

"My first impulse," Scott wrote, "was to return the farrago of insolence, conceit, and arrogance to the author; but, on reflection, I have determined to preserve the letters as a choice specimen of diplomatic literature and manners. The jacobin convention of France never sent to one of its armies in the field a more amiable and accomplished instrument. If you were but armed with an ambulatory guillotine you would be the personification of Danton, Marat, and St. Just, all in one.

"You tell me that you are authorized to negotiate a treaty of peace with the enemy, a declaration which, as it rests upon your own word, I might well question; and you add that it was not intended at Washington that I should have anything to do with the negotiation. This I can well believe, and certainly have cause to be thankful to the President for not degrading me by placing me in any joint commission with you."¹

On these terms the American representatives at Puebla continued for several days, very much to the indignation and alarm of the authorities at Washington when they received copies of the ridiculous correspondence. The President was away from the capital at the time, but Marcy lost no time in writing to Scott to express his "sincere regret that a letter of such an extraordinary character" as the letter to Trist of May 7 should have been sent. He further explained fully what Trist's powers were, and expressed the hope that upon "more reflection and better information" Scott himself would have perceived his mistake.²

Buchanan did not write until the President returned to Washington, when the matter was brought before the cabinet, on June 12, upon the receipt of further despatches from Scott. The President thought Scott's course insubordinate and that he deserved to be removed from the command—both on account of this and also on account of certain correspondence between Scott and Perry relating to Lieutenant Semmes, of the navy, who had been sent to Scott's headquarters with the view to asking his co-operation in procuring the release of a prisoner, a passed midshipman in the navy.

¹ Scott to Trist, May 29, 1847; H. R. Doc. 60, 30 Cong., 1 sess., 996.

² Marcy to Scott, May 31, 1847; *ibid.*, 960 *et seq.*

"Gen'l Scott arrogates to himself the right to be the only proper channel through whom the U. S. Government can properly communicate with the Government of Mexico on any subject; which is an assumption wholly unwarrantable & which I will not tolerate. The truth is that I have been compelled from the beginning to conduct the war against Mexico through the agency of two Gen'ls highest in rank who have not only no sympathies with the Government, but are hostile to my administration. Both of them have assumed to control the Government. To this I will not submit & will as certainly remove Gen'l Scott from the chief command as he shall refuse or delay to obey the order borne to him by Mr. Trist. My doubt is whether I shall delay to remove him until I can hear further from him."¹

Marcy and Buchanan, in accordance with the President's decision, therefore, wrote at once to Scott and Trist, respectively, condemning in very plain language the folly of both parties and pointing out the danger to the public interests "of a violent and embittered personal quarrel between two functionaries of the Government in the enemy's country, and whilst the war is raging."²

The folly both of Scott and Trist was apparent enough, and so far as the latter was concerned it would have been hard to find any excuse for his want of ordinary tact and sense. For Scott, on the other hand, some excuses might be made. He had not been fully informed as to the object of Trist's mission. He was in the midst of the most harassing occupations. The questions of transport and supply, which were absolutely essential to his continuing the forward movement that he had begun with such remarkable success, were weighing constantly upon his nerves. He had good reason to believe that the government was intending to supersede him, if a plausible opportunity could be found; and his vain and supersensitive nature, at the idea of being displaced for Benton, was irritated to an extreme degree. He was always greedy for flattery, and correspondingly ir-

¹ Polk's *Diary*, III, 58.

² Buchanan to Trist (in full); Moore's *Buchanan*, VII, 343, 344. Marcy to Scott, June 15, 1847; H. R. Doc. 60, 30 Cong., 1 sess., 975. The correspondence in regard to Lieutenant Semmes, in which Scott's petulance is exhibited in almost as strange a light as in his correspondence with Trist, will be found in the latter volume, pp. 977-992.

ritable at anything he could construe into criticism or rebuke. His whole nature craved applause, and as he had not received it in what he considered adequate measure, it is not surprising to find him writing to the War Department expressing in almost feminine terms his longing for sympathy.

"Considering," he said, "the many cruel disappointments and mortifications I have been made to feel since I left Washington, or the total want of support and sympathy on the part of the War Department which I have so long experienced, I beg to be recalled from this army."¹

Thus Scott remained for weeks at Puebla, awaiting the reinforcements whose coming was so long delayed—nervous, irritable, and suspicious. Meanwhile affairs in the city of Mexico were in a most disturbed and uncertain condition.

