complished its object; and there is no longer any good reason to apprehend a collision between the forces of the two countries during the pendency of the existing negotiations.

I regret to inform you that there has been no improvement in the affairs of Mexico since my last annual message, and I am obliged to ask the earnest attention of Congress to the unhappy condition of that republic. The constitutional congress of Mexico, which adjourned on the 17th of February, 1857, adopted a constitution, and provided for a popular election. This took place in the following July, 1857, and Gen. Comonfort was chosen President almost without opposition. At the same election, a new congress was chosen, whose first session commenced on the 16th of September 1857. By the constitution of 1857 the presidential term was to begin on the 1st of Dec. and continue for four years. On that day Gen. Comonfort appeared before the assembled congress in the city of Mexico, took oath to support the new constitution and was inaugurated. Within a month after he had been driven from the capital and a military revolution had assigned the government to the president of the supreme court, and this functionary, (Gen. Juarez) proceeded to form, at Guanajuato, a constitutional government. Before this was officially known, however, at the capital, the government of Zuloaga had been recognised by the entire diplomatic corps, including the minister of the U. S., as the *de facto* government of Mexico. Juarez maintained his position with firmness, and was soon established with his cabinet at Vera Cruz. Meanwhile the government of Zuloaga was earnestly resisted in many parts of the republic; and even in the capital, a portion of the army having pronounced against it, its functions were declared terminated, and an assembly of citizens was invited for the choice of a new president. This assembly elected General Miramon, but that officer repudiated the plan, under which he was chosen, and Zuloaga was thus restored to his previous position. He assumed it however to withdraw from it, and Miramon having become by his appointment president substitute, continues with that title, at the head of the insurgent party.

In my last message I communicated to Congress the circumstances under which the late minister of the U. S. suspended his official relations with the Central Government and withdrew from the country. It was impossible to maintain friendly intercourse with a government like that at the capital, under whose usurped authority wrongs were constantly committed, but never redressed. Had this been an established government, with its power extending by the consent of the people, over the whole of Mexico, a resort to hostilities against it would have been quite justifiable, and indeed necessary. But the country was a party to civil war, and it was hoped that the success of the constitutional president might lead to a condition of things less injurious to the U. S. This success became so probable that in January last I employed a reliable agent to visit Mexico and report to me the actual condition and prospects of the contending parties. In consequence of his report I felt justified in appointing a new minister to Mexico who might embrace the earliest suitable opportunity of restoring our diplomatic relations with that republic. For this a distinguished citizen of Maryland was selected, who proceeded on his mission on the 8th of March last, with discretionary authority to recognise the government of president Juarez, if he should find it entitled to such recognition, according to the established practice of the U. S

On the 7th of April following Mr. McLane presented his credentials to president Juarez, having no hesitation in pronouncing the government of Juarez the only existing government of the republic. He was cordially received by the authorities at Vera Cruz, and they ever since manifested the most friendly disposition towards the U. S. Unhappily however the constitutional government has not been well able to establish its power over the whole republic. It is supported by a large majority of the people and the States but there are important parts of the country in which it can enforce no obedience. Gen. Miramon maintains himself at the capital, and in some of the distant provinces there are military governors who pay little respect to the decrees of either government.

In the meantime, the excesses which always attend upon civil war, especially in Mexico, are constantly recurring. Outrages of the worst description are committed both upon persons and upon property. There is scarcely any form of injury which has not been suffered by our citizens in Mexico during the last few years. We have been nominally at peace with that republic but so far as the interests of our commerce or of our citizens who have visited the country as merchants, shipmasters, or in other capacities, are concerned, we might as well have been at war. Life has been insecure, property unprotected, and trade impossible except at a risk of loss prudent men cannot be expected to incur. Important contracts involving the interests of American citizens in Mexico have been set at defiance by the central government and by the local governments. Peaceful American residents occupying their rightful possessions, have been suddenly expelled from the country in defiance of treaties, and by the mere force of arbitrary power. Even the course of justice has not been safe from control, and a recent decree of Miramon permits the intervention of the government in all suits where either party is a foreigner. Vessels of the U. S. have been seized without law, and a consular officer who protested against such seizure has been fined and imprisoned for disrespect to the authorities. Military contributions have been levied in violence of every principle of right; and the American who resisted the lawless demand, has had his property forcibly taken away, and has himself been banished. From a conflict of authority in different parts of the country tariff duties which have been paid in one place, have been exacted over again in another place. Large numbers of our citizens have been arrested and imprisoned, without any form of examination or any opportunity for a hearing, and even when released, have only obtained their liberty after much suffering and injury, and without any hope of redress.

The wholesale massacre of Crabbe and his associates without trial, in cold blood, as well as the seizure and murder of four sick Americans, who had taken shelter in the house of an American, on the soil of the U. S., was communicated to Congress at its last session. Murders of a still more atrocious character have been committed in the very heart of Mexico, under the authority of Miramon's government during the present year.—Some of these were only worthy of a barbarous age, and if they had not been clearly proven would have seemed impossible in a country which claims to be civilized. Of this description was the brutal massacre, in April last, by order of Marquez of three American physicians, who were seized in the hospital of Tacubaya, while attending the sick and dying of both parties, and who, without trial were hurried away to speedy execution.

