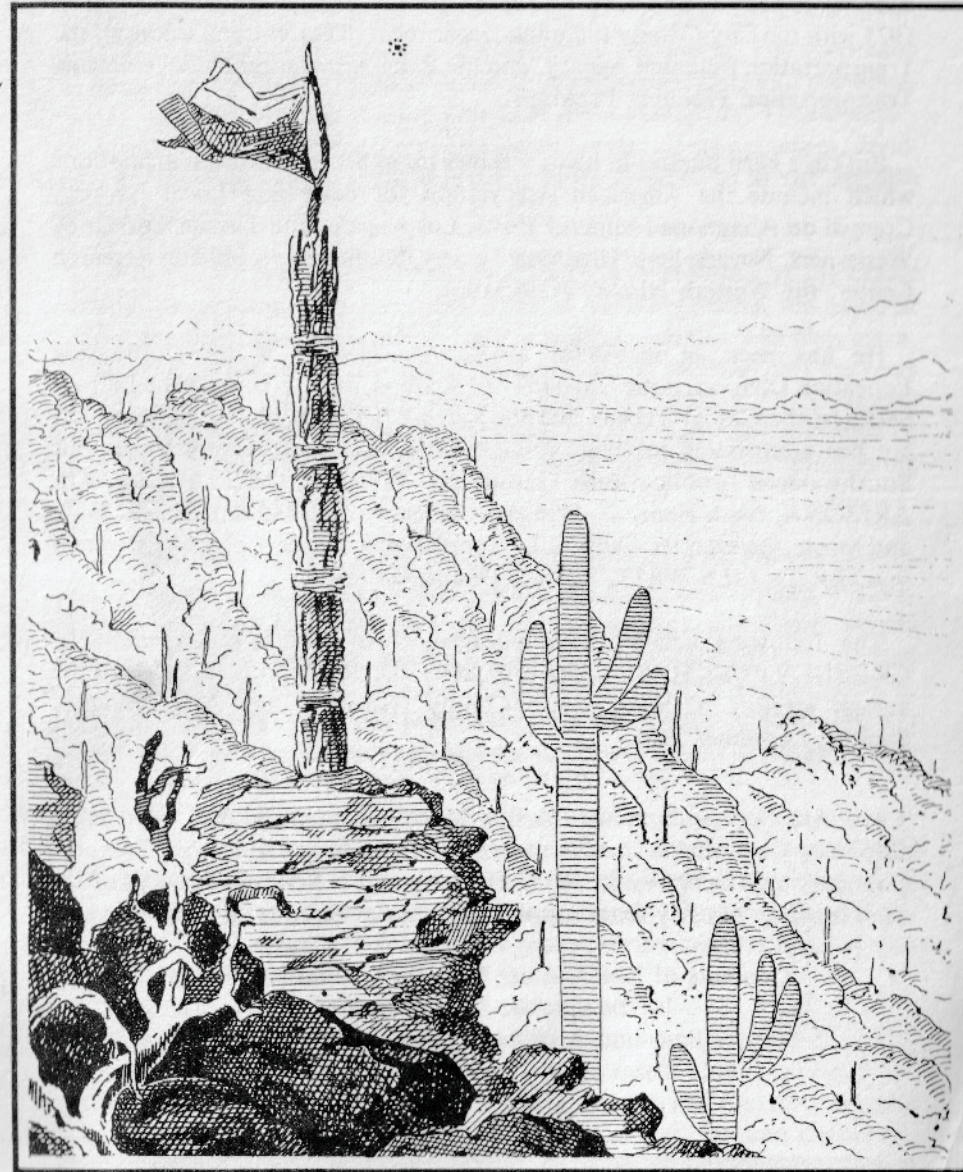


THE COCHISE QUARTERLY

Volume 13, Numbers 1 and 2
Spring/Summer 1983



VIEW FROM MONUMENT No.X, LOOKING WEST

About the author

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Bufkin graduated from Pasadena City College, attended the Los Angeles Art Center School, and came to Tucson in 1951, serving consecutively until 1975 with the City-County Planning Department (Tucson-Pima County), the Transportation Planning Agency, and the Pima Association of Governments Transportation Planning Program.

Bufkin's keen interest in history shows up in his organization affiliations which include the American Association for State and Local History, Council on Abandoned Military Posts, Los Angeles and Tucson Corral of Westerners, Nevada State Historical Society, Southwestern Mission Research Center, the Western History Association.

He has been an instructor in Arizona History in the Continuing Education Division of the University of Arizona, and Lecturer in the Library Series of the City of Tucson and the Lecture Series of the Heard Museum. He has contributed articles, book reviews, and cartography to various Southwestern publications, published HISTORICAL ATLAS OF ARIZONA, (with Henry P. Walker) University of Oklahoma Press, 1979, and wrote the chapter (with C.L. Sonnichsen) on the Colorado River in WATER TRAILS WEST, WWA, Doubleday, 1978.

The following article is an enlargement of Bufkin's talk on THE GADSDEN PURCHASE AND THE BOUNDARY DISPUTE, given at the annual meeting of the Cochise County Historical and Archaeological Society, December 1981.

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Cover Art: German-born artist Arthur Schott accompanied the United States Boundary Commission when the survey when the survey of the new Southern boundary was being run in 1855. The cover art is Schott's drawing of the view looking westerly from a point just east of Sonoita, Sonora.

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THE MAKING OF A BOUNDARY BETWEEN THE UNITED STATES AND MEXICO A Study in Political Geography

An examination of a modern map of North America might prompt even the casual viewer to ask how the Republic of Mexico and the United States settled upon the tortuous line that divides the two nations. From the Gulf of Mexico westward to the Pacific Coast, an international boundary some 1,500 miles in length traverses lush river valleys, isolated mountain chains and the seemingly endless deserts that dominate the region. The succession of historical events that resulted in the ultimate determination of the boundary imposed an artificial demarcation between the countries. The boundary making left in its wake, for both nations, an overlap of ethnic values, divided families, and a region that has come to be referred to as the Spanish Borderlands.

The eastern half of the present boundary is represented by the center of the channel of the Rio Bravo del Norte or the Rio Grande, the name of the stream depending upon which bank -- north or south -- one lives upon. This portion of the boundary has not been without controversy over the years even though it is based upon a specific geographic feature. The Chamizal settlement at El Paso, consummated in 1963, is the most recent example of peaceful mitigation of boundary disputes along the historically meandering course of the Rio Grande.