The disastrous result of the battle of Cerro Gordo had alarmed and angered the ruling class, though not yet to the point of deposing Santa Anna. Congress, which was still in session, was fully conscious of the President's unrivalled talents for vigorous administration, but, fearing treachery, was determined to limit his powers; and it passed an act for that purpose on April 20, immediately after receipt of the news of the battle.

This extraordinary law gave, in the first place, unlimited power to the executive in the language which had become usual in such cases.

"The supreme government," ran the statute, "is authorized to adopt all necessary measures to carry on the war, to defend the nationality of the republic, and to preserve the republican, popular, federal form of government, under which the nation is constituted."

Succeeding articles of the statute limited the general grant of power, by providing that nothing in the law should authorize the executive to make peace with the United States or to conclude any negotiation with foreign nations; and that

¹ Scott to Marcy, June 4, 1847; *ibid.*, 994.

any treaty or arrangement which might be made with the government of the United States should be null and void. It was also provided that any individual who, either in a private capacity or as a public functionary—and whether acting on his own initiative or otherwise—should enter into communication with the government of the United States, should be deemed a traitor.¹ The result was, therefore, that Santa Anna was left free to carry on the war, but not to end it, and that he might deal as he pleased with domestic affairs, while his hands were firmly tied in dealing with foreign affairs.

This legislation no doubt reflected quite accurately the suspicious attitude of the army, based on Santa Anna's consistent lack of success in the conduct of the war. Other generals thought they saw opportunities to supplant him; and while they attacked him openly in the press they also caballed industriously in private. Anaya, the acting President, remained faithful, but Valencia, who had long commanded the troops in the city of Mexico, was reputed to be the chief of the conspirators.

However, no one in the capital had either the following or the determination necessary to overthrow Santa Anna's government, and the ship of state tossed helplessly on the troubled sea—unable to take a definite course either in the direction of peace or of effectual warfare. The ruling classes were not ready for peace—although Anaya and his cabinet were supposed to favor it—yet they could devise only the most inept plans for carrying on the war. For a month after Cerro Gordo they talked industriously, but they failed to fortify the city; and indeed it was the general belief that a defence was impracticable for want of men and money. The raising of bands of guerillas was thought to be a cheap and effective method of making war, and some were raised, but they were mere robbers and murderers, who were an annoyance but not a serious obstacle to the American forces. The systematic encouragement of desertion from Scott's army was another device in which much reliance was placed, and

¹ Law of April 20, 1847; *Dublan y Lozano*, V, 267, 268.

the plan was so far successful that a certain number—principally Irish Catholics—did desert at Jalapa and Puebla.

The Mexican Congress also discussed the offer of British mediation or good offices which had been made to both the United States and Mexico some months before, but which had not as yet been accepted by either. While this discussion was going on, Baranda, the Mexican Minister of Foreign Relations, sent a confidential message to the British minister in Mexico asking him to ascertain from General Scott whether he would consent to a temporary suspension of hostilities in case the Mexican government should accept the good offices of Great Britain.

"Such a proposition," the British minister reported to his own government, "Your Lordship may well suppose, I at once rejected; for although upon the surface it appeared simple, yet I could easily trace that the real object was to make me a sort of medium of ascertaining the views of the American General, without in the slightest degree compromising the Mexican Government—for Señor Baranda would give no guarantee that upon this, propositions would be listened to from the United States. . . . To suppose for an instant that the American Commander could in his present advantageous position be influenced by the contingency of Mexico accepting the good offices of Great Britain, or that any British Minister could make such a proposal, entirely hypothetical and without guarantee, could only be imagined by a politician of this country."¹

A few days later Baranda returned to the subject. He wished to notify Scott that the Mexican government would receive proposals for peace on condition that Scott should not advance.

"But these proposals," as Bankhead stated, "are to be held in the utmost confidence between the parties, until the Gov^t. are enabled to dispense with the services of the Congress, and thus assume all the powers belonging to that body."