Little less shocking was the recent fate of Ormond Chase, who was shot in Tepic on the 7th of August last by order of the same Mexican General, not only without a trial, but without any conjecture by his friends of the cause of his arrest. He is represented as a young man of good character and intelligence, who had numerous friends in Tepic, by the courage and humanity which he had displayed on several trying occasions, and his death was as unexpected as it was shocking to the whole community.

Other outrages might be illustrated, but these are sufficient to illustrate the wretched state of the country and the unprotected condition of the persons and property of our citizens in Mexico. In all these cases, our ministers have been constant and faithful in their demands for redress, but both they and this Government, which they have successively represented, have been wholly powerless to make their demands effective. Their testimony, in this respect, and in reference to the only remedy, which in their judgments would meet the exigency has been both uniform and emphatic. "Nothing but a manifestation of the Government of the United States," wrote our late Minister in 1856, "and of its purpose to punish these wrongs will avail. I assure you that the universal belief is, that there is nothing to be apprehended from the Government of the U. S., and that local Mexican officials can commit these outrages upon American citizens with absolute impunity." "I hope the President," wrote our present Minister in August last, "will feel authorized to ask from Congress the power to enter Mexico with military forces of the U. S., at the call of the constitutional authorities, in order to protect the citizens and the treaty rights of the U. S. Unless such a power is conferred upon him, neither the one nor the other will be respected in the existing state of anarchy and disorder, and the outrages already perpetrated will never be chastised; and as I assured you in my No. 23, all these evils must increase until every vestige of order and government disappears from the country." I have been reluctantly led to the same opinion; and in justice to my countrymen who have suffered wrongs from Mexico, and who may still suffer them, I feel bound to announce this conclusion to Congress. The case presented, however, is not merely a case of individual claims, although our just claims against Mexico have reached a very large amount. Nor is it merely the case of protection to the lives and property of the few Americans who may still remain in Mexico, although the life and property of every American citizen ought to be sacredly protected in every quarter of the world; but it is a question which relates to the future as well as to the present and the past; and which involves, indirectly, at least, the whole subject of our duty to Mexico as a neighboring State. The exercise of the power of the U. S. in that country to redress the wrongs and protect the rights of our own citizens, is none the less to be desired because efficient and necessary aid may thus be rendered at the same time to restore peace and order to Mexico itself. In the accomplishment of this result the people of the U. S. must necessarily feel a deep interest. Mexico ought to be a rich, prosperous and powerful Republic. She possesses an extensive territory, a fertile soil, and an inexhaustible store of mineral wealth. She occupies an important position between the Gulf and the Ocean, for transit routes and for commerce. Is it possible that such a country as this can be given up to anarchy and ruin, without an effort, from any quarter, for its rescue and its safety? Will the commercial nations of the world, which have so many interests connected with it, remain wholly indifferent to such a result?

Can the U. S. especially, which ought to share most largely in its commercial intercourse, allow their immediate neighbor thus to destroy itself and injure them? Yet, without support from some quarter, it is impossible to perceive how Mexico can resume her position among nations, and enter upon a career which promises any good results. The aid which she requires, and which the interests of all commercial countries require that she should have, it belongs to this government to render, not only by virtue of our neighborhood to Mexico, along whose territory we have a continuous frontier of nearly 3,000 miles, but by virtue also of our established policy, which is inconsistent with the intervention of any European power in the concerns of that republic.

The wrongs which we have suffered from Mexico are before the world, and must deeply impress every American citizen. A government which is either unable or unwilling to redress such wrongs is derelict to its highest duties. The difficulty consists in selecting and enforcing the remedy. We may in vain apply to the constitutional government at Vera Cruz—although it is well disposed to do its justice—for adequate redress. Whilst its authority is acknowledged in all the important ports and throughout the sea coasts of the republic, its power does not extend to the City of Mexico, and to states in its vicinity where nearly all the recent outrages have been committed upon American citizens.

We must penetrate into the interior before we can reach the offenders; and this can only be done by passing through the territory in the occupation of the constitutional government. The most acceptable and least difficult mode of accomplishing the object, will be to act in concert with that government. Their consent and their aid might, I believe, be obtained; but, if not, our obligation to protect our own citizens in their just rights, secured by treaty, would not be the less imperative. For these reasons I recommend to Congress to pass a law authorizing the President, under such conditions as they may deem expedient, to employ a sufficient military force to enter Mexico for the purpose of obtaining "indemnity for the past and security for the future." I purposely refrain from any suggestion as to whether this force shall consist of regular troops, or volunteers, or both. This question may be most appropriately left to the decision of Congress. I would merely observe that, should volunteers be selected, such a force could be easily raised in this country, among those who sympathize with the sufferings of our unfortunate fellow-citizens in Mexico, and with the unhappy condition of that republic. Such an accession to the forces of the constitutional government would enable it soon to reach the City of Mexico, and extend its power over the whole republic. In that event, there is no reason to doubt that the just claims of our citizens would be satisfied, and adequate redress obtained for the injuries inflicted on them. The constitutional government have ever evinced a strong desire to uphold justice; and this might be secured in advance by a preliminary treaty.

