

# OREGON SPECTATOR.

"Westward the Star of Empire takes its way,"

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## The President's Message.

FELLOW CITIZENS OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES:

The annual meeting of Congress is always an interesting event. The representatives of the states and of the people come fresh from their constituents to take counsel together for the common good. After an existence of near three fourths of a century as a free and independent republic the problem no longer remains to be solved, whether man is capable of self-government. The success of our admirable system is a conclusive refutation of the theories of those in other countries who maintain that "a favored few" are born to rule; and that the mass of mankind must be governed by force. Subject to no arbitrary or hereditary authority, the people are the only sovereigns recognized by our constitution. Numerous emigrants of every lineage and language, attracted by the civil and religious freedom we enjoy, and by our happy condition, annually crowd to our shores, and transfer their hearts, not less than their allegiance, to the country whose dominion belongs alone to the people.

No country has been so much favored, or should acknowledge with deeper reverence the manifestations of the Divine protection. An all-wise Creator directed and guarded us in our infant struggle for freedom, and has constantly watched over our surprising progress, until we have become one of the great nations of the earth. It is in a country thus favored, and under a government in which the executive and legislative branches hold their authority for limited periods, alike from the people, and where all are responsible to their respective constituencies, that it is again my duty to communicate with Congress upon the state of the Union, and the present condition of public affairs.

During the past year the most gratifying proofs are presented that our country has been blessed with a wide spread and universal prosperity. There has been no period since the government was founded when all the industrial pursuits of our people have been more successful, or when labour in all branches of business has received a fairer or better reward. From our abundance we have been enabled to perform the pleasing duty of furnishing food for the starving millions of less favored countries.

In the enjoyment of the bounties of providence at home, such as have rarely fallen to the lot of any people, it is cause of congratulation, that our intercourse with all the powers of the earth, except Mexico, continues to be of an amicable character.

It has ever been our cherished policy to cultivate peace and good will with all nations; and this policy has been steadily pursued by me.

No change has taken place in our relations with Mexico since the adjournment of the last Congress. The war in which the United States were forced to engage with the government of that country still continues.

I deem it unnecessary, after the full exposition of them contained in my message of the 11th of May, 1846, and in my annual message at the commencement of the session of Congress in December last, to reiterate the serious causes of complaint we had against Mexico before she commenced hostilities.

It is sufficient, on the present occasion, to say that the wanton violation of the rights of person and property of our citizens committed by Mexico, her repeated acts of bad faith, through a long series of years, and her disregard of solemn treaties, stipulating indemnity to our injured citizens, not only constituted ample cause of war on our part, but were of such an aggravated character as would have justified us before the whole world in resorting to this extreme remedy. With an anxious desire to avoid a rupture between the two countries, we forbore for years to assert our clear rights by force, and continued to seek redress for the wrongs we had suffered by amicable negotiation, in the hope that Mexico might yield to pacific councils and the demands of justice. In this hope we were disappointed. Our minister of peace sent to Mexico was insultingly rejected. The Mexican government refused even to hear the terms of adjustment which he was authorized to propose; and finally, under wholly unjustifiable pretexts, involved the two countries in war by invading the territory of the state of Texas, striking the first blow, and shedding the blood of our citizens on our own soil.

Though the United States were the aggrieved nation, Mexico commenced the war, and we were compelled, in self-defence, to repel the invader, and to vindicate the national honor and interests by prosecuting it with vigor until we could obtain a just and honorable peace.

On learning that hostilities had been commenced by Mexico, I promptly communicated that fact, with a succinct statement of our other causes of complaint against Mexico, to Congress; and that body, by the act of the 13th of May, 1846, declared that "by the act of the republic of Mexico, a state of war exists between that government and the United States."

with great unanimity by Congress, there being but two negative votes in the senate, and but fourteen in the House of Representatives.

The existence of the war having thus been declared by Congress, it became my duty, under the constitution and the laws, to conduct and prosecute it. This duty has been performed; and though, at every stage of its progress, I have manifested a willingness to terminate it by a just peace, Mexico has refused to accede to any terms which could be accepted by the United States consistently with the national honor and interest.

The rapid and brilliant success of our arms, and the vast extent of the enemy's territory which had been overrun and conquered before the close of the last session of Congress, were fully known to that body.

