[illegible]

[illegible] Peace, Friendship, Limits, [illegible]

AND

SETTLEMENT,

BETWEEN THE

UNITED STATES OF AMERICA

AND THE

MEXICAN REPUBLIC,

CONCLUDED AT

GUADALUPE HIDALGO

ON THE

SECOND DAY OF FEBRUARY

AND

RATIFIED, WITH AMENDMENTS,

BY THE

American Senate,

MARCH 10, 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 on a solid basis relations of peace and friendship, which shall confer reciprocal benefits on the citizens of both, and assure the concord, harmony, and mutual confidence wherein the two peoples 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 N. P. Trist, a citizen of the United States, and the President of the Mexican republic has appointed Don Louis Gonzaga Cuevas, Don Bernando Couto, and Don Miguel Atristain, citizens of the said republic, who, after a reciprocal communication of their respective 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 place or persons.

ARTICLE II.

Immediately on the signature of this treaty, a convention shall be entered into between a commissioner or commissioners appointed by the General-in-Chief of the forces of the United States, and such as may be appointed by the Mexican government, to the end that the hostilities may cease, and 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 judical 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 have been ratified by the government of the Mexican republic) immediately to desist from blockading any Mexican ports, and requiring the former, (under the same condition) to commence, at the earliest moment practicable, withdrawing all troops of the United States then in the interior of the Mexican republic, to points that shall be selected by common agreement, at a distance from the sea-ports 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 dispatched 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 goods 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 U. States, from and after the day of the ratification of this treaty by the government of the Mexican republic; and also an account of the cost of collections 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.

ARTICLE IV.

Immediately after the exchange of ratifications of the present treaty, all vessels, forts, territories, places and possessions, which have been taken and occupied by the forces of the United States during the present war within the limits of the Mexican republic, as already fixed by the following article, shall be definitely restored to the said republic, together with all 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 dispatched to the American officer commanding such castles and ports, 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 stipulations, 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 republic 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 a healthy and otherwise suitable places, at a distance from the ports not exceeding thirty leagues, shall be designated for the reception 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 of May to the first day of November inclusive.

All prisoners of war taken on either side, on land or on sea, shall be restored as soon as practicable after the exchange of the ratification 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 U. 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 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 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 Pantojer, 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 on 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 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 designated in the preceding article; it being understood that this passage is to be navigating the Gulf of California and the river Colorado, and not by land, without the express consent of the Mexican Government.

If, by the explorations that may be made, it should be ascertained to be practicable and advantageous to construct a road, canal or railway, which should be wholly or in part, run upon the rivers 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 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, or tax, or charge whatever.

Those who shall prefer to remain in 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 selections 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 intentions 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 Mexica republic, conformably with what is stipulated in the preceding article, shall be incorporated into the union of the United States, and be 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 meantime, they shall be maintained and protected in the enjoyment of their liberty, their property, and the civil rights now vested in 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, that is, they will be admitted to the exercise of such political rights as shall be granted to 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 religious liberty, which they shall have all the 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 support, or to that of schools, hospitals, or 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, no so long as a new embarkation of ecclesiastical districts shall hot have been made, conformably with the laws of the Roman Catholic Church.

[This article is expunged, and in its stead the Senate have adopted and inserted substantially the third article of the treaty with France, of 1803, for the cession of Louisiana, to the effect that inhabitants of the ceded territory shall be incorporated in 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, advantages and immunities of citizens of the United States; and in the meantime, they shall be maintained and protected in the full enjoyment of their liberty, property, and the religion which they profess.—*Ed. Herald.*]

ARTICLE X. (EXPUNGED.)

All grants of land made by the Mexican government, or by the competent authorities, in territories previously belonging 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, if the said territories had remained within the limits of Mexico. But the grantees of land 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 held to the obligation to fulfil 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 said grant shall not be obligatory on 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 formerly belonging to Mexico, but now within the limits of the United States, 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 Mexican government declares that no grant whatever of lands in Texas has been made since the second day of March, one thousand eight hundred and forty-six, being the date of the decree of congress, by which all grants of lands in any of the territories aforesaid has been made since the thirteenth day of May, one-thousand eight hundred and forty-six.

