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1847, January 12 - Treaty of Cahuenga

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Treaty of Cahuenga

To All Who These Presents Shall Come, Greeting: Know Ye, that in consequence of propositions of peace, or cessation of hostilities, being submitted to me, as Commandant of the California Battalion of the United States forces, which have so far been acceded to by me as to cause me to appoint a board of commissioners to confer with a similar board appointed by the Californians, and it requiring a little time to close the negotiations; it is agreed upon and ordered by me that an entire cessation of hostilities shall take place until to-morrow afternoon (January 13), and that the said Californians be permitted to bring in their wounded to the mission of San Fernando, where, also, if they choose, they can move their camp to facilitate said negotiations.

Given under my hand and seal this 12th day of January, 1847.

J.C. Fremont,
*Lieutenant-Colonel U.S.A.,
and Military Commandant of California.*

ARTICLES OF CAPITULATION made and entered into at the Rancho of Couenga, this thirteenth day of January, Anno Domini, eighteen hundred and forty-seven, between P.B. Reading, Major; Louis McLane, Jr., Commanding Artillery; Wm. H. Russell, Ordnance Officer; commissioners appointed by J.C. Fremont, Lieutenant-Colonel United States Army and Military Commandant of the territory of California; and Jose Antonio Carrillo, Commandante de Esquadron, Agustin Olivera, Diputado, commissioners appointed by Don Andres Pico, Commander-in-Chief of the California forces under the Mexican flag.

ARTICLE I--The Commissioners on the part of the Californians agree that their entire force shall, on presentation of themselves to Lieutenant-Colonel Fremont, deliver up their artillery and public arms, and they shall return peaceably to their homes, conforming to the laws and regulations of the United States, and not again take up arms during the war between the United States and Mexico, but will assist in placing the country in a state of peace and tranquillity.

ART. II--The Commissioners on the part of Lieutenant-Colonel Fremont agree to and bind themselves on the fulfillment of the first article by the Californians, that they shall be guaranteed protection of life and property, whether on parole or otherwise.

ART. III--That until a treaty of peace be made and signed between the United States of North American and the Republic of Mexico, no Californian or other Mexican citizen shall be bound to take the oath of allegiance.

ART. IV--That any Californian or other citizen of Mexico desiring, is permitted by this capitulation to leave the country without let or hindrance.

ART. V--That in virtue of the aforesaid articles, equal rights and privileges are vouchsafed to every citizen of California as are enjoyed by the citizens of the United States of North America.

ART. VI--All officers, citizens, foreigners or others shall receive the protection guaranteed by the second article.

ART. VII--This capitulation is intended to be no bar in effecting such arrangements as may in future be in justice required by both parties.

P.B. READING

Major California Battalion

WM. H. RUSSELL

Ordnance Officer California Battalion

LOUIS MCLANE, JR.

Commanding Artillery, California Battalion

JOSE ANTONIO

CARRILLO

Commandante de Esquadron

AGUSTIN OLVERA

Diputado

Approved.

JOHN C. FREMONT

Lieutenant-Colonel U.S.A. and Military Commandant of California

Approbado.

ANDRES PICO

Commandante de Esquadron y en Gife de las fuerzas Nacionales en California

ADDITIONAL ARTICLE.

That the paroles of all officers, citizens and others of the United States, and of naturalized citizens of Mexico, are by this foregoing capitulation cancelled; and every condition of said paroles from and after this date are of no further force and effect; and all prisoners of both parties are hereby released.

(Signed as above.)

CIUDAD DE LOS ANGELES, January 16, 1847