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1848, February 2 – Treaty of Guadalupe Hidalgo

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TREATY WITH THE REPUBLIC OF MEXICO. Feb. 2, 1848.

TREATY OF PEACE, FRIENDSHIP, LIMITS, AND SETTLEMENT WITH THE REPUBLIC OF MEXICO.

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:


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.

Convention to be entered into immediately upon the signature of this treaty, a convention shall

Tratado de Paz, Amistad, Límites y Arreglo definitivo entre la República Mexicana y los Estados Unidos de América.

ARTICULO I.

Habrá paz firme y universal entre la república Mexicana y los Estados Unidos de América, y entre sus respectivos países, territorios, ciudades, pueblos, sin escisión de lugares ó personas.

ARTICULO II.

Luego que se firme el presente tratado, habrá un convenio entre
be entered into between a commissioner or commissioners appointed by the General-in-chief of the forces of the United States, and such as may be appointed by the Mexican government, to the end that a provisional suspension of hostilities shall take place, and that, in the places occupied by the said forces, constitutional order may be re-established, 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 blocking any Mexican ports; and requiring the former (under the same condition) to commence, at the earliest moment practicable, withdrawing all troops of the United States then in the interior of the Mexican republic, to points that shall be selected by common agreement, at a distance from the seaports not exceeding thirty leagues; and such evacuation of the interior of the republic shall be completed with the least possible delay; the Mexican government hereby binding itself to afford every facility in its 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

el comisionado ó comisionados del gobierno Mexicano, y el ó los que nombre el General-en-gefe de las fuerzas de los Estados Unidos, para que cesen provisionalmente las hostilidades, y se restablezca en los lugares ocupados por las mismas fuerzas el orden constitucional en lo político, administrativo, y judicial, en cuanto lo permitan las circunstancias de ocupación militar.

ARTÍCULO III.

Luego que este tratado sea ratificado por el gobierno de los Estados Unidos, se expedirán órdenes á sus comandantes de tierra y mar previniéndoles á estos segundos (siempre que el tratado haya sido ya ratificado por el gobierno de la república Mexicana y cangeadas las ratificaciones,) que inmediatamente acojen el bloqueo de todos los puertos Mexicanos, y mandando á los primeros (bajo la misma condición) que á la mayor posible brevedad comiencen á retirar todas las tropas de los Estados Unidos que se hallaren entonces en el interior de la república Mexicana, á puntos que se elegirán de común acuerdo, y que no distarán de los puertos más próximos a treinta leguas; esta evacuación del interior de la república se consumará con la menor dilación posible, comprometiéndose á la vez el gobierno Mexicano á facilitar, cuanto quepa en su arbitrio, la evacuación de las tropas Americanas; á hacer cómodas su marcha y su permanencia en los nuevos puntos que se elijan; y á promover una buena inteligencia entre ellas y los habitantes. Igualmente se librarán órdenes á las personas en cargadas de las aduanas marítimas en todos los puertos ocupados por las fuerzas de los Estados Unidos, previniéndoles (bajo la misma condición) que pongan inmediatamente en posesión de dichas aduanas á las personas autorizadas por el gobierno Mexicano para
TREATY WITH THE REPUBLIC OF MEXICO. FEB. 2, 1848.

with all bonds and evidences of debt for duties on importations and on exportations, not yet fallen due. Moreover, a faithful and exact account shall be made out, showing the entire amount of all duties on imports and on exports, collected at such custom-houses, or elsewhere in Mexico, by authority of the United States, from and after the day of the ratification of this treaty by Mexico, the United States, after the ratification of this treaty by Mexico; the same, after deducting costs, to be paid over to the government of Mexico within three months after exchange of ratifications.

Evacuation of the capital of Mexico to be completed in one month.

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 receipt of the said public property all bonds and evidences of debt for duties on importations and on exportations, not yet fallen due.

Evacuation of the capital of the Mexican republic by the troops of the United States during the present war, within the limits of the Mexican republic, to be completed in one month. Moreover, a faithful and exact account shall be made out, showing the entire amount of all duties on imports and on exports, collected at such custom-houses, or elsewhere in Mexico, by authority of the United States, from and after the day of the ratification of this treaty by Mexico, the United States, after the ratification of this treaty by Mexico; the same, after deducting costs, to be paid over to the government of Mexico within three months after exchange of ratifications.