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 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 when they can not 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 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; nor to protect such Indians with firearms or ammunition, by sale or otherwise.

And in the event of any person or persons captured within Mexican territory by Indians, being within 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 representatives 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 maintainance and transmission of the rescued captives, who, in the meantime, 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 deliver 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 vigilently 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 Indians from any portion of said territories, or for its being settled by the citizens of the United States, but, on the contrary, special care shall 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, in the one or the other of the two modes below specified.

The Mexican government shall, at the time of ratifying this treaty, declare which of these two modes of payment it prefers; and the mode so elected by it shall be conformed to by that of the United States.

First mode of payment—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. For the remaining twelve millions of dollars, the United States shall create a stock, bearing an interest of six per centum per annum, commencing on the day of the ratification of this treaty by the government of the Mexican republic, and payable annually, at the city of Washington; the principal of said stock to be redeemable there, at the pleasure of the government of the United States, at any time after two years from the exchange of ratifications of this treaty; six months' public notice of the intention to redeem the same being previously given. Certificates of such stock, in proper form, for such sums as shall be specified by the Mexican government, shall be delivered, and transferable by the said government to the same by that of the U. States.

Second mode of payment—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 at the same place, and 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 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.

Certificates in the proper form for the said instalment, respectively in such sums as shall be desired by the Mexican government, and transferable by it, shall be delivered to the said government by that of the United States.]

(N. B.—The first of these modes is rejected. The latter is adopted, with the exception of the last paragraph, within brackets.)

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 cancelled, whatever their amount may be, undertake to make satisfaction for the same, to an amount not exceeding three hundred and twenty thousand 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 board 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 cases where the claimant shall have been a citizen of Mexico, no award is to be made in favor 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 for 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 to fortify, for its security.

ARTICLE XVII.

The treaty of amity, commerce, and navigation, concluded at the city of Mexico, on the 5th 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 not be incompatible with any stipulation contained in the present treaty, 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 retains 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 the troops of the United States in Mexico, arriving at points 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 all 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 such supplies, of any articles other than such, both in kind and in quality, 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, shall be punished by the confiscation of the property so attempted to be fraudulently introduced.

With respect to all merchandise, effects, and property whatever, 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 first and second rules, which shall have been removed to any place in the occupation 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.

4. But all such 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.

5. 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 XIX.

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 XX.

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, 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 neighborship, 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 shall 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 occupations and 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 it shall be 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 treatment of prisoners of war may be alleviated, all such practices as those of confining 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 dispensed on contonments, 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 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 shall relate to his parole for his liberty or place in prison or cantonment. And if an 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 must be dealt with according to the established laws of war.

The officers shall be duly 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 other prisoners shall be 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 fair 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 confinement of prisoners, in possession of the other; which commissary shall see to the prisoners as often as he pleases, shall be allowed to receive packages 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 pretience that war dissolves all treaties, or 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 XXII.

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 Congress; and the ratifications shall be exchanged at the City of Washington, 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, [L. S.]
LUIS G. CUEVAS, [L. S.]
BERNARDO CONTO, [L. S.]
MIG. ATRISTAIN, [L. S.]

Additional and secret article of the treaty of peace, friendship, limits, and settlement, between the United States of America and the Mexican Republic signed this day by their respective Plenipotentiaries. (Expunged)

In view of the possibility that the exchange of the ratifications of this treaty may, by the circumstances in which the Mexican Republic is placed, be delayed longer than the term of four months, fixed by its twenty-third article for the exchange of ratifications of the said treaty, it is agreed that such delay shall not, in any manner, affect the force and validity of this treaty, unless it should exceed the term of eight months, counted from the date of the signature thereof.

This article is to have the same force and virtue as if inserted in the treaty to which this is an addition.

In faith whereof, we, the respective plenipotentiaries, have signed this additional and secret article, 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.]
BERNARDO CONTO, [L. S.]
LUIS G. CUEVAS, [L. S.]
MIG. ATRISTAIN, [L. S.]

How to Save Postage, or the Village Post Office.