Since that time the war has been prosecuted with increased energy, and I am gratified to state, with a success which commands universal admiration. History presents no parallel of so many glorious victories achieved by any nation within so short a period. Our army, regulars and volunteers, have covered themselves with imperishable honors. Whenever and wherever our forces have encountered the enemy, though he was in vastly superior numbers, and often entrenched on fortified positions of his own selection, and of great strength, he has been defeated. Too much praise cannot be bestowed upon our officers and men, regulars and volunteers, for their gallantry, discipline, indomitable courage and perseverance, all seeking the post of danger, and vying with each other in deeds of noble daring.

While every patriot's heart must exult, and a just national pride animate every bosom, in beholding the high proofs of courage, consummate military skill, steady discipline, and humanity to the vanquished enemy, exhibited by our gallant army, the nation is called to mourn over the loss of many brave officers and soldiers who have fallen in defence of their country's honor and interests. The brave dead met their melancholy fate in a foreign land, nobly discharging their duty, and with their country's flag waving triumphantly in the face of the foe. Their patriotic deeds are justly appreciated, and will long be remembered by their grateful countrymen. The parental care of the government they loved and served should be extended to their surviving families.

Shortly after the adjournment of the last session of Congress, the gratifying intelligence was received of the signal victory of Buena Vista, and of the fall of the city of Vera Cruz, and with it the strong castle of San Juan de Ulloa, by which it was defended. Believing that after these and other successes, so honorable to our arms and so disastrous to Mexico, the period was propitious to afford her another opportunity, if she thought proper to embrace it, to enter into negotiations for peace, a commissioner was appointed to proceed to the headquarters of our army, with full powers to enter upon negotiations, and to conclude a just and honorable treaty of peace.

He was not directed to make any new overtures of peace, but was the bearer of a despatch from the Secretary of State of the United States to the Minister of Foreign Affairs in Mexico, in reply to one received from the latter on the twenty-second of February, 1847, in which the Mexican government was informed of his appointment, and of his presence at the headquarters of our army, and that he was invested with full powers to conclude a definitive treaty of peace, whenever the Mexican government might signify a desire to do so. While I was unwilling to subject the United States to another indignity, I was yet resolved that the evils of war should not be protracted a day longer than might be rendered absolutely necessary by the Mexican government.

Care was taken to give no instructions to the commissioner which could in any way interfere with our military operations, or relax our energies in the prosecution of the war. He possessed no authority in any manner to control these operations. He was authorized to exhibit his instructions to the general in command of the army; and in the event of a treaty being concluded and ratified on the part of Mexico, he was directed to give him notice of that fact. On the happening of such contingency, and on receiving notice thereof, the general in command was instructed by the Secretary of War to suspend further military operations until further orders. These instructions were given with a view to intermit hostilities, until the treaty thus ratified by Mexico could be transmitted to Washington and receive the sanction of the government of the United States.

The commissioner was also directed, on reaching the army, to deliver to the general in command the despatch which he bore from the Secretary of State to the Minister of Foreign Affairs of Mexico, and on receiving it the general was instructed by the Secretary of War to cause it to be transmitted to the commander of the Mexican forces, with a request that it might be communicated to his government.

The commissioner did not reach the headquarters of the army until after another brilliant victory had crowned our arms at Cerro Gordo.

The despatch which he bore from the Secretary of War to the general in command of the army was received by that officer, then at Jalapa, on the 7th day of

May, 1847, together with the despatch from the Secretary of State to the Minister of Foreign Affairs of Mexico, having been transmitted to him from Vera Cruz. The commissioner arrived at the headquarters of the army a few days afterwards. His presence with the army, and his diplomatic character, were made known to the Mexican government from Puebla on the 19th of June, 1847, by the transmission of the despatch from the Secretary of State to the Minister of Foreign Affairs of Mexico.

Many weeks elapsed after its receipt, and no overtures were made, nor was any desire expressed by the Mexican government to enter into negotiations for peace.

Our army pursued its march upon the capital, and, as it approached it, was met by formidable resistance. Our forces first encountered the enemy, and achieved signal victories in the severely contested battles of Contreras and Churubusco. It was not until after these actions had resulted in decisive victories, and the capital of the enemy was within our power, that the Mexican government manifested any disposition to enter into negotiations for peace; and even then, as events have since proved, there is too much reason to believe they were insincere, and that in agreeing to go through the forms of negotiation the object was to gain time to strengthen the defences of their capital, and to prepare for fresh resistance.