It may be said that these measures will, at least indirectly, be inconsistent with our wise and settled policy not to interfere in the domestic concerns of foreign nations. But does not the present case fairly constitute an exception? An adjoining republic is in a state of anarchy and confusion, from which she has proved wholly unable to extricate herself; she is entirely destitute of the means to maintain peace upon her borders, or to prevent the incursions of banditti into our territory.

In her fate and her fortune, and her power to establish and maintain a settled government, we have a far deeper interest socially, commercially and politically, than any other nation. She is now a wreck upon the ocean, drifting about as she is impelled by different factions. As good neighbors, she has not extend to her a helping hand, to save her? If we do not it would not be surprising should some other nation undertake the task, and thus force us to interfere at last, under circumstances of increased difficulty, for the maintenance of our established policy.

I repeat the recommendation contained in my last annual message, that authority may be given to the President to establish one or more temporary military posts across the Mexican line in Sonora

[illegible]

protect the lives of American and Mexican citizens against the incursions and depredations of the Indians, as well as lawless rovers in that remote region. The establishment of one such post at a point called Arrisbe, in Sonora, in a country now almost depopulated by the hostile inroads of the Indians from our side of the line, would, it is believed, have prevented much injury and many cruelties during the past season. A state of lawlessness and violence prevailed in that distant frontier. Life and property are there wholly insecure.

The population of Arizona, now numbering more than 10,000 souls, are practically destitute of laws, of government, and any regular administration of justice. Murder, rapine and other crimes are committed with impunity. I therefore again call the attention of Congress to the necessity for establishing a Territorial government over Arizona.

The treaty with Nicaragua of the 16th Feb., 1858, to which I referred in my last annual message, failed to receive the ratification of the government of that republic, for reasons I need not enumerate. A similar treaty has been since concluded between the parties, bearing date on the 16th March, 1859, which has already been ratified by the Nicaraguan Congress. This will be immediately submitted to the Senate for their ratification, and its provisions cannot, I think, fail to be acceptable to the people of both countries.

Our claims against the governments of Costa Rica and Nicaragua remain unredressed, though they are pressed in an earnest manner, and not without hope of success.

I deem it to be my duty, once more, earnestly to recommend to Congress the passage of a law authorizing the President to employ the naval forces at his command, for the purpose of protecting the lives and property of American citizens passing in transit across the Panama, Nicaragua, and Tehuantepec routes, against sudden and lawless outbreaks and depredations. I shall not repeat the arguments employed in former messages in support of this measure. Suffice it to say, that the lives of many of our people, and the security of vast amounts of treasure passing and repassing over one or more of these routes between the Atlantic and Pacific, may be deeply involved in the action of Congress on this subject.

I would also recommend Congress that authority be given to the President to employ the naval force to protect American merchant vessels, their crews and cargoes, against violent and lawless seizure and confiscation in the ports of Mexico and the Spanish American States, when these countries may be in disturbed and revolutionary condition. The mere knowledge that such authority had been conferred, as I have already stated, would of itself, in a great degree, prevent the evil; neither would this require any additional appropriation for the naval service.

The objection urged against the grant of this authority is, that Congress, by conferring it, would violate the Constitution—that it would be a transfer of the war-making, or, strictly speaking, of the war-declaring power to the Executive. If this were well-founded, it would, of course, be conclusive. A very brief examination, however, will place the objection at rest. Congress possesses the sole and exclusive power, under the Constitution, to declare war. They alone can raise and support armies, and provide and maintain a navy. After Congress shall have declared war—provided the force necessary to carry it on—the President as commander-in-chief of the army and navy, can alone employ this force in marching against an enemy. This is the plain language; and history proves that it was the known intention of the framers of the Constitution. It will not be denied that general power to declare war is without limitation, and embraces within itself not only what writers on the law of nations term a public or perfect war, but also an imperfect war; in short, every species of hostility, however confined or limited. Without the authority of Congress, the President cannot fire a hostile gun in any case, except to repel the attack of an enemy. It will not be doubted that under this power Congress could, if they thought proper, authorize the President to employ the force at his command to seize a vessel belonging to an American citizen, who had been illegally and unjustly captured in a foreign port, and restore it to its owner. But can Congress only act *after* the fact, long after the mischief has been done? Have they no power to confer upon the President the authority, in advance, to furnish instant redress, should such a case afterward occur? Must they wait until the mischief has been done? Can they apply the remedy only when it is too late?

To confer this authority to meet future cases, under circumstances to be strictly specified, is as clearly within the war-declaration power as such an authority conferred upon the President by act of Congress *after* the deed had been done. In the progress of a great nation many exigencies must arise, imperatively requiring that Congress should authorize the President to act promptly on certain conditions, which may or may not afterwards arise.