How Baranda expected to evade the penalties of the law of April 20, 1847, he did not state; but at any rate the British

¹ Bankhead to Palmerston, April 30, 1847; *British F. O. MSS.* Palmerston in reply expressed his emphatic approval of Bankhead's course.

minister declined to have any hand in the matter, and said there was "a Gentleman proceeding to Jalapa to whom such communication could be confidently trusted."¹ The message, it seems, was delivered and Scott answered that if the propositions he was about to forward were not immediately accepted he should forthwith march upon the capital; but no propositions were ever sent.² Probably the arrival of Trist about this time interfered with Scott's intentions, whatever they were; and certainly nothing was accomplished, though endless talk still went on in Congress and on the streets of the city. The fact was that the one thing needful—a stern determination on the part of the inhabitants of the capital to pay with their persons and their property for national defence—was lacking, for they were without a leader. So far from being ready to defend the city of Mexico, there was a very general feeling of terror at the prospect of a siege and bombardment, and a strongly expressed desire that the war should be carried on in some other part of the country. In fact preparations were begun for removing the archives and establishing the seat of government at Celaya or elsewhere. But there was never a scarcity of loud talk.

"Congress," wrote J. F. Ramírez, "is a faithful representative of the people I see about me, so far as regards their *vocal* enthusiasm for making war, and the discouragement they feel in their *minds* and perhaps even in their hearts at the idea of carrying it to a conclusion. I have not the least doubt that every one of those who are preaching war to the death with such heat and fury, in Congress or through the press, and are calling every man a traitor who even talks of a truce, is convinced within himself of our absolute impotence—I will not say to carry on war with success, but even to continue it in the face of defeats; and therefore the end of the war is inevitable, whether by a treaty of peace, or as the result of conquest, or because the invader may retire after leaving us what he does not care to carry off. Nevertheless, I repeat, nobody talks of anything but war, and the height of absurdity is that we do not see a single one of these preachers showing the slightest wish to shoulder a musket or to contribute of his wealth to the public treasury. . . . The Texan war, which has been the pretext for former revolutions and lavish waste, is now a weapon

¹ Bankhead to Palmerston, May 6, 1847 (in cipher); *ibid.*

² Same to same, May 29, 1847, No. 54; *ibid.*

which each of the contending parties desires to possess, that at the last they may wound their adversary." ¹

Thus the rulers of Mexico, no longer sustained by any vital belief in the success of their cause, afraid to avow their disbelief, and unwilling to make personal sacrifices, debated impotently with the enemy close at hand. So confused and helpless were they, so distracted by the dissensions between parties, back of all which was the fundamental question of the relations between church and state, that they were ready at heart to welcome any man who was prepared to propose and carry out some definite plan of action.

Nevertheless, when the news reached the capital, on the sixteenth or seventeenth of May, that Santa Anna had abandoned Puebla and was on his way to the capital, Anaya and his ministers, instead of being ready to welcome his coming, were much perplexed as to how he should be received. Feared and detested by many, but looked upon by most as the one man capable of dealing with the crisis, the presence of Santa Anna in the capital at the head of affairs might, it was thought, lead to serious disturbances, and the administration concluded to send out a small committee to intercept him and ascertain precisely what were his intentions, and to delay his entrance into the city until suitable preparations could be made. The committee met Santa Anna at Ayotla, a village about eighteen miles southeast from the city. Santa Anna at first agreed to wait there, and sent a letter expressing his willingness to resign his offices as commander-in-chief and President of the republic if that were the desire of the government;² but two hours after sending off the letter he changed his mind, owing, as reported, to the influence of his old friend Tornel. He therefore arrived in the city of Mexico upon the heels of the committee, late at night on the evening of the eighteenth of May.³

¹ Ramírez to Eloriaga, April 25, 1847; *México durante su Guerra con los E. U.* (García, *Documentos Inéditos*, III, 234.)

² Text in *México á través de los Siglos*, IV, 664.

³ Ramírez, who was one of the committee, gives a full account of the interview and of Santa Anna's subsequent proceedings.—(García, *op. cit.*, III, 284-287.)

Two days after his arrival he summoned a meeting of all the general officers then present in the city of Mexico and submitted to them certain questions, which were freely discussed and put to a vote. It was unanimously agreed, first, that the war must be continued, and, second, that the capital of the republic should *not* be abandoned. A third and more difficult question was as to the method of defending the city. The general plan of military operations adopted at the meeting was that strong detachments should be posted along the line which the American army must traverse in order to march upon the capital, which detachments were to form the first line of defence; that the second line was to be formed in the neighborhood of the capital itself; that the engineers were to prepare a plan of fortifications for both lines; that additional bodies of troops should be organized to attack the enemy in flank on his advance; that the various guerilla bands should act in combination with such detachments; that an Army of the East should be formed, composed of the militia of the southern and eastern states under the orders of General Bravo, with General Rincon as second in command;¹ that the Army of the North should be reinforced by additional levies in the northern and western states, General Valencia remaining at its head, with General Salas as second in command; and finally, that the city of Mexico should be the general base of operations.