The general in command of the army deemed it expedient to suspend hostilities temporarily, by entering into an armistice with a view to the opening of negotiations. Commissioners were appointed on the part of Mexico to meet the commissioner on the part of the United States. The result of the conferences which took place between these functionaries of the two governments was a failure to conclude a treaty of peace.

The commissioner of the United States took with him the project of a treaty already prepared, by the terms of which the indemnity required by the United States was a cession of territory.

It is well known that the only indemnity which it is in the power of Mexico to make, in satisfaction of the just and long deferred claims of our citizens against her, and the only means by which she can reimburse the United States for the expenses of the war, is a cession to the United States of a portion of her territory. If we refuse this we can obtain nothing else. To reject indemnity, by refusing to accept a cession of territory, would be to abandon all our just demands, and to wage the war, bearing all its expenses, without a purpose or definite object.

A state of war abrogates treaties previously existing between the belligerents, and a treaty of peace puts an end to all claims of indemnity for tortious acts committed, under the authority of one government against the citizens or subjects of another, unless they are provided for in its stipulations. A treaty of peace which would terminate the existing war, without providing for indemnity, would enable Mexico—the acknowledged debtor, and herself the aggressor in the war—to relieve herself from her just liabilities. By such a treaty our citizens, who hold just demands against her would have no remedy, either against Mexico or their own government. Our duty to these citizens must forever prevent such a peace, and no treaty which does not provide ample means of discharging these demands can receive my sanction.

A treaty of peace should settle all existing differences between the two countries. If an adequate cession of territory should be made by such a treaty, the United States should release Mexico from all her liabilities, and assume their payment to our own citizens. If, instead of this, the United States were to consent to a treaty by which Mexico should again engage to pay the heavy amount of indebtedness which a just indemnity to our government and our citizens would impose on her, it is notorious that she does not possess the means to meet such an undertaking. From such a treaty no result could be anticipated, but the very irritating disappointments which have heretofore attended the violations of similar treaty stipulations on the part of Mexico. Such a treaty would be but a temporary cessation of hostilities, without the restoration of the friendship and good understanding which should characterize the future intercourse between the two countries.

That Congress contemplated the acquisition of territorial indemnity when that body made provision for the prosecution of the war, is obvious. Congress could not have meant—when, in May, 1846, they appropriated ten millions of dollars, and authorized the President to employ the militia and naval and military forces of the United States, and to accept the services of fifty thousand volunteers, to enable him to prosecute the war, and when, at their last session, and after our army had invaded Mexico, they made additional appropriations and authorized the raising of additional troops for the same purpose—that no indemnity was to be obtained from Mexico at the conclusion of the war; and yet it was certain that, if no Mexican territory was acquired, no indemnity could be obtained.

It is further manifest that Congress contemplated territorial indemnity, from the fact that at their last session, an act was passed, upon the executive recommendation, appropriating three millions of dollars with that express object. This appropriation was made "to enable the president to conclude a treaty of peace, limits and boundaries, with the republic of Mexico, to be used by him in the event that said treaty, when signed by the authorized agents of the two governments, and duly ratified by Mexico, shall call for the expenditure of the same, or any part thereof." The object of making this appropriation was distinctly stated in the several messages on the subject which I communicated to Congress. Similar appropriations made in 1803 and 1806, which were referred to, were intended to be applied in part consideration for the cession of Louisiana and the Floridas. In like manner it was anticipated that, in settling the terms of a treaty of "limits and boundaries" with Mexico, a cession of territory estimated to be of greater value than the amount of our demands against her might be obtained, and that the prompt payment of this sum—in part consideration for the territory ceded—on the conclusion of a treaty, and its ratifications on her part, might be an inducement with her to make such a cession of territory as would be satisfactory to the United States. And although the failure to conclude such a treaty has rendered it unnecessary to use any part of the three millions of dollars appropriated by that act, and the entire sum remains in the treasury, it is still applicable to that object, should the contingency occur making such an application proper.