ARTICULO IV.

Luego que se verifique el cambio de las ratificaciones del presente tratado, todos los castillos, fortalezas, territorios, lugares, y posesiones que hayan tomado ó ocupado las fuerzas de los Estados Unidos, en la presente guerra, dentro de los límites que por el siguiente artículo van á fijarse á la república Mexicana, se devolverá definitivamente á la misma república, con toda la artillería, armas, aparejos de guerra, municiones, y cualquiera otra propiedad pública existentes en dichos castillos y fortalezas, cuando fueron tomados, y que se conserve en ellos al tiempo de ratificarse por el gobierno de la república Mexicana el presente tratado. A este efecto, inmediatamente después que se firme, se expedirán órdenes á los oficiales Americanos que manden dichos castillos y fortalezas para asegurar
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 embarkation of the troops of the United States to be completed before the commencement of the sickly season, at the Mexican ports on the Gulf of Mexico, in such case a friendly arrangement shall be entered into between the General-in-chief of the said troops and the Mexican government, whereby healthy and otherwise suitable places, at a distance from the ports not exceeding thirty leagues, shall be designated for the residence of such troops as may not yet have embarked, until the return of the healthy season. And the space of time here referred to as comprehending the sickly season, shall be understood to extend from the first day of May to the first day of November.

All prisoners of war taken on either side, on land or on sea, shall be restored as soon as practicable after the exchange of 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 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 stipulations, as regards the restoration of artillery, apparatus of war, &c.

Sin embargo, si la ratificación del presente tratado por ambas partes no tuviera efecto en tiempo que permita el embarque de las tropas de los Estados Unidos se complete, antes de que comience la estación malsana en los puertos Mexicanos del Golfo de México; en tal caso, se hará un arreglo amistoso entre el gobierno Mexicano y el General-en-jefe de dichas tropas, y por medio de este arreglo se señalarán lugares salubres y convenientes (que no disten de los puertos más de treinta leguas) para que residan en ellos hasta la vuelta de la estación sana las tropas que aún no se hayan embarcado. Y queda entendido que el espacio de tiempo de que aquí se habla, como comprensivo de la estación malsana, se extiende desde el día primero de Mayo hasta el día primero de Noviembre.

Todos los prisioneros de guerra tomados en ó mar tierra por ambas partes, se restituirán á la mayor brevedad posible después del cange de las ratificaciones del presente tratado. Queda también convenido que si algunos Mexicanos estuvieren ahora cautivos en poder de alguna tribu salvaje dentro de
be established by the following article, the government of the said United States will exact the release of such captives, and cause them to be restored to their country.

**ARTICLE V.**

The boundary line between the two republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence, westwardly, along the whole southern boundary of New Mexico (which runs north of the town called Paso) to its western termination; thence, northward, along the western line of New Mexico, until it intersects the first branch of the River Gila; (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same;) thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean.

The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled "Map of the United Mexican States, as organized and defined by various acts of the Congress of 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 which map shall be restored to their country.

**ARTICULO V.**

La línea divisoria entre las dos repúblicas comenzará en el Golfo de México, tres leguas fuera de tierra frente a la desembocadura del Rio Grande, llamado por otro nombre Rio Bravo del Norte, o del mas profundo de sus brazos, si en la desembocadura tuviere varios brazos: correrá por mitad de dicho rio, siguiendo el canal mas profundo, donde tenga mas de un canal, hasta el punto en que dicho rio corte el lindero meridional de Nuevo México; continuará luego hacia occidente por todo este lindero meridional (que corre al norte del pueblo llamado Paso) hasta su término por el lado de occidente; desde allí subirá la línea divisoria hacia el norte por el lindero occidental de Nuevo México, hasta donde este lindero esté cortado por el primer brazo del Rio Gila; (y si no está cortado por ningún brazo del Rio Gila, entonces hasta el punto del mismo lindero occidental mas cercano al tal brazo, y de allí en una línea recta al mismo brazo;) continuará después por mitad de este brazo y del Rio Gila hasta su confluencia con el Rio Colorado; y desde la confluencia de ambos ríos la línea divisoria, cortando el Colorado, seguirá el límite que separa la Alta de la Baja California hasta el Mar Pacífico.