Our history has already presented a number of such cases. I shall refer only to the latest, under the solution of June 2d, 1858, for the adjustment of difficulties with the republic of Paraguay. The President is authorized to adopt such measures and use such force as in his judgment may be necessary and advisable in the event of a refusal of just satisfaction by the government of Paraguay. Satisfaction for what? For the attack upon the U. S. steamer *Water Witch*, and other matters referred to in the annual message of the President. Here the power is expressly granted, upon the condition that Paraguay shall refuse to render this just satisfaction. In this and other similar cases, Congress have conferred upon the President power in advance, to employ the army and navy upon the happening of contingent future events; and this most certainly is embraced within the power to declare war. Now, if this additional contingent power could be constitutionally conferred upon the President in the case of Paraguay, why may it not be conferred for the purpose of protecting the lives and property of American citizens, in the event that they may be violently and unlawfully attacked, in passing over the transit routes to and from California, or assailed by the seizure of their vessels in foreign ports? To deny this power is to render the navy in a great degree useless for the protection of American citizens, in countries where neither protection nor redress can be otherwise obtained.

The 35th Congress terminated on the 3d of March, 1859, without having passed the act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th June, 1860. This act also contained an appropriation to supply deficiencies in the Post Office Department for the year ending 30th of June, 1859. I believe this is the first instance since the origin of the Federal Government, now more than 70 years ago, when any Congress went out of existence without having passed the general appropriation bills necessary to carry on the Government until the regular period for the meeting of a new Congress. This event imposed on the Executive a grave responsibility. It presented a choice of evils. Had the omission of duty occurred at the first session of the last Congress, the remedy would have been plain. I might then have instantly recalled them to complete their duty, and this without expense to the Government. But on the 4th of March last there were fifteen of the thirty-three States which had not elected any Representatives to the present Congress. Had Congress been called together immediately, these States would have been virtually disfranchised. If an intermediate period had been selected, several of the States would have compelled to hold an extra session of their Legislatures, at great inconvenience and expense, to provide for elections at an earlier day than that previously fixed by law. In the regular course, ten of these States would not elect till after the beginning of August, and five of these not till October and November. On the other hand, when I came to examine closely the condition of the Post Office Department, I did not see so many or great difficulties as I had apprehended. Had the bill which failed been confined to appropriations for the fiscal year ending on 30th June next, there would have been no reason of pressing importance for the call of an extra session. Nothing would become due on contracts—those with railroad companies only excepted—for carrying the mail for the first quarter of the present fiscal year, commencing the first of July, until the first of December—less than one week before the meeting of the present Congress. The reason is, that mail contractors for this, the current year, did not complete their first quarter's service until the 4th of September; and by the terms of their contracts, sixty days more are allowed for the settlement of their accounts before the Department could be called upon for payment. The great difficulty and the great hardships consisted in the failure to provide for the payment of the deficiencies in the fiscal year ending 30th June, 1859. The Department had entered into contracts, in obedience to the existing laws for the service of that fiscal year, and the contractors were entitled to receive compensation as it became due. The deficiency, as stated in the bill, amounted to $3,348,728; but after a careful settlement of all these accounts, it has been ascertained that it amounted to $4,245,000. With the scanty means at his command, the Postmaster General has managed to pay that portion of the deficiency which occurred in the first two quarters of the past fiscal year ending on the 31st December last. In the meantime, the contractors themselves have behaved in a manner worthy of all commendation. They had one resource in the midst of their embarrassment. After the amount due to each of them had been ascertained and finally settled according to law, this became a special debt of record against the U. S., which enabled them to borrow money. On this questionable security, still they were obliged to pay interest; and in consequence of the default of Congress, they have not only lost the interest which ought to receive interest from the Government. This interest should commence from the date when a warrant would have issued for the payment of the principal, had an appropriation been made for the purpose. Calculated up to 1st Dec., it will not exceed $80,000—a sum not to be taken into account when contrasted with the difficulties and embarrassments of a public and private character, both to the people and the States, which would have resulted from convening and holding a special session of Congress. For these reasons, I recommend the passage of a bill at an early day as may be practicable, to provide for the payment of the arrears, and any regular administration of justice.

The increased cost of transportations growing out of the expansion of the service required by Congress, explains the rapid augmentation of the expenditures. It is gratifying, however, to observe an increase of receipts for the year ending 30th June, 1859, equal to $481,601,21 compared with those of the year ending June 30, 1858. It is estimated that the deficiency for the current fiscal year will be $4,188,424 91—but that, for the year ending 30th June, 1861, it will not exceed $4,302,430 90, should Congress adopt the measures of reform proposed and urged by the Postmaster General.

Since the month of March, retrenchments have been made in expenditures, amounting to $186,471 annually, which, however, did not take effect till after the commencement of the present fiscal year. The period seems to have arrived for determining the question whether this department shall become a permanent and ever increasing charge upon the Treasury, or be permitted to resume the self-sustaining position which has so long controlled its administration. The course of legislation recommended by the Postmaster General for the relief of the Department from its present embarrassments, and for restoring it to its original independence, is deserving of your early and earnest consideration.

