

CHAPTER XLIII

SCOTT AT PUEBLA

NOT quite three weeks after the battle of Cerro Gordo, and while Scott at Jalapa was in a state of nervous worry and excitement over the many problems of transport and supply that were pressing upon his attention, he received a letter which he regarded as extremely offensive and which materially affected his relations with President Polk's administration. This letter was from a certain Nicholas P. Trist, and was dated at Vera Cruz on the sixth of May. Scott had only a slight acquaintance with Trist, but did know that he was the chief clerk of the State Department in Washington.

In order to understand the purpose of Trist's journey to Mexico, and the results which followed from what was in fact a very ill-judged letter, it is necessary to go back some months and to relate events which were known at that time to only few persons outside the President's cabinet.

On the twelfth of January, 1847, Buchanan, at a meeting of the President's cabinet, reported that he had just seen Colonel Atocha, "formerly of Mexico and recently from Havana," and that Atocha had again undertaken to expound the views of Santa Anna and his desires in favor of peace. When Atocha had called nearly a year before he had come entirely without credentials of any sort; but he seems to have now thought it necessary, in view of the demonstrated folly of the advice he had then given, to explain to Buchanan that he had letters from Santa Anna, Almonte, and Rejón. These letters proved not to be in any sense credentials, but were mere friendly correspondence, setting out the views of the writers on various topics.

Atocha refrained from calling upon the President, but he announced to Buchanan that he intended to confer with Senator Benton; and the President asked Buchanan to get what information he could through Benton. Two days later Benton called upon the President and translated some letters addressed to Atocha from both Santa Anna and Almonte, in which they expressed their desire for an honorable peace.

"It is manifest," the President noted, "that Atocha possesses their confidence and is in correspondence with them. From these letters it is manifest, also, that Atocha's visit to Washington is at their instance. His object, no doubt, is to open the way for negotiations, and to ascertain the terms upon which peace would be made. The letters which Colonel Benton read to me were in the Spanish language, but he translated them to me into English. As an additional proof that Atocha is in the confidence of Santa Anna, he was fully advised of the visit made to Santa Anna by Alexander Slidell McKenzie at Havana last summer."¹

Atocha's suggestions as to the terms of peace were the Rio Grande as a boundary, with the space between that and the Nueces as neutral territory, and fifteen or twenty million dollars for California. Atocha "seemed to be uninformed about New Mexico. He suggested that peace commissioners should meet at Havana and in the meantime the blockade of Vera Cruz should be raised."

The President was satisfied, as the result of his conversation with Benton, that Atocha might be made useful; but he considered it impolitic for him to see Atocha in person, and it was agreed that all further communications should be had through Benton and Buchanan. At the next cabinet meeting Buchanan reported the results of these interviews. He said that he regarded the evidence as conclusive that "this person was in the confidence of Gen'l Santa Anna and Almonte and other principal men now conducting the Government of Mexico," and had no doubt that Atocha had been sent to Washington by them to prepare the way for peace. Buchanan, moreover, said he had no doubt the Mexican government would make peace on the terms stated by

¹ Polk's *Diary*, II, 325.

Atocha; but the President at once remarked that he "would not agree to the proposed reservation of a neutral territory between the Nueces and the Rio Grande, and that we must obtain a cession of New Mexico as well as the Californias for a consideration." Buchanan said that he had so informed Atocha, who had again urged the appointment of peace commissioners and the raising of the blockade of Vera Cruz.

"To this," says the President, "I objected because Mexico might not be sincere in the matter, and might desire to have our naval forces withdrawn from Vera Cruz for a time so as to enable her to import arms & munitions of War into Vera Cruz, and after that was accomplished might refuse to treat or to agree to such terms as we could accept, and that if this should turn out to be so we would be overreached, and Mexico would thereby obtain an important advantage, and subject the administration to the ridicule of the whole world for its credulity and weakness. I was unwilling therefore to raise the blockade or to relax our warlike movements, either by land or sea, until a Treaty was actually concluded and signed. After that was done, I would be willing to suspend military operations for a reasonable time, until it was ascertained whether the Treaty would be ratified by the two Governments. The opinion of the Cabinet was then taken and they were unanimously of opinion that a letter should be addressed by the Secretary of State to the minister of Foreign affairs of Mexico, proposing the appointment of Commissioners on the part of both nations to meet at Havana to negotiate for peace."¹

No time was lost in preparing a communication in this sense to the Mexican Minister of Foreign Relations. It had in fact been drafted by Buchanan before the cabinet meeting; and after being unanimously approved by the President and members of the cabinet, it was shown to Benton and approved by him. It began by stating that the President wished to submit a proposition more specific than that contained in the communication of July 27, 1846, for the purpose of terminating the war; that the first wish of his heart was to conclude a peace which would be equally advantageous to both countries and would bind the two republics together in bonds of friendship that could not be broken; and he therefore proposed to send, either to Havana or to

¹ *Ibid.*, 332.