Los linderos meridional y occidental de Nuevo México, de que habla este artículo, son los que se marcan en la carta titulada: Mapa de los Estados Unidos de México según lo organizado y definido por las varias actas del Congreso de dicha república, y construido por las mejores autoridades. Edición revisada que publicó en Nueva York en 1847, J. Disturnell; de la cual se agrega un ejemplar al presente tratado, firmado y sellado por los plenipotenciarios infra-
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And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper California 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 landmarks 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 con-

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scripto. Y para evitar toda dificultad al trazar sobre la tierra el límite que separa la Alta de la Baja California, queda convenido que dicho límite consistirá en una línea recta tirada desde la mitad del Río Gila en el punto donde se une con el Colorado, hasta un punto en el este del Mar Pacifico, distante una legua marina al sur del punto mas meridional del puerto de San Diego, según este puerto está dibujado en el plano que levantó el año de 1782 el segundo piloto de la armada Española Don Juan Pantoja, y se publicó en Madrid el de 1802, en el Atlas para el viaje de las goletas Sutil y Mexicana; del cual plano se agrega copia firmada y sellada por los plenipotenciarios respectivos.

Para consignar la línea divisoria con la precision debida en mapas fénecios, y para establecer sobre la tierra mojones que pongan a la vista los límites de ambas republicas, según quedan descritos en el presente artículo, nombrará cada uno de los dos gobiernos un comisario y un agrimensor, que se juntarán antes del término de un año contado desde la fecha del cange de las ratificaciones de este tratado, en el puerto de San Diego, y procederán a señalar y demarcar la expresada línea divisoria en todo su curso hasta la desembocadura del Río Bravo del Norte. Llevarán diarios y llevarán planes de sus operaciones; y el resultado convenido por ellos se tendrá por parte de este tratado, y tendrá la misma fuerza que si estuviese inserto en él; debiendo convenir amistosamente los dos gobiernos en el arreglo de cuanto necesiten estos individuos, y en la escolta respectiva que deban llevar, siempre que se crea necesario.

La línea divisoria que se establece por este articulo será religiosamente respetada por cada una de las dos republicas, y ninguna variación se hará jamás en ella, sino de expreso y libre consentimiento de ambas naciones, otorgado legalmente por el gobierno general de-
formity 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 ascertain'd that it is 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 goods passing through said rivers or on the banks thereof.
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 present treaty shall be free to continue where they now reside, or to remove at any time to 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 as having 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 the same without the consent of both governments.

**ARTICULO VIII.**

Los Mexicanos establecidos hoy en territorios pertenecientes antes á México, y que quedan para el presente tratado á los Estados Unidos, podrán permanecer en donde ahora habitan, ó trasladarse en cualquier tiempo á la república Mexicana, conservando en los indicados territorios los bienes que poseen, ó engalanándolos y pasando su valor á donde les convenga, sin que por esto pueda exigirseles ningún género de contribución, gravamen ó impuesto.

Los que prefieran permanecer en los indicados territorios, podrán conservar el título y derechos de ciudadanos Mexicanos, ó adquirir el título y derechos de ciudadanos de los Estados Unidos. Mas la elección entre una y otra ciudadanía deberá hacerse dentro de un año contado desde la fecha del cange de las ratificaciones de este tratado. Y los que permanecieren en los indicados territorios después de transcurrido el año, sin haber declarado su intención de retener el carácter de Mexicanos, se considerará que han elegido ser ciudadanos de los Estados Unidos.

Las propiedades de todo género existentes en los expuestas territorios, y que pertenecen ahora á Mexicanos no establecidos en ellos, serán respetadas inviolablemente. Sus actuales dueños, los herederos de estos, y los Mexicanos que en lo venidero puedan adquirir por
guarantees equally ample as if the same belonged to citizens of the United States.

**ARTICLE IX.**

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.]