In conclusion, I would again commend to the just liberality of Congress, the local interests of the District of Columbia. Surely, the city bearing the name of Washington, and destined, I trust, for ages to be the Capital of our united, free and prosperous confederacy, has strong claims on our favorable regard.

JAMES BUCHANAN.

The Oregon Statesman.

TUESDAY, JAN. 31, 1860.

☞ The Message crowds out "St. Pierre" and entrenches upon our editorial space. We are surprised that the message does not recommend the payment of the Oregon war debt. Owing to Gen. Lane's confidential and cosy relations to Mr. Buchanan, we confidently expected Lane would get that little matter endorsed by the President. We have not space for a review of the message. Read it, and make your own comments.

☞ Congress had not organized. The message was sent in, notwithstanding. The dates are to Dec. 27. The speaker controversy continued about as before. The republicans were still supporting Sherman. Most of the democrats voted for Scott, of California. The general expectation was that Sherman would ultimately succeed. No Congressional news. Gen. Lane had introduced a bill to raise Judge Deady's salary, and change the place of holding his court from Salem to Portland.

THE MURDER IN POLK CO.—It appears that "Mountain Robinson's" name was E. M. Robson, although he was usually called Robinson. The Irishman charged with the crime is named Thos. Langan. Robson was shot in the left shoulder, the ball passing through the lungs. His jaw was broken and his face brutally mangled by beating with a board three or four feet long. Langan denies killing him, and charged it on some stranger, "probably a Californian," who, he says, was there when he left. He is committed and will probably be tried at the same special term of court with Moss.

THE NORTHERN MINES.—We have made arrangements for intelligent and accurate correspondence from the Dalles and northern mines.

☞ The Dr. Davis, whose name is mentioned on our first page in connection with quartz discoveries, is a citizen of Lane Co.

Personal.—Some weeks since a paragraph was published in the *Statesman* by way of retort upon the Portland *Times*, stating it was rumored that the present editor of that paper, soon after his arrival in Oregon last summer or fall, made overtures to Judge Williams to place him (the editor) in the *Times* office, with the assurance that the *Times* would support him (the Judge) for U. S. Senator. The publication was made on what was regarded good authority, and believed to be true. On Sunday morning following, the editors of the *Statesman* were informed by a passenger by the boat of that morning that a Dr. Loryea, of Portland, requested him to inform them that he had come up as far as Champoeg upon the boat, and had got off there to perform a rite of the Hebrew church, but would come to Salem that day; that he (Loryea) was the accredited "friend" of Mr. Russell, of the *Times*, and had shown him (the passenger) a bundle of written instructions of the editor, correspondence, &c., and requested him to inform the editors of his coming, and the nature of his mission. Loryea did not come, and the next we heard of him, he was reported at Oregon City, (twenty miles on the back track) giving as a reason for not coming up from Champoeg the expense of land travel, reading his budget to the faithful there, and expressing great impatience to get a passage to Salem.—When a boat came, Thursday morning, the *Statesman* editors were informed by a second passenger that Loryea had requested him to "tell Mr. Bush that he should be up on the *next* boat—Mr. Bush would know what it meant." Another passenger stated that Loryea, while walking along the principal street of Oregon City, suddenly pulled out a pistol and fired in the air! saying that he "did'nt know but his powder was damp." It is hardly necessary to say the next boat didn't bring Loryea; but it brought the *Times* containing two or three bullying, threatening articles, and an evident appearance of surprise that the *Statesman* had not "retracted" its statement. The articles, taken altogether, forced the conclusion that it had been anticipated that the messenger demonstration was going to frighten somebody, and be incontinently followed by a "retraction." And it was further concluded that it had not been the intention of Loryea to visit Salem, but that it was fancied the "hostile" messages by passengers would do the business.

The next *Delazonian* contained a letter from Portland, representing that the senior editor of the *Statesman* had been advised of the hostile preparations, and had left Portland in consequence of them; that the editor of the *Times* would'nt stand a wrong, &c. This same Loryea has been reported to be this correspondent. Possibly that is a mistake. The next *Times* instead of correcting this utter falsehood of Delusion's correspondence, prefaced a two column article devoted to Judge Williams, with the following:

"It is proper to remark that before addressing Judge Williams on the subject, we made an unsuccessful effort to communicate with the editor of the *Statesman*, who was in this city when his paper containing the assault reached here. Failing to reach him with a communication, the matter took the following turn."

The fact is that the senior of the *Statesman* met the editor of the *Times* in Portland, after the receipt there of the *Statesman* referred to, and exchanged with him the usual salutations, having at the same time a copy of said *Statesman* before him; he remained at Portland until 10 o'clock the next day, was in the boat the boat for Salem; he heard no intimation of any "communication," and is informed no one else had.