Jalapa, as the Mexican government might prefer, "one or more of our most distinguished citizens as commissioners, clothed with full powers to conclude a treaty of peace with similar commissioners on the part of Mexico." The American commissioners would be given discretionary power to suspend hostilities and raise existing blockades immediately after meeting the Mexican commissioners.¹

Benton, of course, felt convinced that he was the person who ought to be empowered to undertake the negotiations, while at the same time he should command the army. He called on the President at ten o'clock on Saturday night, the twenty-third of January, in company with Senator Allen, of Ohio, and the President noted that "they had been dining out." They discussed Taylor and Scott, and concurred in the opinion that neither of these officers were fit for the command of the army and that they ought to be superseded.

"They were both strong & vehement on the subject. Col. Benton among other things said, I was willing to take the command of the army as Lieut. General, but the Senate had rejected the proposition to appoint such an officer; but now, Sir! seeing what I have to-day I will go as a Maj'r Gen'l or a Lieut. Col., or in any other rank, provided I can have the command of the army, & if I can have such command I will close the War before July."²

And a few days later Benton wrote to the President insisting that he ought not only to have the chief command of the army in Mexico, but also that he should "be invested with plenary Diplomatic powers to conclude a Treaty of peace."³

The cabinet, however, as soon as the subject was mentioned, objected to investing Benton with diplomatic powers. "Mr. Walker objected to employing him in this capacity. The other members of the cabinet appeared from their remarks & their acquiescence to concur with Mr. Walker in his views." And the President thereupon expressed his wish that, if Mexico agreed to negotiate, Bu-

¹ Buchanan to Minister of Foreign Relations, Jan. 18, 1847; Sen. Doc. 1, 30 Cong., 1 sess., 36.

² Polk's *Diary*, II, 352.

³ *Ibid.*, 412.

chanan should go as commissioner on the part of the United States.¹

The President had also, in confidence, expressed his views freely to various members of the Senate, and among others to Crittenden, of Kentucky, who "though differing with me in politics is an honorable gentleman." Crittenden, according to the President, expressed his concurrence in the views of the administration respecting the proposed outlines of a treaty of peace, and was specially pleased with the President's intention not to insist upon taking from Mexico a larger amount of territory than that embraced in New Mexico and California.

"I told him," said the President, "I deprecated the agitation of the slavery question in Congress, and though a South-Western man & from a slave-holding State as well as himself, I did not desire to acquire more Southern Territory than that which I had indicated, because I did not desire by doing so to give occasion for the agitation of a question which might sever and endanger the Union itself. I told him the question of slavery would probably never be a practical one if we acquired New Mexico & California, because there would be but a narrow ribbon of territory South of the Missouri compromise line of 36° 30', and in it slavery would probably never exist. He expressed himself highly gratified at these views."²

So matters rested for two months, while the President and his Secretary of State awaited the receipt of a reply from the Mexican government to the overtures of peace.

Atocha, bearing Buchanan's note of January 18, reached the city of Mexico on February 13, and the communication was at once laid before Congress together with a statement by Atocha of what he understood the American conditions of peace would be. These, he said, were a boundary from the mouth of the Rio Grande due west to the Pacific along the parallel of 26° north latitude, for which the United States would pay fifteen million dollars.³ It is not surprising that Mexico should at that time have been unwilling to treat upon any such basis.

¹ *Ibid.*, 410.

² *Ibid.*, 350.