The western half of the boundary begins at a point on the Rio Grande just upstream from the Pass of the North [El Paso] and extends westerly to the Pacific Ocean. In the late 1840s this area was sparsely settled, poorly mapped and lacking in geographic features which could be readily utilized as natural boundaries. As a result, the boundary for the western portion, which evolved from negotiations between the United States and Mexico, was totally political in nature and was delineated without regard to the geography of the region.

Because of the strange angular configuration of the present international boundary between the Rio Grande and the Colorado River, it was only natural that popular myths would emerge to explain the odd alignment. Several imaginative versions persist to this day and receive surprisingly wide acceptance from many persons on both sides of the line.

These legends generally suggest that American boundary commissioners charged with completing a survey of the southern extent of the Gadsden [Purchase] Treaty were constantly drunk and disoriented and therefore marked a line that significantly deviated from the intended true east-west alignment.

[illegible]

The successive acquisition of new territories by the United States by means of the Louisiana Purchase of 1803, the Adams-Onís Treaty of 1819, the Texas Annexation of 1845, and settlement of the Oregon Country matter in 1846 was clear evidence of aggressive American expansionism. The stage was set for the tragedy of a war between Mexico and the United States and,

in its aftermath, the loss by Mexico of more than 529,000 square miles of its territory. The Treaty of Guadalupe Hidalgo, which officially ended the war, was signed on February 2, 1848, and was duly ratified by both nations by July of the same year. With the independence of Texas, Mexico had lost one fifth of its national lands. The terms of the treaty resulted in the reduction of the area of the Mexican Republic by another thirty percent. Residual bitterness over the forced cession of lands Mexico had held since 1836 has had international repercussions reaching into the present.

The treaty contained among its twenty-two articles several which would lead to continued contention between the United States and Mexico. Article XI of the treaty essentially made the U.S. responsible for controlling the "savage Indians" who lived in the territories acquired from Mexico. Articles VI and VII provided for American access to and navigation of the Gulf of California, Colorado River, Gila River and the Rio Bravo del Norte [Rio Grande] below the described new boundary line. Article VI also provided for future construction of an American road, canal or railway upon the south [or Mexican] bank of the Gila River should that need be found advantageous to both countries.

It was Article V, however, that would cause the most immediate and critical concern between the two nations. This provision attempted to clearly define a common boundary between Mexico and the United States in conjunction with agreements concluding the hostilities.

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

The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled "Map of the United Mexican States, as organized and defined by various acts of the Congress of said republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell." Of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned plenipotentiaries. And, 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 Pantoja, second sailing-master of the Spanish fleet, and published at Madrid in the year 1802, in the atlas to the voyage of the schooners Sutil and Mexicana, of which plan a copy is hereunto added, signed and sealed by the respective plenipotentiaries.

In order to designate the boundary line with due precision, upon authoritative maps, and to establish upon the ground land marks which shall show the limits of both republics, as described in the present article, the two governments shall each appoint a commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of ratifications of this treaty, shall meet at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations; and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree regarding what may be necessary to these persons, and also as to their respective escorts, should such be necessary.

The boundary line established by this article shall be religiously respected by each of the two republics, and no change shall ever be made therein, except by the express and free consent of both nations, lawfully given by the general government of each, in conformity with its own Constitution.

Problems quickly developed from the treaty ratification and its boundary description as contained in Article V, initiated by the reference to the supposedly documented southern boundary of New Mexico. In order to be clear and specific in this reference, the international treaty-makers attached to the document a copy of the revised edition of a "Map of the United Mexican States," published in New York in 1847 by J. Disturnell, which delineated the southern and western boundaries of New Mexico.

The treaty also designated the center [deepest channel] of the Rio Grande from its mouth to a point where it strikes the "southern boundary of New Mexico" as a portion of the new line. Delineation by the treaty of the new border between Alta and Baja California at the western extreme of the boundary was also clear and without subsequent major controversy regarding its interpretation and survey. The relatively unknown area lying between the Pass of the North on the Rio Grande and the headwaters of the Gila River, however, would be a source of contention. Article V of the Treaty provided that each government should appoint a commissioner and a surveyor who would meet at San Diego one year from the date of the exchange of ratifications for the purpose of marking the boundary as specified in the Treaty. These officials were given the authority to agree upon the delineation of the boundary. This latter provision led to major problems in the period following ratification.

The appointment of an American Boundary Commissioner became entangled in the intricacies of changing national administrations in the United States. Several prominent individuals were offered appointments by President Polk's Democratic administration in the winter of 1848-49. Finally, Col.

John B. Weller, a former congressman and an unsuccessful Democratic candidate for governor of Ohio, was appointed Boundary Commissioner by the out-going Polk administration. Weller, after confirmation by the Senate, proceeded to undertake his assigned duties, meeting at San Diego, California, in July of 1849, with his Mexican counterpart, General Pedro García Conde.

The boundary survey marking the line dividing Alta California [U.S.] from Baja California [Mexico] between the Colorado River and the Pacific Ocean was successfully completed by January of 1850, subject to the placement of permanent markers at a later date.

Zachary Taylor and the Whigs defeated the Democrats in the national elections of 1848. Upon taking office in March of 1849, the new administration sought to appoint a new boundary commissioner to replace Weller. Initially John Charles Fremont was offered the appointment, but he chose instead to seek a seat in the U.S. Senate representing the soon-to-be-admitted state of California. The matter was finally resolved in June of 1850 with the appointment of John Russell Bartlett as U.S. Boundary Commissioner. A native of Rhode Island and a loyal Whig, Bartlett had had a mixed career in commerce but some noticeable successes as a writer and an artist. He seemed to be a most unlikely candidate for boundary commissioner; nonetheless, as the fortunate recipient of the new administration's patronage, he eagerly looked forward to the opportunity to travel and to observe the new territories while carrying out his responsibilities.

At the last meeting of the Joint Boundary Commission held in San Diego in February of 1850, there had been agreement to adjourn and meet again at Paso del Norte in November of 1850 for the purpose of conducting the next phase of the survey. Bartlett managed to arrive at El Paso on November 13, 1850, to assume his duties, but General Condé was not able to reach El Paso until December 1, 1850. The two commissioners began discussing at once the location of that point on the Rio Grande where the "Southern boundary of New Mexico" intersected the river.

The survey had already gotten off to a rocky start. The problems encountered by the joint commission in completing the California portion of the survey in the summer of 1849, had been varied and substantial: involved were the politics of the appointments, the logistics of supply, the means of financing field work, the constant quarrels among commission staff members, the great temptations and diversions presented by the California gold rush, and those minor differences that arose over interpretation of the boundary descriptions. These troubles, however vexing, would fade into relative insignificance when compared to the situation that immediately confronted the commissioners during their first meeting at El Paso as the year 1850 was ending.