These points having been disposed of, Santa Anna gravely informed the assembled generals that, in spite of his requests to be permitted to withdraw from a share in public affairs, the acting President (Anaya) had insisted on Santa Anna's taking over the Presidency; that he had reluctantly consented to make this new sacrifice; and that he would now take up the reins of government.²

On the day after this meeting Santa Anna attended a session of Congress and solemnly swore to the Constitution of

¹ Bravo and Rincon resigned the command of the Army of the East a few days later, and it was intrusted to General Lombardini, who had commanded one of Santa Anna's divisions at Buena Vista.

² Minutes of meeting of generals on May 20, 1847; *Apelacion al buen Criterio*, App., 83 *et seq.*

1824 and to an act passed May 18, 1847, known as the law of constitutional reforms (*Acta de Reformas Constitucionales*), in which that Constitution was readopted with some minor modifications;¹ and on the day after taking the oath (May 22, 1847) he issued a manifesto to the nation. He began by eulogizing his own activity and zeal in going out to meet the enemy at Cerro Gordo, and expressed his regret at having found an absolute indifference to the welfare of the nation in the city of Puebla, and explained the consequent necessity he was under of pursuing his march to the capital in order to defend and save it at all hazards.

"My return to the exercise of the Presidency," he continued, "during the few days which will elapse before the new election, has been an accident and also a necessity, due to the refusal of the modest and earnest patriot—who has so worthily governed during my absence on the campaign—to continue in office. Compelled, in spite of my most strenuous resistance, to take up the direction of affairs, I at once submitted the question of defending the capital to the deliberation of all the generals now here; and that policy was unanimously agreed to, after considering not less the rules of the art of war, than the desirability of avoiding the risk of suffering which might be caused to the population by the enemy's projectiles. . . . The cooperation of all classes of society and of all its individuals is now essential. The clergy cannot in conscience consent to the domination of a people who admit, as a dogma of their policy, the toleration of all religious sects. Is the clergy prepared to permit Protestant churches to be erected in the face of the very temple in which the Host is adored? The sacrifice of a portion of its property may preserve it from losing the rest, and, along with that, the privileges which our laws respect and which those of the United States do not allow. Are the owners of property aware how harsh and exacting are the decrees of the conqueror? . . . The moment has arrived to risk all in order to save all. Alas, that the gravity of the situation is so little understood!"²

Santa Anna's next step was to address himself with extraordinary vigor and success to the fortification of the ap-

¹ Dublan y Lozano, V, 275-279. It seems to have been then the opinion of some members of Congress that the formal restoration of the Constitution would be an implied repeal of the act of April 20, 1847, giving the executive extraordinary powers.

² *México á través de los Siglos*, IV, 666.

proaches to the city and the raising and organization of a new army. It had been his first purpose to attempt arresting Scott's advance at some distant point; but though some intrenchments were begun, the only works actually completed were either at the gates of the city itself or within a radius of seven or eight miles.

At the same time measures were taken to raise money by contributions from the state governments; the capital was declared to be in a "state of siege," under the general commanding the Army of the East; the Army of the North was sent for from San Luis Potosí; "national guards" were organized; large numbers of recruits were obtained and armed with such muskets as could be supplied, and ammunition and artillery of fairly good quality were manufactured.

But long before Santa Anna's preparations were complete, renewed efforts were made to bring about negotiations for peace, the initiative this time coming from Trist, who had grown tired of waiting. He also, like Baranda, had recourse to the British legation as an intermediary, and his doing so likewise rested on the British offer of mediation or good offices.

In the previous month of September Trist, then acting temporarily as Secretary of State in Buchanan's absence, had received a visit from Pakenham, the British minister in Washington, who said he had been directed to ascertain whether the mediation of England would be accepted by the United States with a view to terminating the war. Trist was instructed by Polk to reply verbally that, while the President—

"would deem it unnecessary & inexpedient to accept the formal mediation of a Foreign Power, he would regard with favour any influence which the good offices of Great Britain or any other Power might exert with the Authorities of Mexico to dispose them to accept the overture which has been made by the United States to enter upon negotiations with a view to an equitable adjustment of the existing differences between the two countries and the restoration of a permanent peace."¹

¹ Polk's *Diary*, II, 129-133.