**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 limits; and in case of such incursions, the property and effects of the said Indians shall be seized and held for the use of the United States; which seizing and holding the same, the United States shall give to the Indians, in satisfaction for the same, such property, produce, or other things as may be agreed upon between the respective parties.

**ARTÍCULO IX.**

Los mexicanos que en los territorios antedichos no conserven el carácter de ciudadanos de la república Mexicana según lo estipulado en el artículo precedente, serán incorporados en la Unión de los Estados Unidos, y se admitirán en tiempo opportunum (á juzgar del Congreso de los Estados Unidos) al goce de todos los derechos de ciudadanos de los Estados Unidos conforme á los principios de la constitución, y entretanto serán mantenidos y protegidos en el goce de su libertad y propiedad, y asegurados en el libre ejercicio de su religion sin restriccion alguna.

**ARTÍCULO X.**

[Suprimido.]

**ARTÍCULO XI.**

En atencion á que una gran parte de los territorios que por el presente tratado van á quedar para lo futuro dentro de los limites de los Estados Unidos, se halla actualmente ocupada por tribus salvages, que han de estar en adelante bajo la exclusiva autoridad del gobierno de los Estados Unidos, y cuyas incursiones sobre los distritos Mexicanos serían en extremo perjudiciales; está solemnemente convenido que el mismo gobierno de los Estados Unidos contendrá las indicadas incursiones por medio de la fuerza siempre que así sea necesario; y cuando no pudiere prevenirlas, castigará y escarmientará á los invasores, exigiéndoles además la debida reparacion; todo del mismo modo, y con la misma diligencia y energia con que obraría, si las incursiones se hubiesen meditado ó ejecutado sobre terri-
Inhabitants or citizens of the United States to the latter engages and binds itself, United States, the
penses incurred in the maintenance of the captives being within its territory, turn them to their country, or purchase or acquire any Mexican,
tory by Indians, being or persons, captured within Mexi
tory by such Indians.

And in the event of any person or persons, captured within Mexi
tory by Indians, being carried into the territory of the United States, the government of these, without unnecessarily exposing 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 agent 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

People captured in Mexican territory and carried into the territory of the United States to be rescued and returned to their country.

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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 this 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 in Mexico, in the same coin, in annual instalments 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 of dollars from the day of the ratification of the present treaty by the Mexican government, and the first of the instalments shall be paid at the expiration of one year from the same day. Together with each annual instalment, as it falls due, the whole interest accruing on such instalment from the beginning shall also be paid.

ARTICULO XII.

En consideracion á la extension que adquieren los limites de los Estados Unidos, segun quedan descritos en el articulo quinto del presente tratado, el gobierno de los mismos Estados Unidos se compromete á pagar al de la república Mexicana la suma de quince millones de pesos. Inmediatamente despues que este tratado haya sido ratificado por el gobierno de la república Mexicana, se entregará al mismo gobierno por el de los Estados Unidos, en la ciudad de México, y en moneda de plata ó oro del cuño Mexicano, la suma de tres millones de pesos. Los doce millones de pesos restantes se pagarán en México, en moneda de plata ó oro del cuño Mexicano, en abonos de tres millones de pesos cada año, con un rédito de seis por ciento anual: este rédito comienza á correr para toda la suma de los doce millones el día de la ratificación del presente tratado por el gobierno Mexicano, y con cada abono anual de capital se pagará el rédito que corresponda á la suma abonada. Los plazos para los abonos de capital corren desde el mismo día que empiezan á causarse los réditos.
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 further discharge the Mexican republic from all claims of citizens of the United States, not heretofore decided all 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 a demand 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 cancelled, 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

ARTICULO XIII.

Se obliga ademas el gobierno de los Estados Unidos á tomar sobre sí, y satisfacer cumplidamente á los reclamantes, todas las cantidades que hasta aquí se les deben y cuentas se vengan en adelante por razón de las reclamaciones ya liquidadas y sentenciadas contra la república Mexicana conforme á los convenios ajustados entre ambas repúblicas el once de Abril de mil ochocientos treinta y nueve, y el treinta de Enero de mil ochocientos cuarenta y tres; de manera que la república Mexicana nada absolutamente tendrá que lastar en lo venidero, por razón de los indicados reclamos.