An examination of the Disturnell map cited in the treaty showed the location of El Paso to be at $32^{\circ} 15'$ north latitude and $104^{\circ} 39'$ west longitude. Astronomical observations taken by the joint commission in late 1850 at El Paso, however, determined that the true position of the town was at $31^{\circ} 45'$ north latitude and $106^{\circ} 29'$ west longitude. The map showed further that the southern boundary of New Mexico struck the Rio Grande at seven minutes of latitude [about eight miles] upstream [north] from El Paso. In order to locate that initial point of the survey westerly from the Rio Grande and to proceed with the next phase of boundary marking, the joint commissioners would have to resolve the problem presented by the serious errors now noted on the map.

The position of El Paso as shown on Disturnell's map proved to be more than 110 miles east and 35 miles north of its actual location of El Paso. The basis for the eventual undoing of the joint boundary commission thus was encountered in the early winter of 1850-51.

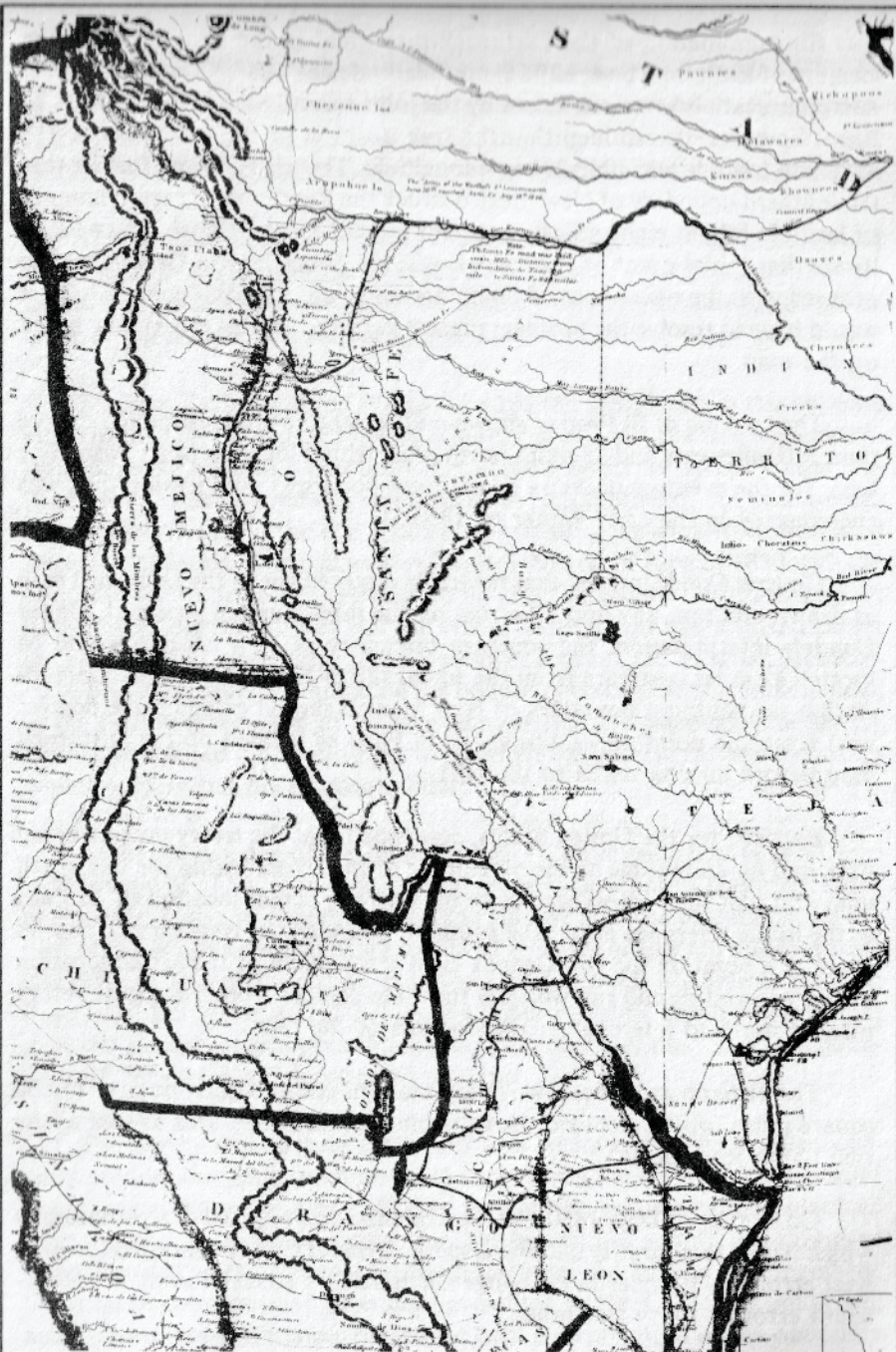
General Condé insisted that the treaty required use of the Disturnell map as drawn and that any and all errors on the map must be accepted. Under Condé's interpretation, the southern boundary of New Mexico would be located 42 miles upstream from the actual site of El Paso. He also contended that the southern boundary of New Mexico should extend three degrees west from the point of longitude for El Paso as located on the Disturnell map before turning north to the Gila.

Bartlett, for the United States, contended that the treaty makers could have had no knowledge of the magnitude of the errors within the Disturnell map and that their intent was to begin with the actual location of El Paso as the initial reference point: the southern boundary of New Mexico should begin at a point on the Rio Grande eight miles north of the actual location of El Paso and should run westerly for three degrees from that point before turning north to intercept the headwaters of the Gila.

The differences in these two interpretations put into question over 11,000 square miles, which included the valuable Mesilla Valley area as well as the rich Santa Rita mines.

On Christmas Day, 1850, the two commissioners agreed to a compromise which would temporarily end the dispute. General Condé conceded the east-west error of 110 miles in exchange for Bartlett's concession of the north-south error of thirty-five miles.

Bartlett believed that he had gained for the United States some 6000 square miles of the disputed area, which included the Santa Rita mines, and that he also had secured sufficient land south of the Gila River for a favorable future railroad route. By the compromise, Bartlett also gave up over 5000



A portion of the map of the United States of Mexico, as published by J. Disturnell in New York in 1847, is shown above. It was this map, as specified in the treaty of Guadalupe Hidalgo, that would lead to the boundary survey controversies.

square miles of the original American claim, including most of the Mesilla Valley. With the exception of the narrow strip of arable land in the flood plain of the Rio Grande, the rest of the Mesilla Valley area was generally believed to be quite barren and of minimal value to the United States.

