



Treaty of Guadalupe Hidalgo (1848)

The Treaty of Guadalupe Hidalgo officially ended the Mexican-American War, a two-year long invasion of Mexico by the United States. The treaty was named for the town in Mexico where it was signed, which was the location of the famous shrine of Our Lady of Guadalupe. (The town has since been absorbed into Mexico City.) Presented below are excerpts from the treaty that have to do with the ending of the US occupation of Mexico, the annexation of Mexican territory by the United States, the citizenship and rights of Mexicans living in the annexed territories, and US responsibilities vis-à-vis indigenous people in those territories.

Included among the excerpts are passages which were contained in the treaty signed in Mexico but were removed by the US Senate before it ratified the treaty. Article 9, which originally defined at some length the civil rights of Mexicans living in the annexed territories—including their free exercise as Catholics and the property rights of Catholic institutions—was replaced with a much shorter statement. Article 10, guaranteeing recognition of land grants previously made by the Mexican government in the US-annexed territories, was entirely removed (leaving behind an article number with no content beneath it). The passages that the US Senate removed from the treaty appear here with a shaded background.

In the name of Almighty God:

The United States of America and the United Mexican States, animated by a sincere desire to put an end to the calamities of the war which unhappily exists between the two republics and to establish, upon a solid basis, relations of peace and friendship, which shall confer reciprocal benefits upon the citizens of both and assure the concord, harmony, and mutual confidence wherein the two peoples should live as good neighbors, have for that purpose appointed their respective plenipotentiaries, [...w]ho [...] have, under the protection of Almighty God, the author of peace, arranged, agreed upon, and signed the following [...]

Article III

Immediately upon the ratification of the present treaty by the government of the United States, orders shall be transmitted to the commanders of their land and naval forces [...] to commence, at the earliest moment practicable, withdrawing all troops of the United States then in the interior of the Mexican republic [...]

The evacuation of the capital of the Mexican republic by the troops of the United States [...] shall be completed in one month after the orders there stipulated for shall have been received by the commander of said troops, or sooner if possible.

Article IV

[...] The final evacuation of the territory of the Mexican republic by the forces of the United States shall be completed in three months from the [exchange of ratifications of the present treaty], or sooner if possible; the Mexican government hereby engaging [...] to use all means in

its power for facilitating such evacuation, and rendering it convenient to the troops, and for promoting a good understanding between them and the inhabitants. [...]

All prisoners of war taken on either side, on land or on sea, shall be restored as soon as practicable after the exchange of ratifications of this treaty. It is also agreed that if any Mexicans should now be held as captives by any savage tribe within the limits of the United States, as about to be established by the following article, the government of the said United States will exact the release of such captives and cause them to be restored to their country.

Article V

The boundary line between the two republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Río Bravo del Norte [...]; from thence up the middle of that river [...] to the point where it strikes the southern boundary of New Mexico; thence, westwardly, along the whole southern boundary of New Mexico [...]; thence, northward, along the western line of New Mexico until it intersects the first branch of the Gila River; [...] thence down the middle of the said branch of the said river until it empties into the Río Colorado; thence across the Río Colorado, following the division line between Upper and Lower California, to the Pacific Ocean. [...]

Article VIII

Mexicans now established in territories previously belonging to Mexico and which remain, for the future, within the limits of the United States as defined by the present treaty, shall be free to continue where they now reside or to remove at any time to the Mexican republic, retaining the property which they possess in the said territories, or disposing thereof and removing the proceeds wherever they please, without their being subjected, on this account, to any contribution, tax, or charge whatever.

Those who shall prefer to remain in the said territories may either retain the title and rights of Mexican citizens or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States. [...]

Article IX

The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican republic, conformably with what is stipulated in the preceding article, shall be incorporated into the union of the United States and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights of citizens of the United States. In the meantime, they shall be maintained and protected in the enjoyment of their liberty, their property, and the civil rights now vested in them according to the Mexican laws. With

Text with a shaded background was removed by the US Senate before it ratified the treaty.

respect to political rights, their condition shall be on an equality with that of the inhabitants of the other territories of the United States, and at least equally good as that of the inhabitants of Louisiana and the Floridas when these provinces, by transfer from the French republic and the crown of Spain, became territories of the United States.

The same most ample guarantee shall be enjoyed by all ecclesiastics and religious corporations or communities, as well in the discharge of the offices of their ministry as in the enjoyment of their property of every kind, whether individual or corporate. This guarantee shall embrace all temples, houses, and edifices dedicated to the Roman Catholic worship, as well as all property destined to its support, or to that of schools, hospitals, and other foundations for charitable or beneficent purposes. No property of this nature shall be considered as having become the property of the American government or as subject to be, by it, disposed of or diverted to other uses.