The doctrine of no territory is the doctrine of no indemnity; and if sanctioned, would be a public acknowledgement that our country was wrong, and that the war declared by Congress with extraordinary unanimity was unjust, and should be abandoned; an admission unfounded in fact and degrading to the national character.

The terms of the treaty proposed by the United States were not only just to Mexico, but considering the character and amount of our claims, the unjustifiable and unprovoked commencement of hostilities by her, the expenses of the war to which we have been subjected, and the success which had attended our arms, were deemed to be of a most liberal character.

The commissioner of the United States was authorized to agree to the establishment of the Rio Grande as the boundary, from its entrance into the Gulf to its intersection with the southern boundary of New Mexico, in north latitude about thirty-two degrees, and to obtain a cession to the United States of the provinces of New Mexico and the Californias, and the privilege of the right of way across the isthmus of Tehuantepec. The boundary of the Rio Grande and the cession to the United States of New Mexico and Upper California constituted an ultimatum which our commissioner was under no circumstances to yield.

That it might be manifest not only to Mexico, but to all other nations, that the United States were not disposed to take advantage of a feeble power by insisting upon wresting from her all the other provinces, including many of her towns and cities, which we had conquered and held in our military occupation, but were willing to conclude a treaty in a spirit of liberality, our commissioner was authorized to stipulate for the restoration to Mexico of all our other conquests.

As the territory to be acquired by the boundary proposed might be estimated to be of greater value than a fair equivalent for our just demands, our commissioner was authorized to stipulate for the payment of such additional pecuniary consideration as was deemed reasonable.

The terms of a treaty proposed by the Mexican commissioners were wholly inadmissible. They negotiated as if Mexico were the victorious and not the vanquished party. They must have known that their ultimatum could never be accepted. It required the United States to dismember Texas, by surrendering to Mexico that part of the territory of that state lying between the Nueces and the Rio Grande, included within her limits by her laws when she was an independent republic, and when she was annexed to the United States, and admitted by Congress as one of the States of our Union. It contained no provision for the payment by Mexico of the just claims of our citizens. It required indemnity to Mexican citizens for injuries they may have sustained by our troops in the prosecution of the war. It demanded the right for Mexico to levy and collect the Mexican tariff of duties on goods imported into her ports while in our military occupation during the war, and the owners of which had paid to officers of the United States the military contributions which had been levied upon them; and it offered to cede to the United States, for a pecuniary consideration, that part of Upper California lying north of latitude thirty-seven degrees. Such were the unreasonable terms proposed by the Mexican commissioners.

The cession to the United States, by Mexico, of the provinces of New Mexico and the Californias, as proposed by the commissioner of the United States, it was

believed, would be more in accordance with the convenience and interests of both nations than any other cession of territory which it was probable Mexico could be induced to make.

It is manifest to all who have observed the actual condition of the Mexican government for some years past, and at present, that if these provinces should be retained by her, she could not long continue to hold and govern them. Mexico is too feeble a power to govern these provinces, lying, as they do, at a distance of more than a thousand miles from her capital; and, if attempted to be retained by her, they would constitute but for a short time even nominally, a part of her dominions.

This would be especially the case with Upper California. The magnitude of powerful European nations has, long since, directed their attention to the commercial importance of that province, and there can be but little doubt that the moment the United States shall relinquish their present occupation of it, and their claim to it is indemnity, an effort would be made by some foreign power to possess it, either by conquest or by purchase. If so foreign government should acquire it in either of these modes, an independent revolutionary government would probably be established by the inhabitants and such foreigners as may remain in or remove to the country, as soon as it shall be known that the United States have abandoned it. Such a government would be too feeble long to maintain its separate independent existence, and would finally become annexed to, or be a dependent colony of some more powerful state.

Should any foreign government attempt to possess it as a colony, or otherwise to incorporate it with itself, the principle avowed by President Monroe in 1823, and re-affirmed in my first annual message that no foreign power shall with our consent, be permitted to plant or establish any new colony or dominion on any part of the North American continent, must be maintained. In maintaining this principle, and in resisting its invasion by any foreign power, we might be involved in other wars, more expensive, and more difficult than that in which we are now engaged.