A point on the Rio Grande forty-two miles north of El Paso was duly marked by the joint commission in April of 1851. The delayed boundary survey work was resumed, now running westerly from the Rio Grande along the compromise line of $32^{\circ} 22'$ north latitude for a distance of three degrees [about 180 miles] before turning directly north until the line intercepted the headwaters of the Gila River.

Complications over the Bartlett-Condé compromise developed when the surveyor for the American Commission, Andrew B. Gray, arrived at El Paso in June of 1851 after a lengthy delay caused by illness. Upon carefully reviewing the comparative findings of the Commissioners, Gray refused to agree to the compromise. The ensuing dispute between American Commissioner Bartlett and his surveyor Gray cast a continuing cloud of doubt upon the compromise line of $32^{\circ} 22'$ even though survey of that line was progressing in the late spring and early summer of 1851.

Subsequent findings would prove Andrew B. Gray correct in his contention that the area given up in the Compromise, i.e. the lands south of $32^{\circ} 22'$ north latitude, were needed for the only feasible east-west railroad route south of the Gila River. The disagreement, however, became a matter for the ultimate consideration of Secretary of the Interior Alexander H. Stuart who sided with fellow Whig Bartlett and ordered Gray to sign the compromise documents in October of 1851. Shortly after this emphatic instruction, Stuart fired Gray from the Boundary Commission. [News of Stuart's action would not reach the Commission in the field until April of 1852.]

Because of the controversies between Bartlett and Gray and the subsequent disagreements with Commission military personnel Graham and Emory, work on the compromise line was halted in late July of 1851. The decision was then made to proceed with the non-controversial portions of the boundary survey, working downstream on the Rio Grande, and with work on the Gila River portions of the boundary while awaiting a decision from Washington and Mexico City on the southern boundary of New Mexico.

Between July of 1849 and December of 1852 the joint Boundary Commission had surveyed more than two-thirds of the 1500 mile boundary. The line dividing the Californias, the Gila River from its headwaters to its confluence with the Colorado at Yuma, and the Rio Grande southeasterly from Paso del Norte to a point near Laredo, just 200 miles short of its mouth, had been completed under the most adverse circumstances, physical, fiscal, and political.

Elements in the American Congress, however, were not happy with the Bartlett-Condé compromise, which they viewed as an improper American concession inconsistent with the wording and intent of the Treaty of Guadalupe Hidalgo. Former Boundary Commissioner John B. Weller, now a U.S. Senator from California, was a consistent critic of the commission. Charges filed against Bartlett by former Commission astronomer McClellan, constituted another challenge in the halls of Congress to the credibility of his work.

When Bartlett arrived, after another of his extended side trips, on the lower Rio Grande at Ringgold Barracks, Texas, in December of 1852, the work of his Boundary Commission was effectively over. General Condé, the Mexican Commissioner, had died at Arizpe, Sonora, in December, 1852. In November the Democrats had defeated the Whigs in the U.S. national elections. Whig Bartlett's tenure as boundary commissioner under the new Democratic administration obviously was in question.

The dispatches he received at Ringgold Barracks further informed him that Congress had impounded additional funds for the Commission's work. Boundary Commission access to these new funds was subject to a proviso that the southern boundary [of New Mexico] shall not be established farther north of the town called Paso than is laid down in Disturnell's map [i.e. 8 miles]. Thus Congress had officially rejected the Bartlett-Condé Compromise. As a result of this news, Bartlett concluded that he had no recourse but to end the work of the survey and to disband the U.S. Boundary Commission.

In January of 1853 Bartlett and the remnants of his party left Texas for the East Coast, discredited and awaiting the will of a new administration in regard to the remaining unsurveyed portions of the new international boundary.

John Russell Bartlett of Rhode Island, a man totally unsuited to the complex and exacting tasks of U.S. Boundary Commissioner and all of its attendant responsibilities and duties, had nonetheless utilized his assignment to travel extensively [at Government expense] and to assemble a comprehensive and quite competent study of the new lands acquired by the United States. He published an account of his experiences and of his observations of the new American Southwest in 1854 without government assistance or sponsorship. Under the title **Personal Narrative of Explorations and Incidents in Texas, New Mexico, California, Sonora and Chihuahua**, Bartlett provided for his readers a unique and informative introduction to the new territories of the United States.

With the death of General Condé and the forced departure of Bartlett, the United States and Mexico had yet to complete a critical portion of the survey and marking of the new boundary. It had been almost five years since

Mexico and the United States signed the treaty officially ending the war. It had also been three and a half years since the joint boundary commission had met at San Diego to initiate the survey and marking of the new boundary as provided for in the treaty.

The cost of the effort had considerably exceeded the original Congressional appropriations. While much work had been accomplished, one-third of the boundary was still in contention or unsurveyed at the beginning of 1853.

Still in question were the settled and fertile lands of the Mesilla Valley. This area became a critical focal point of the continuing boundary dispute in March of 1853. Governor William Carr Lane of New Mexico Territory threatened to occupy the disputed area for the U.S. by force. Governor Angel Trias of Chihuahua vowed to oppose by force any attempt at military occupation. A new war between the United States and Mexico over the Mesilla Valley appeared to be a real possibility. Neither government, however, desired war over a matter that still might be negotiated to advantage for both. It became desirable for both governments to recall Article XXI of the Treaty of Guadalupe Hidalgo, which referred to the potential of recognizing and settling differences between the Governments of the United States and Mexico that might arise over differences of interpretations of Treaty wording.

The new Democratic administration of President Franklin Pierce moved quickly in the spring of 1853 to resolve the continuing dispute as well as to seek solutions to the other points of contention between the two Republics. Jefferson Davis of Mississippi, as the new Secretary of War, used his influence to secure the appointment of fellow southerner James Gadsden as Minister to Mexico.

Gadsden, of a distinguished Charleston, South Carolina, family, had been a protégé of Andrew Jackson, rising rapidly in a career that included military service and railroad promotion and development. Gadsden was committed to his personal objective of securing a southern transcontinental railroad route, generally along the 32nd parallel.

As the new emissary of the Pierce Administration to the Government of the Republic of Mexico, once again under the control of Antonio López de Santa Anna, Gadsden was given specific instructions. The issues were numerous and quite critical, requiring immediate attention in order to avoid renewed hostilities between the two nations. The disputed Mesilla Valley area and the unsurveyed portions of the boundary were among the most pressing problems. Other items for negotiation and resolution were the contested American financial obligations under Article XI; American interests in the concessions relating to transportation routes across the Isthmus of Tehuantepec; and the perceived American need to secure enough territory south of the Gila River to assure a feasible railroad route along the 32nd parallel.