Finally, the relations and communication between the Catholics living in the territories aforesaid and their respective ecclesiastical authorities shall be open, free, and exempt [from] all hindrance whatever, even although such authorities should reside within the limits of the Mexican republic, as defined by this treaty; and this freedom shall continue so long as a new demarcation of ecclesiastical districts shall not have been made conformably with the laws of the Roman Catholic Church.

be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and, in the meantime, shall be maintained and protected in the free enjoyment of their liberty and property and secured in the free exercise of their religion without restriction.

Article X

All grants of land made by the Mexican government, or by the competent authorities, in territories previously appertaining to Mexico and remaining, for the future, within the limits of the United States shall be respected as valid, to the same extent that the same grants would be valid if the said territories had remained within the limits of Mexico. [...]

Article XI

Considering that a great part of the territories which, by the present treaty, are to be comprehended for the future within the limits of the United States is now occupied by savage tribes, who will hereafter be under the exclusive control of the government of the United States and whose incursions within the territory of Mexico would be prejudicial in the extreme, it is solemnly agreed that all such incursions shall be forcibly restrained by the government of the United States whensoever this may be necessary; and that when they cannot be prevented, they shall be punished by the said government, and satisfaction for the same shall be exacted—all in the same way, and with equal diligence and energy, as if the same incursions were meditated or committed within its own territory, against its own citizens.

Text with a shaded background was removed by the US Senate before it ratified the treaty.

[...T]he sacredness of this obligation shall never be lost sight of by the [government of the United States] when providing for the removal of the Indians from any portion of the said territories or for its being settled by citizens of the United States; but, on the contrary, special care shall then be taken not to place its Indian occupants under the necessity of seeking new homes by committing those invasions which the United States have solemnly obliged themselves to restrain.

It shall not be lawful, under any pretext whatever, for any inhabitant of the United States to purchase or acquire any Mexican, or any foreigner residing in Mexico, who may have been captured by Indians inhabiting the territory of either of the two republics; nor to purchase or acquire horses, mules, cattle, or property of any kind, stolen within Mexican territory by such Indians. [...]

Article XII

In consideration of the extension acquired by the boundaries of the United States, as defined in the fifth article of the present treaty, the government of the United States engages to pay to that of the Mexican republic the sum of fifteen millions of dollars. [...]

Article XXIII

[...W]e, the respective plenipotentiaries, have signed this treaty of peace, friendship, limits, and settlement, and have hereunto affixed our seals respectively. Done in quintuplicate, at the city of Guadalupe Hidalgo, on the second day of February, in the year of our Lord one thousand eight hundred and forty-eight.

Source: *Treaties and Conventions Concluded between the United States of America and Other Powers* [...] (Washington DC: Government Printing Office, 1871), 562-573, <https://hdl.handle.net/2027/hvd.32044057738601>. Public domain, Google-digitized.

Compared with the handwritten exchange copy of the pre-ratification treaty. Treaty of Guadalupe Hidalgo [exchange copy], February 2, 1848, Perfected Treaties, 1778-1945, General Records of the United States Government, Record Group 11, National Archives Building, Washington, DC; digital scan available at “Exchange Copy of the Treaty of Guadalupe Hidalgo,” DocsTeach, National Archives, <https://www.docsteach.org/documents/document/treaty-guadalupe-hidalgo>. Public domain, free of known copyright restrictions.

Excerpts edited by John-Charles Duffy. Shaded text incorporated from the pre-ratification exchange copy. A paragraph relocated within article 11 to maintain a clear train of thought in the excerpted text. An unnecessary *and* omitted. A grammatical infelicity corrected (*two people* → *two peoples*). The naming of a river modernized (*river Gila* → *Gila River*). Accents added to Spanish names of rivers not customarily used in English. Spelling, capitalization, and punctuation emended in line with modern American conventions (in some cases, restoring usages from the treaty’s handwritten original).

These edited excerpts from the treaty are intended for **teaching** purposes only. For **research** purposes, you should consult, quote, and cite one of the source publications listed above.



© 2024 by John-Charles Duffy. Except as otherwise noted, this work is made available under the Creative Commons Attribution–NonCommercial–ShareAlike 4.0 International License, <https://creativecommons.org/licenses/by-nc-sa/4.0/>.

All rights are reserved for the flag-shaped “Empire and American Religion” logo; if you alter this work, you may not reproduce the logo. Use of the Creative Commons license icon is subject to the Creative Commons Trademark Policy.