A card from Judge Williams, upon this subject, will be found upon our first page. It is due the Judge to say that the mention of the fact by him was not for the purpose of having it published, but, so far as we are informed, was made incidentally, and in reply to speculations as to who had aided Mr. Russell to get into the *Times*, and whose Senatorial pretensions it would favor.

Judge Williams more than sustains the allegation of the *Statesman*; and we assure the *Times* that the people of Oregon, who know the Judge, attach full credit to his statements.

At the time when Loryea's approach to Salem was announced, Mr. Boggs, associate editor of the *Statesman*, and the writer of the paragraph deemed so offensive to the nice honor of the editor of the *Times*, (the senior editor had been talking about at Portland and Vancouver,) had in contemplation a visit to Portland, for relaxation; but learning of Loryea's mission, awaited his arrival in Salem. After waiting ten days, and being satisfied that Loryea would not come, Mr. Boggs started for Portland, where he arrived at noon. About four o'clock, P. M., of the same day, he was waited on at the Metropolis hotel by Loryea. The following is substantially the conversation which occurred:

Loryea. Mr. Boggs, I wish to speak with you.

Boggs. I don't know that you have any business with me, sir.

L. I have—business of importance.

B. What is your business?

L. I have a letter for you.

B. Deliver it, then.

L. I want to have some conversation with you about it.

B. I don't want to have any conversation with you about that, or anything else.

L (with an injured air.) I wish to meet you as a gentleman in this business, Mr. Boggs.

B. You will not meet me as other thus a gentleman, sir.

L. When can I see you?

B. I am visible at all times, sir.

L. It is now my dinner hour. Where will you be after dinner?

B. I will be here, or in the neighborhood.

Loryea then left, without delivering his letter, and apparently without affront at the undisguised and unmistakable contempt and scorn which Mr. Boggs displayed towards him both in language and manner.

On coming out from the dining-room of the Metropolis, Mr. Boggs saw Loryea sitting in the bar-room. He took a seat, when Loryea approached, and again commenced:

L. I want to speak with you, Mr. Boggs.

B. What is your business with me, sir?

L. I want a private interview with you.

B. You have no right to demand a private interview with me, and you can't have it.

Loryea left.

About half an hour afterwards, while Mr. Boggs was sitting in the office of Messrs. Williams & Gibbs, he was called upon by W. W. Page, Esq., who asked him if he would consent to meet Loryea at his (Page's) office, and receive a letter *from Mr. Russell*; and after requesting Mr. Page to inform Loryea whether he would grant him a private inter iew. Mr. Boggs replied that Loryea had called upon him twice, but had neither handed the letter, nor told him from whom it was; that Loryea was a puppy, with whom he could hold no interview, private or public, and whom he would not permit to annoy him further; that if Mr. Russell wished to communicate with him (Boggs) he must do through a respectable and responsible citizen, in which case his communication would be considered—otherwise it would not. Mr. Boggs was subsequently informed by Mr. Page that he had acquainted Loryea with their conversation, and that Loryea stated to him that Mr. B. remained in Portland, he was not again approached on the subject.

One word to the editor of the *Times*. We sought no controversy with him, and avoided one, till forced into it in self-defense. Your unprovoked assault upon the character and reputation of the *Statesman* were habitually savvy. We have seldom written such less caution. In the very number containing the paragraph which you quote in evidence of a *detachment which one of the most reputable citizens of Oregon now affirms is true*, are contained several willful perversions of our language. One illustration will suffice. In the *Statesman*, of the week previous, we said:

"In this country, obscenity, indecent allusions, and the mention of private individuals who seek no public notoriety, *are not tolerated*."

The *Times* represented this as follows:

"The *Statesman* gives notice that all 'aspirants to political honors' *must expect to be overwhelmed* with 'obscenity and indecent allusions,' no matter what their intellectual or moral characters may be."

It is unnecessary to point out the utter misrepresentation of the *Times*. This is a sample of a numerous progeny.

In commenting upon the above quoted misrepresentation, the *Times* proceeds:

"Such is the deliberate, defiant, and timely warning of a public journal claiming to represent the moral sentiments of the people and press of Oregon. If the *Statesman* lives long, it will ascertain that men can aspire to and fill places of public trust and honor, and at the same time protect their names and reputations from "obscure and indecent attacks."

The *Times* editor is understood by some to be an aspirant to Congressional honors, stimulated by Mr. Stout's success.—If the conjecture is true, this *thesis* may have been intended to deter discussion concerning him. If so it will fail of its purpose. The editor of the *Times* may have been also deceived into the opinion that here in Oregon he could misrepresent and malign opponents and cotemporaries, and deter, by bluster and its concomitants, any retort. If so he has found and will find himself mistaken.

The editor of the *Times* pronounced the allegation of the *Statesman*, "infamously false," "calumnious," an "injurious and slanderous assault upon his personal character," &c., and a threatening demand was made for retraction. The result is the "explicitly denied," "infamous," "calumnious" averment *is proved*, by the letter of Judge Williams, in this issue. *More*, Judge Williams plainly intimates that there is something unpublished "*humiliating*" to the *Times* editor.