The timing of Gadsden's mission to Mexico was ideal. Since the boundary survey had ended inconclusively, American objectives could best be satisfied by dealing directly with the Santa Anna Government. By early 1853, the Mexican government was in desperate need of foreign financial assistance. The inability to agree on a U.S.-Mexico boundary between the Rio Grande and the headwaters of the Gila River opened the door to a new effort to resolve the differences by the purchase of additional territory. Such a transaction had the potential to assure realization of all American objectives, including the acquisition of a southern railroad route.

James Gadsden arrived at Mexico City on August 4, 1853. He began serious negotiations with Manuel Díaz de Bonilla, the Mexican Minister of Foreign Relations, on August 20, 1853. Secretary of State William L. Marcy had clearly indicated to Gadsden that the Pierce administration did not accept the Bartlett-Condé compromise line of 32° 22'. Gadsden was to secure the consent of the Mexican Government to have that line rerun and marked in accordance with American interpretations of the Treaty of Guadalupe Hidalgo. Gadsden was also to inform Mexico that while the Mesilla Valley remained in dispute, neither country should take official possession of the area. It was felt that the problem could be resolved by completion of a new survey or through the negotiations in progress.

Gadsden was to attempt to secure by purchase from Mexico as much territory of Northern Mexico as the Santa Anna Government might be persuaded to part with, given its immediate need for funds in order to remain in power. The maximum objective of the Pierce administration was to acquire a generous slice of Northern Mexico, including portions of Tamaulipas, Nuevo Leon, Coahuila, Chihuahua, Sonora and all of Baja California, in exchange for a maximum of \$50,000,000. Several lesser objectives were also identified, including a minimum acquisition designed to secure a moderate amount of additional territory for an adequate railroad route south of the Gila River.

Manuel Díaz de Bonilla proved to be a worthy adversary to Gadsden in the negotiations. The Santa Anna Government was committed to giving up the minimum amount of Mexican territory to satisfy U.S. objectives, while extracting the maximum amount of money.

After lengthy negotiations, Gadsden and Bonilla signed a treaty in Mexico City, on December 30, 1853 subject to the ratification of both governments. For the tentative sum of \$15,000,000 Gadsden had secured by negotiation the purchase of sufficient territory for the U.S. to alleviate unresolved boundary disputes arising from the ambiguities of the Treaty of Guadalupe Hidalgo. Gadsden's treaty also ensured that the U.S. would have enough territory south of the Gila River for a southern transcontinental railroad route.

The signing of the treaty in Mexico City as the year of 1853 was drawing to a close was only the beginning of a complicated process of mutual agreement between the two nations attempting to solve the critical problems that remained in the aftermath of the recent war. The Gadsden Treaty had addressed the multiple problems of the boundary controversy as well as the financial obligations of the U.S. in Mexico over both Article XI of the Treaty of Guadalupe Hidalgo and the vested interests of U.S. citizens in the Isthmus of Tehuantepec concessions.

President Franklin Pierce, while not entirely satisfied by the provisions of the treaty, nevertheless sent the document to the U.S. Senate for ratification on February 10, 1854. It was an inappropriate time to offer such a measure to a Senate, which was already embroiled in consideration of the Kansas-Nebraska bill. Sectionalization, which had divided Congress on issues of territorial acquisition and organization since the Missouri Compromise of 1820, and had also been a critical factor in the recent Compromise of 1850, surfaced again as the Gadsden Treaty came before the U.S. Senate.

The question of whether the new lands to be purchased by the United States should be organized as slave-holding territory tended to overshadow the other issues involved in the new agreements. In addition, the prospective Gadsden Purchase prompted a debate in Congress over desirable future transcontinental railroad routes connecting the Atlantic seaboard with the far West. The Southern transcontinental route, furthered by the Gadsden Purchase, was considered in competition with the other possibilities. Representative Thomas Hart Benton strongly favored a route west from Missouri along the 35th parallel. Others in Congress supported central alternatives to the southern route. Congressional debate over ratification of Gadsden's treaty was clearly divided along North-South lines.

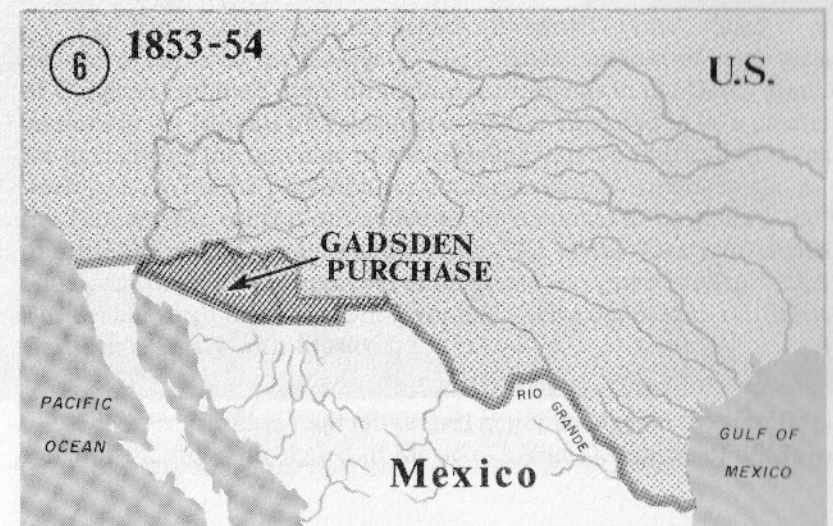
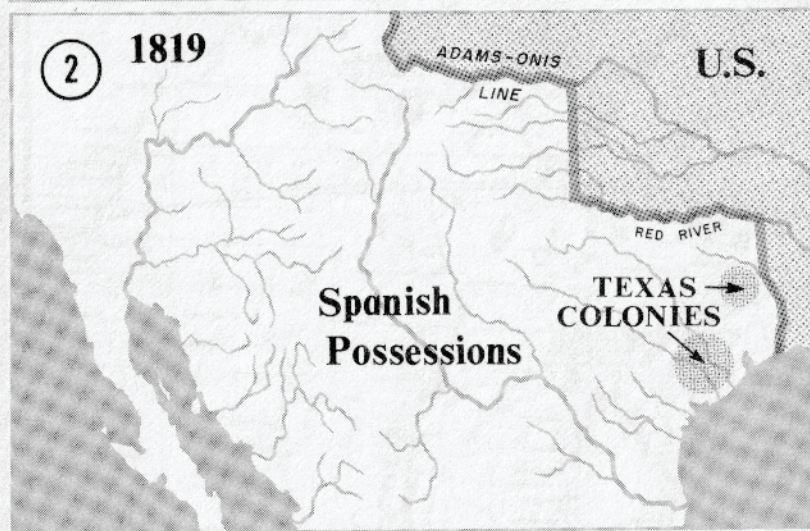
The first vote taken in the Senate on April 17, 1854, failed to gain a two-thirds approval for the treaty. The financial interest of some members of Congress and their more influential constituents in the Garay grant concessions in the Isthmus of Tehuantepec matter appeared to be a pivotal factor in changing the outcome of a succeeding vote on ratification taken one week later. With the provision for compensation of American claims over the Tehuantepec concessions added to the amounts to be paid by the U.S. to settle the claims pending under Article XI of the Treaty of Guadalupe Hidalgo, Congressional approval of the treaty was gained on April 25, 1854. The Senate voted thirty-three in favor and twelve opposed to ratification of Gadsden's Treaty with Mexico.