ARTICULO XIV.

También exoneran los Estados Unidos á la república Mexicana de todas las reclamaciones de ciudadanos de los Estados Unidos no decididas aún contra el gobierno Mexicano, y que puedan haberse originado antes de la fecha de la firma del presente tratado: esta exoneración es definitiva y perpetua, bien sea que las dichas reclamaciones se admitan, bien sea que se desechen por el tribunal de comisarios de que habla el artículo siguiente, y cualquiera que pueda ser el monto total de las que quedan admitidas.

ARTICULO XV.

Los Estados Unidos, exonerando á México de toda responsabilidad por las reclamaciones de sus ciudadanos mencionadas en el artículo precedente, y considerándolas completamente canceladas para siempre, sea cual fuere su monto, toman á su cargo satisfacerlas hasta una cantidad que no exceda de tres millones doscientos cincuenta mil pesos. Para fijar el monto y validez de estas reclamaciones, se establecerá por el gobierno de los Estados Unidos un tribunal de comisarios, cuyos fallos serán definitivos y concluyentes, con tal que al decidir sobre la
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Each of the contracting parties reserves to itself the entire right to fortify whatever point within its territory.

ARTICLE XVI.

Each of the contracting parties reserves to itself the entire right to fortify whatever point within its territory.

* For these articles, see the end of this treaty, p. 128.
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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 before 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 pledging 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 for their security estime convenientes en su propio territorio.

ARTICULO XVII.

El tratado de amistad, comercio y navegacion, concluido en la ciudad de Mexico el cinco de Abril, del año del Señor 1831, entre la república Mexicana y los Estados Unidos de América, exceptuandose el artículo adicional y cuanto pueda haber en sus estipulaciones incompatible con alguna de las contenidas en el presente tratado, queda restablecido por el periodo de ocho años desde el dia del cange de las ratificaciones del mismo presente tratado, con igual fuerza y valor que si estuviese insero en él; debiendo entenderse que cada una de las partes contratantes se reserva el derecho de poner término al dicho tratado de comercio y navegacion en cualquier tiempo luego que haya expirado el periodo de los ocho años, comunicando su intencion a la otra parte con un año de anticipacion.
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, 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 duty, &c.

ARTICULO XIX.

Respecto a los efectos, mercancías y propiedades importados en los puertos Mexicanos durante el tiempo que han estado ocupados por las fuerzas de los Estados Unidos, sea por ciudadanos de cualquiera de las dos repúblicas, sea por ciudadanos o subditos de alguna nación neutral, se observarán las reglas siguientes:—

1. Los dichos efectos, mercancías y propiedades siempre que se hayan importado antes de la devolución de las aduanas a las autoridades Mexicanas conforme a lo estipulado en el artículo tercero de este tratado, quedarán libres de la pena de comiso, aun cuando sean de los prohibidos en el arancel Mexicano.

2. La misma exencion gozarán los efectos, mercancías y propiedades que lleguen a los puertos Mexicanos, después de la devolución a México de las aduanas marítimas, y antes de que expiren los sesenta días que van a fijarse en el artículo siguiente para que empiece a regir el arancel Mexicano en los puertos; debiendo al tiempo de su importacion sujetarse los tales efectos, mercancías y propiedades, en cuanto al pago de derechos, a lo que en el indicado siguiente artículo se establece.

3. Los efectos, mercancías y propiedades designados en las dos reglas anteriores quedarán exentos de todo derecho, alcabala ó impuesto, sea bajo el título de internación, sea bajo cualquiera otro, mi-
from all duty, tax, or impost of every kind, under whatsoever title or denomination. Nor shall they be 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.

entradas permanezcan en los puntos donde se hayan importado, y á su salida para el interior; y en los mismos puntos no podrá jamás exigirse impuesto alguno sobre su venta.

4. Los efectos, mercancías, y propiedades, designados en las reglas primera y segunda que hayan sido internados á cualquier lugar ocupado por fuerzas de los Estados Unidos, quedarán exentos de todo derecho sobre su venta ó consumo, y de todo impuesto ó contribución bajo cualquier título ó denominación, mientras permanezcan en el mismo lugar.