³ Bankhead to Palmerston, March 2, 1847; *British Foreign Office MSS.*

By March 20, 1847, Atocha was back again in Washington with a reply from Monasterio, who was again acting as Minister of Foreign Relations, written on the first day of the battle of Buena Vista. It was conceived in terms much better calculated to gratify the Mexican newspapers than to put an end to the war. After unflattering remarks on the "ulterior designs" and the "aggressions" of the United States, the note stated that the Vice-President (Gómez Farias) would "lend himself to the adjustment which is indicated to him," but only on the understanding that he would never agree to give up the independence and the integrity of the republic; and that "the raising of the blockade of our ports and the complete evacuation of the territory of the republic by the invading forces shall be previously accepted as a preliminary condition."¹

The refusal of the Mexican government even to hear what proposals the United States government had to make—for such was, of course, the effect of the conditions they imposed—came as a great disappointment to President Polk and his cabinet; but in a few days the detailed reports of Taylor's victory at Buena Vista arrived, and the first news of the surrender of Vera Cruz; and again the subject of negotiations for peace was considered by the cabinet. The President thus records the discussion which took place on Saturday, the tenth of April.

"I had several times mentioned to Mr. Buchanan the importance of having a commissioner vested with Plenipotentiary powers, who should attend the head-quarters of the army ready to take advantage of circumstances as they might arise to negotiate for peace. I stated to the Cabinet to-day that such was my opinion, and that I thought it the more important since the news of the recent victories, and especially since the information received this morning of the fall of Vera Cruz & the Castle of San Juan D'Ulloa. All the members of the Cabinet present concurred in this opinion. The embarrassment in carrying it out consisted in the selection of a suitable commissioner or commissioners who would be satisfactory to the country. This was a great difficulty. Such is the jealousy of the different factions of the Democratic party in reference to the next Presidential Election to-

¹ Monasterio to Buchanan, Feb. 22, 1847; Sen. Doc. 1, 30 Cong., 1 sess., 37.

wards each other that it is impossible to appoint any prominent man or men without giving extensive dissatisfaction to others, and thus jeopardizing the ratification of any Treaty they might make. In this also the Cabinet were agreed. I stated that I preferred that the Secretary of State should be the sole commissioner to negotiate the Treaty, & that I would have no hesitation in deputing him on that special service if the Mexican authorities had agreed to appoint commissioners on their part, but as they had refused to do this he could not attend the head-quarters of the army for an indefinite period of time and with no assurance whether the Mexican authorities would agree to negotiate. Mr. Buchanan expressed his entire concurrence in this view. He said he would be willing to go in person if there was any assurance that negotiations would be speedily opened, but under existing circumstances & with our present information he could not, of course, think of going. Mr. Buchanan then suggested that Mr. N. P. Trist, the chief clerk of the Department of State, might be deputed secretly with Plenipotentiary powers to the head-quarters of the army, and that it might be made known that such a person was with the army ready to negotiate. Mr. Trist, he said, was an able man, perfectly familiar with the Spanish character and language, & might go with special and well defined instructions. The suggestions struck me favourably. After much conversation on the subject it was unanimously agreed by the Cabinet that it would be proper to send Mr. Trist, and that he should take with him a Treaty drawn up by the Secretary of State & approved by the Cabinet, which he should be authorized to tender to the Mexican Government, and to conclude with them if they would accept it; but that if they would not accept it, but would agree to appoint commissioners to negotiate, that Mr. Trist should in that event report the fact to his Government, when Mr. Buchanan could go out as the commissioner. This being agreed upon by the members of the Cabinet present, & it being desirable, as it was a very important matter, that every member of the Cabinet should be consulted, I sent for the Secretary of the Treasury, who had retired. He came, & I laid the whole matter fully before him. He fully concurred in opinion with the other members of the Cabinet."¹

The matter having thus been agreed upon, Trist was sent for to the White House, and the President and Buchanan having explained the matter fully to him, Trist consented to go, the President, with his habitual secretiveness, being most insistent that extreme care should be taken to avoid publicity.

¹ Polk's *Diary*, II, 465-467.

Trist at this time was not quite forty-seven years old, a native of Virginia and a neighbor and protégé of Jefferson, whose granddaughter he had married. He had entered West Point, but had resigned before graduation and had studied law. He subsequently entered the service of the government as a clerk in the Treasury, was for a time private secretary to President Jackson, and was subsequently consul in Havana, where he gained his knowledge of "the Spanish character and language." His education, surroundings, and experience certainly appeared to give assurance of his possessing those qualities of good breeding and good sense which were essential to carrying out successfully the important duty intrusted to him.