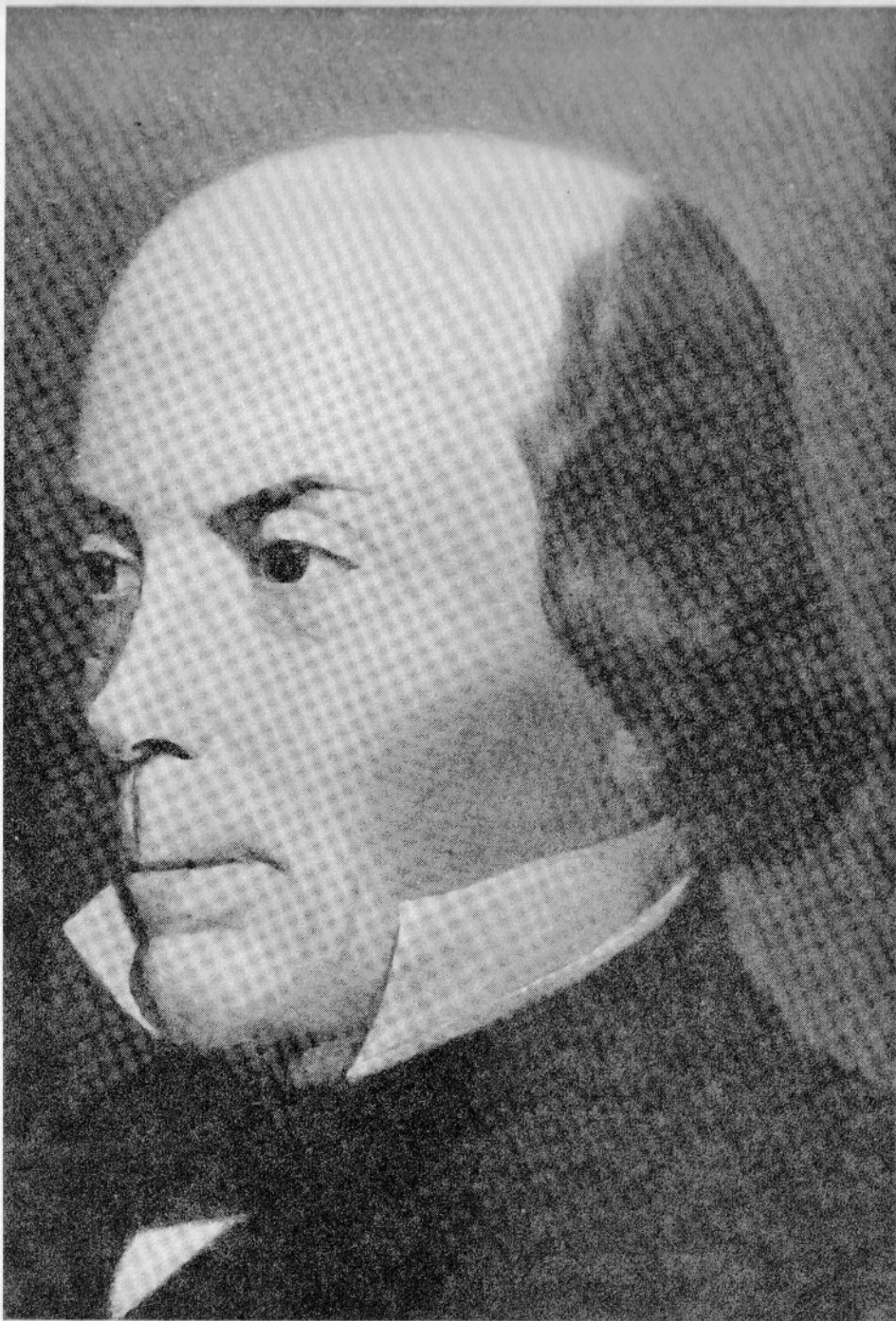
Senate ratification required several major changes in the specific provisions of the treaty as signed in Mexico City in December of 1853:



First map of the Gadsden Purchase area to be circulated in the east. Drawn and published by Herman Ehrenberg in 1854.

Courtesy of Arizona Historical Society





JAMES GADSDEN (1788-1858)

Photo Courtesy of Western Archeological and Conservation Center, National Park Service.

Embodied in the Senate-approved version were boundary line revisions. The line negotiated by Gadsden was altered by the legislators to the extent of a net reduction in area of approximately 9000 square miles (see map illustration).

The purchase price was reduced from Gadsden's negotiated \$15,000,000 to \$10,000,000. Seven million dollars was to be paid to Mexico upon the exchange of ratifications by both governments; \$3,000,000 was to be paid to Mexico upon completion of the survey and marking of the new boundary as specified in the amended treaty. Another change involved abrogation of Article XI of the 1848 Treaty in conjunction with an American assumption of claims accumulated to date under that provision. Recognition of the claims of American speculators in the Isthmus of Tehuantepec concessions and assumption of payment for such claims by the U.S. was required as well.

President Franklin Pierce, while remaining greatly disappointed at not having achieved the maximum objectives of Gadsden's mission to Mexico, realized that it was better to accept what had been negotiated by Gadsden with Mexico and approved in a form amended by Congress than to reject the treaty and start over. He signed the treaty on June 29, 1854. The U.S. House of Representatives had previously passed a bill appropriating the required payments to Mexico. The Santa Anna Government of Mexico also had ratified the amended treaty on May 31, 1854, without major objection to the Congressional changes.

The ratification of the new treaty was proclaimed by both countries on June 30, 1854, and a new era for what would become the American Southwest had been initiated.

During the Senate's extended debate over the treaty, the matter of the new boundary delineation received much attention as well as a variety of proposals for its final configuration. Southern and Western Senators proposed to extend the new boundary as far south as feasible, including the specific objective of acquiring a U.S. port on the upper Gulf of California. Northern Senators, however, were opposed to acquiring additional land which might turn out to be slave-holding under the concept of popular sovereignty for new territory to be acquired.