5. Mas si algunos efectos, mercancías, ó propiedades de los designados en las reglas primera y segunda se trasladen á algun lugar no ocupado á la sazon por las fuerzas de los Estados Unidos, al introducirse á tal lugar, ó al venderse ó consumirse en él, quedará sujetos á los mismos derechos que bajo las leyes Mexicanas deberían pagar en tales casos si se hubieran importado en tiempo de paz por las aduanas marítimas, y hubiesen pagado en ellas los derechos que establece elarakel Mexicano.

6. Los dueños de efectos, mercancías, y propiedades designados en las reglas primera y segunda, y existentes en algun puerto de México, tienen derecho de reembarcarlos, sin que pueda exigirseles ninguna clase de impuesto, alcabala ó contribución.

Respecto de los metales y de toda otra propiedad exportados por cualquier puerto Mexicano durante su ocupacion por las fuerzas Americanas, y antes de la devolucion de su aduana al gobierno Mexicano, no se exigirá á ninguna persona por las autoridades de México, ya dependan del gobierno general, ya de algun estado que pague ningun impuesto, alcabala ó derecho por la indicada exportacion, ni sobre ella podrá exigirsele por las dichas autoridades cuenta alguna.
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 the 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 endeavor, 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, in this account, be had to reprimands, 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 neighborship, whether it

ARTICULO XX.

Por consideración á los intereses del comercio de todas las naciones, queda convenido que si pasare menos de sesenta días desde la fecha de la firma de este tratado hasta que se haga la devolución de las aduanas marítimas, según lo estipulado en el artículo tercero; todos los efectos, mercancías, y propiedades que lleguen á los puertos Mexicanos desde el día en que se verifique la devolución de las dichas aduanas hasta que se completén sesenta días contados desde la fecha de la firma del presente tratado, se admitirán no pagando otros derechos que los establecidos en la tarifa que está vigente en las expresadas aduanas al tiempo de su devolución, y se extenderán á dichos efectos, mercancías, y propiedades las mismas reglas establecidas en el artículo anterior.

ARTICULO XXI.

Si desgraciadamente en el tiempo futuro se suscitare algún punto de desacuerdo entre los gobiernos de las dos repúblicas, bien sea sobre la inteligencia de alguna estipulación de este tratado, bien sobre cualquiera otra materia de las relaciones políticas ó comerciales de las dos naciones, los mismos gobiernos, á nombre de ellas, se comprometen á procurar de la manera más sincera y empeñada a linar las diferencias que se presenten y conservar el estado de paz y amistad en que ahora se ponen los dos países, usando al efecto de representaciones mútuas y de negociaciones pacíficas. Y si por estos medios no se lograre todavía ponerse de acuerdo, no por eso se apelará á represalia, agresión ni hostilidad de ningun género de una república contra otra, hasta que el gobierno de la que se crea agraviada haya considerado maduramente y en espíritu de paz y buena vecindad, si no sería mejor que la diferencia se terminara por un arbitramiento de comisarios nombrados por ambas partes, ó de
ARTÍCULO XXII.

Si (lo que no es de esperar, y Dios no permita) desgraciadamente se suscitare guerra entre las dos repúblicas, estas para el caso de tal calamidad se comprometen ahora solemnemente, ante sí mismas y ante el mundo, a observar las reglas siguientes de una manera absoluta si la naturaleza del objeto á que se contraen lo permite; y tan estrictamente como sea dable en todos los casos en que la absoluta observancia de ellas fuere imposible:—

1. Los comerciantes de cada una de las dos repúblicas que á la sazon residen en territorio de la otra, podrán permanecer doce meses los que residen en el interior, y seis meses los que residen en los puertos, para recoger sus deudas y arreglar sus negocios; durante estos plazos disputarán la misma protección y estarán sobre el mismo pie en todos respecto que los ciudadanos ó súbditos de las naciones mas amigas; y al expirar el término, ó antes de él, tendrán completa libertad para salir y llevar todos sus efectos, sin molestia ó embarazo, sujéándose en este particular á las mismas leyes á que estén sujetos, y deben arreglarse los ciudadanos ó súbditos de las naciones mas amigas.