MORAL.—When charged with what can be proved, don't make a pompous display of outraged virtue, or warlike demand of "retraction." It is very likely to result in the production of the testimony. Many a gun

"Though well aimed at duck or plover,
Bears wide and kicks its owner over."

☞ Ex-Senator Jones, of Tennessee, is dead. The papers say he died in the faith of the Democratic gospel according to Douglas. In his last hours his great concern was for Douglas, who was his intimate personal friend, and whenever he felt a moment's relief from the almost ceaseless pain which attended his illness, he would cause one of his attendants to read from the papers everything affecting the Illinois Senator. Indeed, his intense concern on this point aggravated his case and hastened him to the grave.

☞ We are indebted to Hon. Lansing Stout for documents.

ESCAPE OF CONVICTS.—Four prisoners escaped from the penitentiary yesterday morning. Their names, terms of imprisonment, crimes, and length of time served, are as follows: John Smith, five years, stealing, served 18 months; Wm. Hatwell, ten years, highway robbery, served two years; Nathaniel Crouch, five years, stealing, served 18 months; Charles Clayton, 3 years, stealing, served six months. In addition to these a prisoner named Wilson, who is in for two years for stealing, got off with the rest, but was stopped by Mr. Pentland, who fired three shots at him, with his usual success.—*Portland News, 28th Jan.*

☞ Col. John McCraken has been appointed Treasurer of Multnomah county. Stansbury, the absconding defaulter, managed to get on board the steamer *Pandora*, and sailed to San Francisco.

SI-MIL-KI-MEEN.—By the boat of Sunday morning we received a letter from a Dalles correspondent giving late news from the above mines. We will publish it next week.

THE STOCKHOLDERS IN DELUSION'S PRESS.

The following list was sent us by one of the stockholders:

Delazon Smith, 6 shares, (hasn't paid and never will) $300; Nimrod Price, 1, $50; J. M. McConnell, 2, $100; Vincent Watson, Sr., 1, $50; S. D. Haley, 1, $50; H. Crawford, ½, $100; J. H. Lines, 1, $50; *W. W. Chapman*, 2, $100; Jeremiah Briggs, 1, $50; Joel Kincaid, 1, $50; *Joseph Lane*, 5, $250; John Henry Smith, of Lafayette, 2, $100; *John Adair*, 1, $50; *E. R. Geary*, 1, $50; Elisha Griffith, 1, $50; H. L. Brown, 1, $50; Hugh Fields, 1, $50; J. H. Preston, 1, $50; W. J. Linville, 1, $50; A. S. Bassett, 1, $50; Paul Clover, 1, $50; R. B. Willoughby, 1, $50; William Porter, 1, $50; American Savage, 1, $50; T. Alford, 1, $50; J. A. Porter, 1, $50; J. T. Crooks, 1, $50; N. Hirman, 1, $50; W. G. Haley, 1, $50; Lewis Fleischner, 1, $50; J. H. Douthit, 1, $50; H. M. Brown, 1, $50; Martin Payne, 1, $50; George Caunty, 1, $50.

There are several democrats on the above list who have no sympathy with Delusion's "medium of self defense," but simply took a share to get rid of his importunity. Some of them are offering to sell out for five cents upon the dollar. Query: Did Delusion reciprocate by taking a couple of "shares" in Chapman's "medium," to be started at Eugene? And do Lane and his office-holders "come down" to all the little organs in the same amounts?

LANE'S VINDICTIVENESS AND MALIGNITY.—In the last letter of Lane's *Moses-Yulee* blowers at Washington, published in the Corvallis *Beef-Eater*, occurs the following:

"I have become acquainted with your Representative, Stout, and find him a frank, noble gentleman. I think you have made a good change in taking him in place of Grover. The latter was a clever sort of a man, but of too narrow and contracted a mind. The ruling trait in Grover's character as it appears to us, is concealment, which among men of honor is considered a damning blemish."

These letters undoubtedly pass under Lane's eye before they are mailed. They are written by Lane's paid servants, and they are as much Lane's as though he wrote them himself. We would institute no invidious comparisons between Messrs. Stout and Grover. But, we cannot avoid remarking what an insult is here offered by Gen. Lane to the people of Oregon, whose weighty interests in the matter of their heavy war debt, were recklessly disregarded by the tricksters who plotted Grover's defeat, in the name of Gen. Lane, and for Lane's "vindication," to use his own words.

Lane imposes upon his hireling press very contemptible service.

☞ For the benefit of the Senatorial aspirants, we publish the following from the Senate proceedings of Dec. 15, 1860, that they, *when elected*, may avoid a similar *faux pas*:

Mr. Foot moved that the Senate proceed to carry out the order of the Senate for the election of chaplain.

Mr. Lane. I nominate Rev. Mr. Ball for that office.