Article I of the Gadsden Treaty as ratified by both nations provided a specific description of the new boundary between the Rio Grande and the Colorado River as follows:

Article I

The Mexican Republic agrees to designate the following as her true limits with the United States for the future: retaining the same dividing line between the two Californias as already defined and established, according to the 5th article of the treaty of

Guadalupe Hidalgo, the limits between the two republics shall be as follows: Beginning in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, as provided in the 5th article of the treaty of Guadalupe Hidalgo; thence, as defined in the said article, up the middle of that river to the point where the parallel of 31 deg. 47 min. north latitude crosses the same; thence due west one hundred miles; thence south to the parallel of 31 deg. 20 min. north latitude; thence along the said parallel of 31 deg. 20 min. to the 111th meridian of longitude west of Greenwich; thence in a straight line to a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers; thence up the middle of the said river Colorado until it intersects the present line between the United States and Mexico.

For the performance of this portion of the treaty, each of the two governments shall nominate one commissioner, to the end that, by common consent the two thus nominated, having met in the city of Paso del Norte, three months after the exchange of the ratifications of this treaty, may proceed to survey and mark out upon the land the dividing line stipulated by this article, where it shall not have already been surveyed and established by the mixed commission, according to the treaty of Guadalupe, keeping a journal and making proper plans to their operations. For this purpose, if they should judge it necessary, the contracting parties shall be at liberty each to unite its respective commissioner, scientific or other assistants, such as astronomers and surveyors, whose concurrence shall not be considered necessary for the settlement and ratification of a true line of division between the two republics; that lines shall be alone established upon which the commissioners may fix, their consent in this particular being considered decisive and an integral part of this treaty, without necessity of ulterior ratification or approval, and without room for interpretation of any kind by either of the parties contracting.

The dividing line thus established shall, in all time, be faithfully respected by the two governments, without any variation therein, unless of the express and free consent of the two, given in conformity to the principles of the law of nations, and in accordance with the Constitution of each country respectively.

In consequence, the stipulation in the 5th article of the treaty of Guadalupe upon the boundary line therein described is no longer of any force, wherein it may conflict with that here established, the said line being considered annulled and abolished wherever it may not coincide with the present, and in the same manner remaining in full force where in accordance with the same.

The almost 30,000 square miles of new area added to the United States under the terms of the ratified Gadsden Treaty included some 600 miles of the Gila Trail Route to California as well as the former Spanish and later Mexican Presidio of Tucson. Tucson was the most important settlement between El Paso and various points on the Pacific Coast. Some Anglos had located in Tucson in the late 1840s, and by 1854 they were looking forward to U.S. occupation and administration of the region.

During the debates in Congress over ratification of the Gadsden Treaty, observations on the value of the area to be added to the U.S. were made by contemporary experts. The frontiersman Kit Carson was quoted as saying in reference to the area west of the Mesilla Valley that "a wolf could

not make a living upon it." That critical evaluation would, without question, be discredited today in the light of the subsequent development of southern New Mexico and Arizona.

American acquisition of the new territory south of the Gila River in 1854 also raised the proper and necessary question of its future political organization. New Mexico Territory had been organized from portions of the 1848 Mexican Cession area as a result of the long Congressional debate resulting in the Compromise of 1850. The newly acquired U.S. territory under the terms of the Gadsden Treaty lay immediately south of New Mexico Territory.

Congress, in an act approved on August 4, 1854, assigned the new lands to the existing Territory of New Mexico. Official American occupation of the Gadsden Purchase area did not occur until United States troops led by Major Enoch Steen rode into Tucson in November of 1856.

There were numerous succeeding efforts to petition Congress for separate territorial status for the new addition between 1854 and 1861. The residents of the area sought separate Territorial status for the new lands: they were motivated by a strong desire for popular local government based upon; 1) the need for military protection from hostile Indians; 2) the attraction and development of new, potentially rich mineral locations; 3) the opening of the public domain to settlement, which could result in a growing population for the new territory; 4) the need to have a capital readily accessible to provide local government to residents of the new territory.

Several of the petitions included proposed names for a new Territory, which included "Arizuma" as well as "Gadsonia" the latter name in grateful recognition of the achievements of President Pierce's minister to Mexico. The derivation and application of the place name "Arizona" remains the subject of conjecture and academic discussion down to the present time, but it appears to have been first applied in the period following consummation of the Gadsden Purchase.

Attempts to secure separate Territorial status for the area of the Territory of New Mexico west of the continental divide were unsuccessful prior to the approaching sectional war which burst upon the nation in the spring of 1861. It remained for the Confederacy to provide the first legislative recognition of a Territory of Arizona.

The proclamation of Military Governor Lt. Col. John R. Baylor C.S.A. on August 1, 1861, declared the existence of a Territory of Arizona as separate from the Territory of New Mexico. The newly proclaimed territory lay south of the 34° north latitude -- a line running east-west about thirty-five miles north of present-day Phoenix -- and extending between the Colorado River

in the west and the line of 103° west longitude on the east. Baylor's proclamation was confirmed by the Confederate Congress on February 14, 1862. The Southerners, however, were forced out of their new territory by May of 1862. They retreated in anxious expectation of an advance by the sizable California Column from the West Coast under the command of Col. James H. Carleton.

At the urging of numerous loyal unionists, including Charles D. Poston, Congress proposed and the administration of Abraham Lincoln approved the organization of Arizona Territory from Western New Mexico on February 14, 1863. The new Territory of Arizona was to include all of the former Territory of New Mexico lying west of the line of 32° longitude west of Washington, D.C. (or 109° 02' 59" west of Greenwich, England). At long last Arizona was to exist as a political entity on its own, separate from the Territory of New Mexico. The new Territory was to include the great bulk of the area added to the U.S. as a result of Gadsden's negotiations with Mexico.

The concept of "Manifest Destiny" had reached its zenith with Senate ratification of Gadsden's Treaty. Within the brief decade between 1845 and 1854, the United States had secured some 1,233,000 square miles of new territory. These additions amounted to more than forty percent of the total territory of the later contiguous 48 states.

The ratified Gadsden Treaty had provided for the survey of a new boundary between the U.S. and Mexico. Major W.H. Emory and Lt. N. Michler, together with Mexican Boundary Commissioner José Salazar y Larregui, completed the new survey without major controversy in October, 1855. In June of 1856, official maps of the new boundary survey were completed and exchanged, making Mexico eligible for the final payment of \$3,000,000 from the U.S. The terms of Gadsden's Treaty were now completed.