COURT OF COMMON PLEAS, MIDDLESEX.—*Wm. Hayden et al* vs. *Jas. Jaques*.—The plaintiffs were proprietors of the Boston Daily Atlas, and the defendant was Postmaster at Wilmington, Mass. in 1841, and until the Spring of 1846. The case was an appeal from the decision of a justice of the Peace. The plaintiffs claimed $18.60, subscription for the Daily Atlas from May, 1844, to September, 1846. The Clerk in the Atlas office, showed that the name of defendant appeared upon the original book of subscribers, entered by the clerk in the hand writing of witness, as a subscriber for the Daily Atlas for six months. The books of the office showed that the paper was stopped September, 1844, and that no payment had been made. The witness could not say whether defendant ordered the paper, or some other person ordered it to be sent to defendant's address—but he testified that among the terms of subscription on each paper were printed "no subscription stopped until all arrearges are paid—and no subscription discontinued unless by positive order."

It was proved by the addressee of papers in the Atlas office, that in the Spring of 1844 he received orders from the clerk to send a paper addressed to Mr. James Jaques, Wilmington, which he addressed and sent the Daily Atlas to Mr. Jaques until the Fall of 1846. The Atlas's collecting agent proved that he called on defendant in September, 1846, with a bill for two years' subscription, who told him that he did not subscribe for the paper, but that William H. Carter ordered the paper sent in defendant's name in order to save the postage—defendant being Postmaster at the time the paper was ordered. Mr. Jaques admitted that he had received the paper, and that Mr. Carter informed him a few days after the paper commenced coming, that he had ordered the Daily Atlas sent to defendant for six months; that he, the defendant, had consented to the paper's coming in his name, and that he had agreed with Carter to pay a part of the expense; that defendant had never ordered the paper discontinued, or paid plaintiffs.

Carter, on whom Jaques directed the agent to call, would only pay for six months, and the defence by Jaques was that Carter only was liable.—Carter testified that he had read the paper for the time specified, and that he succeeded Jaques as Postmaster in the Spring of 1846; and after the Post Office was removed from defendant's store, witness often sent the paper to defendant. Witness said he intended the paper for himself, and ought to pay for it.

C. J. Wells instructed the jury that if Carter called upon plaintiffs, and directed the paper sent to the defendant, to his address, without declaring that any other person was interested in the same, and the defendant, upon learning these facts, consented to the arrangement, and agreed to be responsible for a part of the expense, and the paper was sent, this would be sufficient to authorize the jury to find for the plaintiffs, although the defendant understood and agreed with Carter that his responsibility should be to him and not to the plaintiffs, the plaintiffs having no knowledge of this agreement between the defendant and Carter. Verdict for plaintiffs.

RANDALL HUTCHISON.—Deputy Marshal O'Neill, arrested Mr. Randall Hutchinson, who robbed the Mint, from on board a vessel which arrived from St. Thomas at Philadelphia on the 13th.

THE LEGISLATURE.—Both branches of the State Legislature have agreed to adjourn on the 11th of April, less than a month.

BY MAGNETIC TELEGRAPH.

Correspondence of Pittsburgh Gazette.

MR. CLAY.

We learn by Telegraph, that Mr. Clay arrived at Baltimore yesterday afternoon, and is stopping with the Hon. Christopher Hughes.

Correspondence of the Pittsburgh Gazette.

CONGRESS.

WASHINGTON, March 16, 1848.

SENATE.—A petition was presented by Mr. Dix from citizens of New York, asking for the establishment of a line of mail steamers from New York to Vera Cruz, also for a line from New York to Havre, which was referred to the Post Office Committee.

Mr. Niles submitted a resolution, asking the President to communicate to the Senate the correspondence of Mr. Bancroft with the British government in relation to postal arrangements.

Mr. Cass, from the Military Committee, reported a bill providing for medals and certificates to officers and soldiers.

Mr. Atherton moved to take up the bill making appropriations for deficiences, which was agreed to, and the bill, after some slight amendments, passed. There was some debate upon an amendment proposed by Mr. Benton, who advocated a full Mission to Rome.

Mr. Badger opposed it as unnecessary.

Mr. Crittenden thought it would be disrespectful to other powers to send a Minister.