Mr. Foot. *I would inform the Senator that it is not customary in the Senate to nominate candidates for any office.*

The Vice President then directed Senators to prepare their ballots; and, after balloting, the result was announced as follows:

For Rev. P. D. Gurley.....24
Rev. Dalney Ball.....9
Rev. Byron Sunderland.....15

Mr. Gurley was elected on second ballot.

☞ One of the most worthy democrats north of here appends the following postscript to a letter:

"I am glad to see you demolishing Delazon. After his publication of his '*bones of their grandmothers*' letter, I never had any confidence in or respect for him. I felt then that you were fatally deceived when you supported him for anything."

He (the late John P. Gaines) used to say that the Republican doctrine was that of Henry Clay, and he being a Clay whig, could of course be nothing else but a Republican.—*Argus.*

James B. Clay, son of Henry Clay, says the republican doctrine is diametrically opposed to that of his father, and that being a Clay whig, he can be nothing else than a democrat. Henry Clay once said in the Senate, that "if the whig party ever degenerated into a contemptible abolition party he should cease to be of it."

☞ Z. N. Stansbury, treasurer of Multnomah Co., proves to be a defaulter to the amount of 6,000. It is conjectured that this defalcation will delay the payment of the county State tax. Multnomah is likewise $1,200 in arrears on her Territorial tax of last year.

MEXICO.—Mr. Buchanan, in his message, treats the Juarez government as the established one in Mexico. News received since the writing of the message, places the Miramon party on the road to undisputed dominion. Miramon's forces had achieved a series of successes, and were expected soon to attack Vera Cruz, while the Juarez party was being weakened by local treasons. If we may trust the accounts, the constitutional government was at its last gasp, and the church and its government was about to take possession of the whole country.

Will the *Statesman* point out the difference between them (Douglas and Joseph) on that point?—*Beef Eater.*

Yes; Douglas understands what he talks about, and Joseph don't. That is the leading "difference."

We expect to make our living practising before these judges.—*Delusion.*

If your "practice" is proportioned to your legal attainments and skill, your "living" will be a dreadful poor one.

☞ The *News* says there is to be an opposition steamer built upon the upper Willamette this season, by some gentleman whose name we have forgotten.

THE OREGON WAR DEBT.—The Third Auditor of the Treasury has prepared a report on the Oregon war debt, which will soon be published. It will recommend a heavy deduction on the amount allowed by the commissioners appointed to audit it.—*N. O. Delta.*

☞ Toombs, of Georgia, was the Senator who made the motion to restore Judge Douglas to the Chairmanship of the Committee on Territories. The motion was strongly supported by Senator Green, of Missouri, but did not prevail.

OREGON STATESMAN.—We are in receipt as an exchange of the *Oregon Statesman* published by Asahel Bush Esq., who has filled his present position for several years and who we believe will hold out a good editor and Democrat for another generation. The *Statesman* occupies the popular sovereignty ground and has battled for it against Lane and Smith, who have turned their fierce wrath against Bush, thinking to see him melt away before them, but the result will more likely be that Lane and Smith will lose their positions and influence with the termination of the present administration. We wish Mr. Bush success, and can assure him that the Democracy of Iowa think popular sovereignty no humbug, *but could not say as much of Delazon Smith.* The "little giant" is our first choice for next President and Jo. Lane is not the second choice.—*Independence (Iowa) Civilian.*

The provisional government of Pike's Peak, called Jefferson territory, went into power on the 7th of November, and the papers exultingly announce that Kansas is "banished." Robert W. Steele is governor, Henry Allen president of the Council, and J. A. Gray speaker of the House. Elections were held at Auraria and Denver city on the 8th, however, to take part in the choice of a delegate to Congress from Kansas, but only a few votes were polled, owing to the unpopularity of the movement, Pike's Peak having already declared herself independent of that territory.

THE ISLANDS.—King Kamehameha had resigned his throne to his son, the Prince of Hawaii. The abdication took place on the 3d of October.

☞ It is undeniable that Mr. Breckinridge has a fair chance of receiving the Charleston nomination. The correspondent of the Cincinnati *Commercial*, writing from Frankfort, Ky., on Dec. 8th, on the subject of the plots and counterplots of the friends of Breckinridge and Guthrie, says:

"While all this contention commands public attention, there is an under current—not voluntary—working Douglas-ward. Many Kentuckians regard Douglas as the only democrat in the Union who has the ghost of a chance for the Presidency, and the Kentucky delegation at Charleston will vote for his nomination as soon as they are persuaded that their first choice cannot succeed, but they will swallow the Little Giant only as the last hope."

☞ An important anti-Mormon movement has been made in Carson Valley, western Utah. The grand jury have presented the whole Mormon population as guilty of trampling upon the laws, committing murders and the highest crimes in defiance and contempt of the government, as prostituting their own females and debauching helpless American women, and inciting the Indians to deeds of robbery and blood. They call for congressional intervention to remedy these notorious and long continued abuses, and declare that it is impossible for American citizens to live in peace with the Mormons. It is evident that this ugly and difficult matter must very soon be dealt with in some more decided and radical manner than heretofore.