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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 hinderance, 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 any thing from them for the use of such armed force, the same shall be paid for at an equitable price.

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 soldier shall be disposed 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 officer shall break his parole by leaving the district so assigned him, or 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 be 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 or 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 pretence 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.
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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; 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 thereof; 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 thereof, 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, [L. S.]
Luis G. CUEVAS, [L. S.]
Bernardo Couto, [L. S.]
Miguel ATRISTAIN, [L. S.]

ARTICULO XXIII.

Este tratado será ratificado por el Presidente de la república Mexicana, previa la aprobacion de su Congreso General; y por el Presidente de los Estados Unidos de America con el consejo y consentimiento del Senado; y las ratificaciones se cangearán en la ciudad de Washington, ó donde estuviere el gobierno Mexicano, á los cuatro meses de la fecha de la firma del mismo tratado, ó antes si fuere posible.

En fs de lo cual, nosotros los respectivos plenipotenciarios hemos firmado y sellado por quintuplicado este tratado de paz, amistad, limites, y arreglo definitivo, en la ciudad de Guadalupe Hidalgo, el dia dos de Febrero del año de nuestro Señor mil ochocientos cuarenta y ocho.

BERNARDO Couto, [L. S.]
Miguel ATRISTAIN, [L. S.]
Luis G. CUEVAS, [L. S.]
N. P. TRIST, [L. S.]

ARTICLES REFERRED TO IN THE FIFTEENTH ARTICLE OF THE PRECEDING TREATY.

First and Fifth Articles of the unratified Convention between the United States and the Mexican Republic of the 20th November, 1843.

ARTICLE I.

All claims of citizens of the Mexican republic against the government of the United States, which shall be presented in the manner and time hereinafter expressed, and all claims of citizens of the United States against the government of the Mexican republic, which, for whatever cause, were not submitted to, nor considered, nor finally decided by, the commission, nor by the arbiter appointed by the convention of 1839, and which shall be presented in the manner and time hereinafter

ARTICULO I.

Todas las reclamaciones de ciudadanos de la república Mexicana contra el gobierno de los Estados Unidos, que se presentaron del modo y en el tiempo que en adelante se expresa, y todas las reclamaciones de ciudadanos de los Estados Unidos contra el gobierno de la república Mexicana, que por cualquier motivo no se presentaron á la junta ó que no fueron examinadas ó decididas finalmente por ella ó por el árbitro establecido por la convencion de 1839, y que se presentáren del
specified, shall be referred to four commissioners, who shall form a board, and shall be appointed in the following manner, that is to say: Two commissioners shall be appointed by the President of the Mexican republic, and the other two by the President of the United States, with the approbation and consent of the Senate. The said commissioners, thus appointed, shall, in presence of each other, take an oath to examine and decide impartially the claims submitted to them, and which may lawfully be considered, according to the proofs which shall be presented, the principles of right and justice, the law of nations, and the treaties between the two republics.

**ARTICLE V.**

All claims of citizens of the United States against the government of the Mexican republic, which were considered by the commissioners, and referred to the umpire appointed under the convention of the eleventh April, 1839, and which were not decided by him, shall be referred to, and decided by, the umpire to be appointed, as provided by this convention, on the points submitted to the umpire under the late convention, and his decision shall be final and conclusive. It is also agreed, that if the respective commissioners shall deem it expedient, they may submit to the said arbiters new arguments upon the said claims.

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**ARTÍCULO V.**

Todas las reclamaciones de ciudadanos de los Estados Unidos contra el gobierno de la república Mexicana, que fueron examinadas por los comisionados y sometidas al árbitro nombrado con arreglo a la convención de once de Abril de 1839, y que no fueron por el decididas, se someterán y decidirán por el árbitro que debe nombrarse conforme a esta convención por lo relativo a los puntos que se sujetaron al árbitro establecido por la anterior convención; y su decisión será final y definitiva. A la vez se ha convenido que, si se juzga oportuno por los comisionados respectivos, podrán someterse por ellos al expresado árbitro, nuevas exposiciones sobre dichas reclamaciones.