By Tuesday, the thirteenth of April, the cabinet had before it Buchanan's *projet* of a treaty which Trist was to be authorized to sign. In substance it followed the lines of the instructions given to Slidell eighteen months before. The boundary was to be the Rio Grande from its mouth "to the point where it intersects the Southern boundary of New Mexico" and was to convey to the United States the whole of New Mexico and Upper and Lower California. In addition, the right of passage and transit across the Isthmus of Tehuantepec, similar to that contained in the then newly signed treaty with New Granada relative to the transit across the Isthmus of Panama, was to be granted to the United States. There was much discussion as to the consideration which the United States should offer to pay for these cessions. The assumption of the claims of American citizens against Mexico was at once agreed to by all present, but Buchanan wished to limit the additional payments to fifteen millions of dollars. The President, however, was willing to give thirty millions rather than "fail to make a Treaty"; and finally it was agreed that Trist should be privately instructed that he might go as high as thirty millions, with a reduction to twenty millions as a maximum if Lower California and the transit across the Isthmus of Tehuantepec could not be obtained.¹

¹ *Ibid.*, 471-475.

Polk thus finally committed his cabinet to the principle of accepting a line running west from El Paso to the head of the Gulf of California, a matter which some months before had caused considerable discussion in the cabinet. Walker, of Mississippi, in particular had "insisted that we should, if practicable, acquire by Treaty all the country North of a line drawn from the mouth of the Rio Grande in Latitude about 26° West to the Pacific." That proposal had been vigorously resisted by Buchanan, upon the ground especially that the country south of the El Paso line would be inevitably slave-holding territory; but the President at first had been rather inclined to side with Walker. Further reflection, and especially the course of the debates in Congress, had convinced the President of the unwisdom of Walker's views, which doubtless were prompted in great measure by his desire for expansion into what he supposed to be a cotton and sugar-growing region.¹

The general principles having thus been settled, a special meeting of the cabinet was held on Thursday, April 15, at which the proposed treaty, the full power for Trist, and all the other necessary papers were submitted and approved.² The Secretaries of War and the Navy also read drafts of orders which they had respectively prepared to Scott and Perry, informing them of Trist's mission and requiring them to afford him all the facilities in their power in accomplishing its object. They were, in effect, further instructed to suspend hostilities if a treaty should be concluded and ratified by Mexico; but the language used was unfortunately vague.

On the next day Trist set forth upon his mission, which Polk believed had been kept a profound secret, known only to the members of the cabinet.³ Within a week, however, the

¹ *Ibid.*, I, 495-497. The additional territory which Walker wished to acquire would have formed an immense triangle of nearly two hundred thousand square miles, embracing the states of Chihuahua and Sonora, the greater part of Coahuila, and small parts of four other Mexican states.

² Buchanan to Trist, April 15, 1847; Sen. Doc. 52, 30 Cong., 1 sess., 81-88. And see also the form of Trist's letter of credence in Moore's *Buchanan*, VII, 271-276.

³ Trist went under an assumed name in New Orleans, whence he sailed for Vera Cruz. See his letter to Buchanan written from New Orleans on April 25, 1847, in Sen. Doc. 52, 30 Cong., 1 sess., 150.

President was greatly disturbed by the publication of two letters in the *New York Herald* and the *Boston Post*, disclosing "with remarkable accuracy and particularity" the facts as to Trist's employment.

"I have not been more vexed or excited," says the President's diary, "since I have been President than at this occurrence. The success of Mr. Trist's mission I knew in the beginning must depend mainly on keeping it a secret from that portion of the Federal press & leading men in the country who, since the commencement of the war with Mexico, have been giving 'aid & comfort' to the enemy by their course. . . . I do not doubt that Mexico has been & will be discouraged from making peace, in the hope that their friends in the U. S. will come into power at the next Presidential election. That this has been the effect of the unpatriotic & anti-American course of the *National Intelligencer* & other federal papers, all know. Their articles against their own Government & country are translated & re-published in the Mexican papers. It was my knowledge of this that induced my great desire to keep the mission of Mr. Trist a secret."¹

However, it was too late to do anything to counteract the newspaper disclosures, and Trist, as we have seen, reached Vera Cruz on May 6 and wrote to Scott the letter referred to at the beginning of this chapter, merely enclosing the orders from the War Department of April 14 and a letter addressed by the State Department to the Mexican Minister of Foreign Relations, to be forwarded by a flag of truce, but not in any way explaining the real objects of his mission.