The Ten Regiment bill was then taken up, and an able speech made in opposition by Mr. Calhoun, who also entered a solemn protest against the plan of levying taxes upon Mexico. The President had acted without law, and in violation of the Constitution.

Mr. Johnson, of Georgia, followed in defence of the administration.

Mr. Berrien then obtained the floor, with the understanding that the vote should be taken to-morrow.

Mr. Bradbury moved to reconsider the vote on the Paul Jones relief bill.

HOUSE.—In the House, a warm debate arose upon a motion made to print an abstract of all contracts make by the government, Messrs. Crozier, Cobb, McClernand, Thompson, of Kentucky, and McKay, taking a part. The debate was extremely racy and rich on all accounts.

A motion was made to lay on the table, and carried—Yeas 93, Nays 78. Adjourned.

Correspondence of the Pittsburgh Gazette.

Cincinnati, March 16, 8 o'clock.

The Democrats of Kentucky have nominated Hon. Linn Boyd (now member of Congress) for Governor, and Mr. J. W Johnson for Lieut Governor. Cass and Butler have been mentioned in convention with the Presidency.

Gen. Taylor was denounced as a man devoid of all principle.

Correspondence of the Pittsburgh Gazette.

Cincinnati, March 16, 1848.

The Steamer Harkaway, which struck a rock and sunk, a few days since while passing through the canal at Louisville, has been raised again, and is considerably damaged. She had 700 bags of Coffee on board, which were covered by insurance.

Philadelphia, March 17, 1848.

There has been another arrival from Venezuela. Another battle was daily expected between Monagras, the President, and Gen. Paez.

Exclusive Correspondence of the Pittsburgh Gazette

PHILADELPHIA MARKET.

PHILADELPHIA, March 16, 3 p. m.

The market is generally quiet, and without any material change from my last report.

Exclusive Correspondence of the Pittsburgh Gazette

NEW YORK MARKET.

New York, March 16, 3 P. M.

Flour—There is an active demand in the market, but the firmness of the holders prevents large operations. Dealers are holding off for the foreign news.

Grain—The supplies of corn are light, and holders are endeavoring to get the market up.

Provisions—There is less improvement in Pork, the market being heavy. Western No. 1 Mess Pork is selling at $10 37½ cts per bbl. Sales of prime Western at 59 25 cts per bbl.

Exclusive Correspondence of the Pittsburgh Gazette

BALTIMORE MARKET.

Baltimore, March 16, 3 p. m.

Flour—Dealers are holding off for the foreign news, and very little is doing. I hear of limited sales of H S. brands at $5 37½ per bbl.

Wheat—Moderate sales of prime white at 144c @147c, and of prime red at 142 cts per bushel.

Provision—Sales are only to supply the regular trade demand; Lard, however, is very firm, and held higher.

CINCINNATI MARKET.

Cincinnati, March 16, 6 p. m.

Flour—The market is heavier than yesterday, and the business done is at a small concession.

Molasses—Sales 200 bbls at 25½@26c per gall.

Whiskey—Moderate sales at 16½c per gal.

Sugar—Sales for N. O. at 4½@4½c lb.

Provisions—There is an increased demand in the market. There is more movement in Pork, but no change.

Mess Pork—Sales 1200 bbls at $7.75 per bbl.

Bulk Meat—Sales of 90,000 lbs, longbend at 2½ cts per lb,—of 50,000 lbs hams at 4c, and of 50,000 lbs. shoulders at 2c per lb.

No change in the other articles usually spoken of in the markets.

Pennsylvania Legislature.

Harrisburgh, March 13, 1848.

HOUSE.—Mr. Noble presented a petition to repeal certain acts of Assembly relative to Allegheny county.

Mr. Fox offered a resolution, that all Committees (standing and select) be required to report on all matters referred to them on or before Monday 27th inst.

(In place) Mr. Ball, an Act to prohibit the sale of tin and Japan ware in Erie, Mercer, Crawford and Venango counties.

Mr. Roberts, (city) offered an entire new section to the first. The material changes are this, compared with the section stricken out are, that hereafter the city Corporation of Philadelphia shall be entitled to elect only three of the thirteen directors, that a majority of the Directors shall at