Thus, under the name of order and civil government, we are all made at last to pay homage to and support our own meanness., After the first blush of sin comes its indifference; and from immoral it becomes, as it were, unmoral, and not quite necessary to that life which we have made.”

“Unjust laws exist; shall we be content to obey them, or shall we endeavor to amend them, and obey them until we have succeeded, or shall we transgress them at once? Men, generally, under such a government as this, think that they ought to wait until they have persuaded the majority to alter them. They think that, if they should resist, the remedy would be worse than the evil. But it is the fault of government itself that the remedy is worse than the evil. It makes it worse. Why is it not more apt to anticipate and provide for reform? Why does it not cherish its wise minority? Why does it cry and resist before it is hurt? Why does it not encourage its citizens to be on the alert to point out its faults, and do better than it would have them?...

If the injustice is part of the necessary friction of the machine of government, let it go, let it go; perchance it will wear smooth—certainly the machine will wear out. If the injustice has a spring, or a pulley, or a rope, or a crank, exclusively for itself, then perhaps you may consider whether the remedy will not be worse than the evil; but if it is of such a nature that it requires you to be the agent of injustice to another, then, I say, break the law. Let your life be a counter to friction to stop the machine. What I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn.”