When, therefore, Trist found that General Scott declined to forward Buchanan's letter to the Minister of Foreign Relations, it very naturally occurred to him to have it transmitted through the British legation; and for this purpose he managed to send a letter from Puebla to Bankhead in Mexico, inquiring whether the latter would deliver the letter from Buchanan to the Minister of Foreign Relations, and make known verbally, at the same time, the presence of an American diplomatic agent at Scott's head-quarters. In reply, the British minister sent one of his attachés to Puebla, an amiable young gentleman who had recently graduated from the University of Cambridge, Mr. Edward Thornton, to communicate with Trist.¹

Thornton, after escaping safely from the guerillas on the road—from whom, as he reported, he ran serious risks—arrived in Puebla on the tenth of June and had separate interviews with Trist and Scott, who were still not on speaking terms. To Trist he explained pretty fully the political situation in the capital.

"I told him," said Thornton, "that Señor Baranda who had frequently expressed a desire to discover some means of entering into Negotiations with the United States' Government, though he did not think it expedient, or did not possess courage sufficient, to avow it publicly, had resigned his office two days before the receipt of his letter, and that as yet the President had named no successor to him. . . ."

"I observed to Mr. Trist that the Grant of the United States Congress of three Millions of Dollars for the conclusion of a Treaty of Peace had been attended with bad consequences in this Country, as it was universally supposed that that sum was destined to bribe certain Members of the Government; but that if on the conclusion of a Treaty of Peace a sum of Money could be placed in the hands of the Mexican Government it would materially assist them in keeping in awe all such as were opposed to the renewal of friendly relations."

Trist explained that the use of the three million dollars in bribery was impossible, as vouchers would have to be laid

¹ Trist to Bankhead, June 6, 1847; Sen. Doc. 52, 30 Cong., 1 sess., 181-183. Mr. Thornton was subsequently Sir Edward Thornton, G.C.B., for many years British minister in Washington.

before Congress; but that "on the favourable conclusion of the treaty, a sum of money would be placed at the command of the Mexican Government." He disclaimed any idea of a permanent conquest, but explained that if peace were not speedily made the demands of the American government might be raised. He ended by confiding Buchanan's note to Thornton, on the understanding that it was to be left to Bankhead to deliver it or not, as he might "observe a disposition or otherwise to enter into Negotiations."¹

As to the interview with Scott, Thornton was rather reticent in the official report of his mission, but writing to a friend in the Foreign Office (presumably Addington) he was more outspoken.

"I found," he said, "Mr. Trist and General Scott not speaking to each other; this is unfortunate, more especially as Genl Santa Anna has discovered the fact; I imagine their quarrel dates from Mr. Trist's arrival in this country, when he forwarded Mr. Buchanan's Note to Head Quarters to be sent to Mexico; which however Genl Scott either refused or neglected to do, on the ground that there was no Government here, a circumstance which was far from being correct. Long before my first journey to Puebla, I had a strong suspicion that Rejon had been intriguing with Genl Scott; the object of his intrigues being to bring his party, called here of the 'puros,' into power with the assistance of the American Army."

After some remarks on other subjects, Thornton's conversation with Scott again returned to Rejón.

"Genl Scott likewise expressed much surprize at my having a bad opinion of Rejon (Heaven knows not without reason) his own being evidently otherwise, and I know that Rejon's name has been long familiar among the Genl's staff."²

Thornton was soon back in the city of Mexico bearing Buchanan's note of April 15, and also a verbose note to Bankhead from Trist, which repeated in substance what he had told Thornton;³ and Bankhead lost no time in delivering the messages with which he had thus been charged.

¹ Thornton's report to Bankhead, June 14, 1847; copy enclosed with despatch of Bankhead to Palmerston, June 26, 1847, No. 61; *F. O. MSS.*

² Thornton to [Addington?], June 29, 1847; *F. O. MSS., Mexico*, vol. 213.

³ Trist to Bankhead, June 11, 1847; Sen. Doc. 52, 30 Cong., 1 sess., 184.