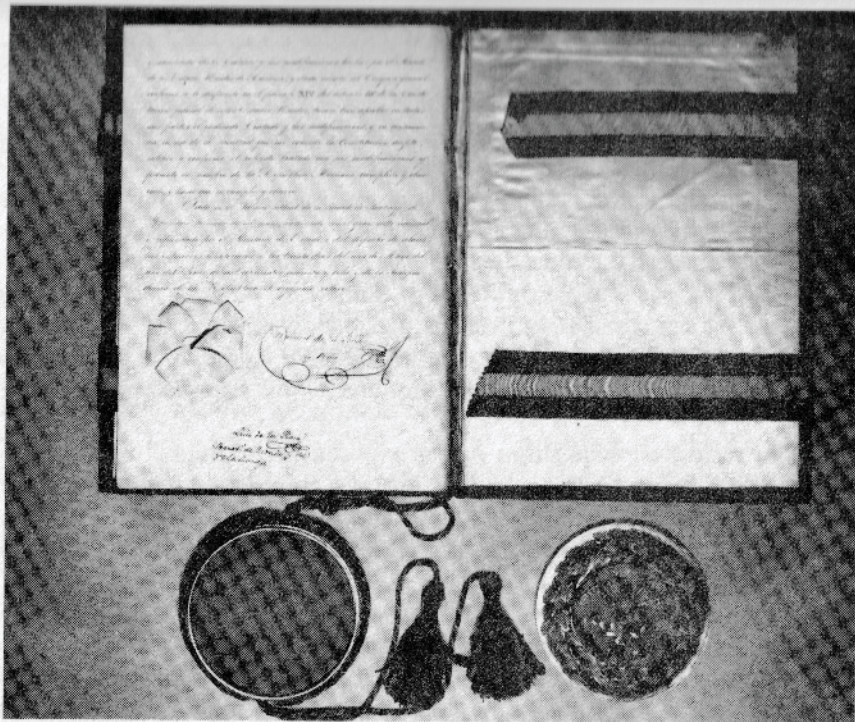
The treaty had effectively secured the loose ends of the Guadalupe-Hidalgo Treaty as well as achieving the numerous objectives of the U.S. Government in the new American Southwest of the 1850s.

The United States found itself the new possessor of almost 30,000 square miles of presumably barren Sonoran desert, which included the garrisoned presidio of Tucson. This area would later include the sites of the modern Arizona communities of Douglas, Bisbee, Tombstone, Benson, Willcox, Sierra Vista, Yuma, Casa Grande, Florence and Coolidge among many others. The area, thought to be at the time of its acquisition barren and of limited future use, would prove to be most valuable and productive.

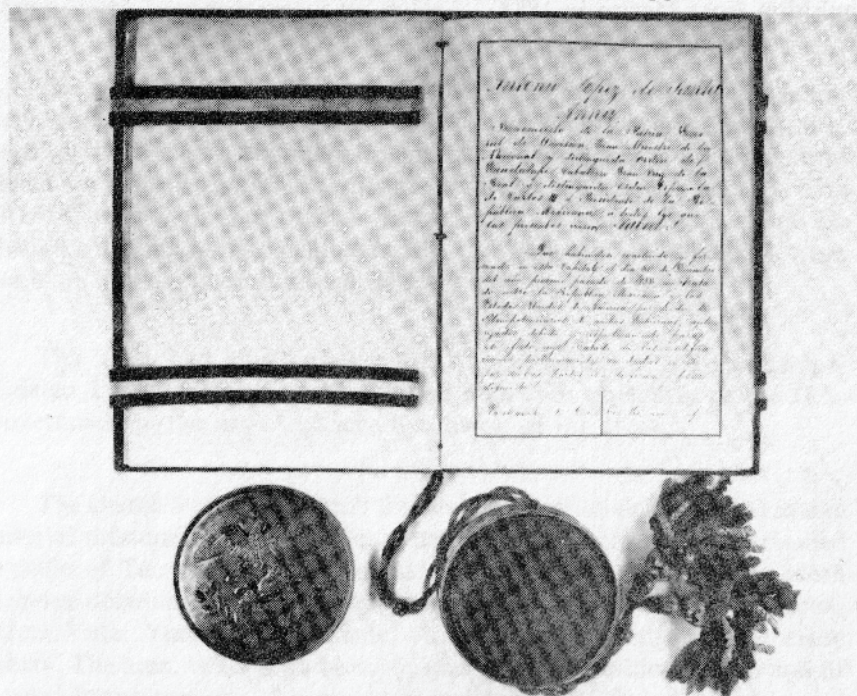
The legacy of James Gadsden, who played a critical role in the acquisition of the new Territory for the U. S., was to be recognized in a variety of ways. The southern railroad route he effectively championed was to achieve completion by 1881, when the Southern Pacific Railroad joined rails with the Santa Fe Railroad at Deming, New Mexico, to complete the second transcontinental railway joining east and west. Gadsden's contributions are also celebrated by the naming after him of an agricultural community in extreme southwestern Arizona. In 1915, the new community which developed in the lower Yuma Valley southwest of Somerton, Arizona, was named in his honor. The grand hotel at Douglas, Arizona, completed in 1907, was also named after Gadsden. In 1953, on the centennial of Gadsden's Treaty, a peak in the Organ Pipe Cactus National Monument was renamed in his honor.

The territorial acquisition of extreme southern Arizona by means of Gadsden's Treaty and Purchase in retrospect appears to have been a fortunate accident of history related to the ambiguities of the Treaty of Guadalupe-Hidalgo of 1848 and the subsequent critical financial needs of Santa Anna's government.

Tucson, in the 1980s, claims by the most recent census an urban population of more than a half million persons. It has the potential to reach more than one million residents by the year 2,000. The value of Gadsden's Purchase in the light of contemporary development more than justifies its acquisition from Mexico in 1853.



Treaty of Guadalupe Hidalgo; signature page with skipket



Gadsden Treaty; first page with skipket

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AUTHORS NOTE:

The Garay and Sloo Grants were concessions from the Mexican Government relating to land and transportation rights over the Isthmus of Tehuantepec. These grants had the potential of offering a shortened trip from the eastern seaboard to California. The Isthmus of Tehuantepec is one thousand miles north of the Isthmus of Panama.

By the late 1840s these grants had been purchased by American interests which actively sought either their implementations or compensation for the rights.



An idyllic view along the Rio Grande portion of the boundary survey near Presidio, Texas.

Credit source: Senate, 34th Congress, First Session, Ex. Doc. No. 108, Report on the United States and Mexican Boundary Survey, Washington, D.C., 1857.