The orders from the War Department informed Scott that the success of the military operations since the beginning of the war seemed to justify the expectation that Mexico might be ready to treat for peace, and that, with the view to a result so desirable, the President had commissioned Mr. Trist, of the State Department, to proceed to the headquarters of the army or navy, as might be most convenient, so as to be in readiness to receive any proposal which the Mexican government might see fit to make.

"Mr. Trist," the orders continued, "is clothed with such diplomatic powers as will authorize him to enter into arrangements with

¹ Polk's *Diary*, II, 483, 484.

the government of Mexico for the suspension of hostilities. Should he make known to you, in writing, that the contingency has occurred, in consequence of which the President is willing that further active military operations should cease, you will regard such notice as a direction from the President to suspend them until further orders. . . . Mr. Trist is also the bearer of a despatch to the secretary of foreign affairs of the government of Mexico, in reply to one addressed to the Secretary of State here. You will transmit that despatch to the commander of the Mexican forces, with the request that it may be laid before his government, at the same time giving information that Mr. Trist, an officer from our department of foreign affairs, next in rank to its chief, is at your head-quarters or on board the squadron, as the case may be."¹

Scott's jealous and suspicious nature at once took fire at Marcy's order and at the news that the chief clerk of the State Department was considered the proper person to take up diplomatic negotiations with Mexico. Scott had expected, from something the President had said to him the previous November, that so distinguished a man as Silas Wright might be sent out to reside at head-quarters, with an associate, "leaving me," said Scott, "half at liberty to believe, I might, myself, be the other Commissioner."² His fond anticipations of diplomatic successes being thus disappointed and his pride deeply affected, Scott—without waiting to find out what Trist's powers really were, or what might be the contingency upon which he was authorized to direct a suspension of hostilities—instantly wrote him from Jalapa, expressing regret that the commanding officer at Vera Cruz should have wasted a detachment to bring up the despatches, declining to have any direct agency in forwarding a sealed despatch from the Secretary of State to the Mexican government, and commenting upon the Secretary of War in very unbecoming terms.

"I see that the Secretary of War proposes to degrade me, by requiring that I, the commander of this army, shall refer to you, the

¹ Marcy to Scott, April 14, 1847; H. R. Doc., 60, 30 Cong., 1 sess., 940. As there was no Assistant Secretary of State until that office was created by the act of March 3, 1853 (Stat. at Large, X, 216), Trist was correctly described as next in rank to the chief of "our department of foreign affairs."

² *Autobiography*, 576.

chief clerk of the Department of State, the question of continuing or discontinuing hostilities. I beg to say to him and to you, that here, in the heart of a hostile country, . . . this army must take *military* security for its own safety."¹

Scott was also foolish enough to send to the Secretary of War a copy of this reply.

If Trist had had the commonplace wisdom to refrain from a written rejoinder, matters could probably have been adjusted without further misunderstanding; but his folly was no less than that of the commanding general. He reached Jalapa on the fourteenth of May, and nearly a week later he prepared and sent to Scott (on whom he had not called) a long argument, in which he set forth in abusive and exasperating language the impropriety of Scott's refusal to obey the orders of the War Department, and explained—for the first time—that the only contingency upon which he was authorized to direct a suspension of hostilities was the ratification by the Mexican government of a definite treaty of peace between the two countries. In a second letter, delivered at the same time, he reiterated his demand that Scott should forward Buchanan's sealed note to the Mexican Minister of Foreign Relations.²

Trist's two letters were delivered to Scott on the morning of May 21, as he was about starting for Puebla. Scott had not yet had any conversation with Trist and did not open these two letters at that time; and, in fact, it does not appear whether he ever read them at all himself. From Puebla, more than a week later, he wrote an extraordinary letter to Trist, saying that he had not allowed the seal of the package to be broken until the evening of the twenty-second (the day after he received it), which he took care to have done in the presence of many staff officers. One of them at his direction then read the letters and reported to him the general character of the papers.

¹ Scott to Trist, May 7, 1847; H. R. Doc. 60, 30 Cong., 1 sess., 814-816.

² Trist to Scott, May 9 and 20, 1847; *ibid.*, 818, 816. The letter from Buchanan to the Minister of Foreign Relations, which Scott declined to forward, is printed in Sen. Doc. 1, 30 Cong., 1 sess., 38, and in Moore's *Buchanan*, VII, 267-270.