The provinces of New Mexico and the Californias are contiguous to the territories of the United States, and if brought under the government of our laws, their resources—mineral, agricultural, manufacturing, and commercial—would soon be developed. Upper California is bounded on the north by our Oregon possessions, and if held by the United States, would soon be settled by a hardy, enterprising, and intelligent portion of our population. The bay of San Francisco and other harbors along the Californian coast, would afford shelter for our navy for our numerous whale ships, and other merchant vessels employed in the Pacific Ocean, and would in a short period become the marts of an extensive and profitable commerce with China and other countries of the East.

These advantages, in which the whole commercial world would participate, would at once be secured to the United States by the cession of this territory; while it is certain that as long as it remains a part of the Mexican dominions, they can be enjoyed neither by Mexico herself, nor any other nation.

New Mexico is a frontier province, and has never been of any considerable value to Mexico. From its locality it is naturally connected with our western settlements. The territorial limits of the state of Texas, too, as defined by her laws, before her admission into our Union, embrace all that portion of New Mexico lying east of the Rio Grande, while Mexico still claims to hold this territory as a part of her dominions. The adjustment of this question of boundary is important.

There is another consideration which induced the belief that the Mexican government might even desire to place this province under the protection of the government of the United States. Numerous bands of fierce and warlike savages wander over it, and upon its borders. Mexico has been, and must continue to be, too feeble to restrain them from committing depredations, robberies, and murders, not only upon the inhabitants of New Mexico itself, but upon those of the other northern states of Mexico. It would be a blessing to all these northern states to have their citizens protected against them by the power of the United States. At this moment many Mexicans, principally females and children, are in captivity among them. If New Mexico were held and governed by the United States, we could effectually prevent these tribes from committing such outrages, and compel them to release their captives, and restore them to their families and friends.

In proposing to acquire New Mexico and the Californias, it was known that an inconsiderable portion of the Mexican people would be translated with them, the country embraced within these provinces being chiefly an uninhabited region. These were the leading considerations which induced me to authorize the terms of peace which were proposed to Mexico. They were rejected, and negotiations being at an end, hostilities were renewed. An assault was made by our gallant army upon the strongly fortified place near the gates of the city of Mexico, and upon the city itself, and after several days of severe conflict, the Mexican forces, vastly supe-

rior to ours, were compelled to evacuate the city.

Immediately after the evacuation of the city, the unfavorable negotiations, believing that peace with the army would be of no good, I determined to communicate to the Mexican government. A despatch was transmitted to him on the 13th of June last. The Mexican government was informed of his result, and of the existing state of things. I shall be proper to make any further proposals, but shall be at all times ready to receive and consider any proposals that may be made by Mexico.

Since the liberal proposition of the United States was communicated to the Mexican government, a large number of our patriotic fellow citizens have been in the possession of the city of Mexico, and the Mexican government has since the terms of peace which were proposed to Mexico.

Our arms having been overpowered, having subjected to our occupation a large portion of the country, including important sections for power having failed, the last question arises—in what manner war ought to be prosecuted? I should be our future policy should be that we should not avail ourselves of the success which we have ready made; and that, with this we should hold and occupy, by our own military force, all the parts, towns, and provinces now in our possession, which may hereafter fall into our hands; that we should pay for our military operations, and pay our contributions on the country, as far as practicable, defray the expenses of the war.

Had the government of Mexico been to the equitable and liberal terms which that mode of adjustment would have preferred. Mexico having been thus, and failed to offer any proposals which could be accepted by the United States, the national honor, and the public interests, require that she should be prosecuted with her own arms and power until a just and honorable peace can be obtained. It is the policy of Mexico to refuse to accept measures which would be to her advantage.

Upper California is bounded on the north by our Oregon possessions, and if held by the United States, would soon be settled by a hardy, enterprising, and intelligent portion of our population. The bay of San Francisco and other harbors along the Californian coast, would afford shelter for our navy for our numerous whale ships, and other merchant vessels employed in the Pacific Ocean, and would in a short period become the marts of an extensive and profitable commerce with China and other countries of the East.

These advantages, in which the whole commercial world would participate, would at once be secured to the United States by the cession of this territory; while it is certain that as long as it remains a part of the Mexican dominions, they can be enjoyed neither by Mexico herself, nor any other nation. New Mexico is a frontier province, and has never been of any considerable value to Mexico. From its locality it is naturally connected with our western settlements. The territorial limits of the state of Texas, too, as defined by her laws, before her admission into our Union, embrace all that portion of New Mexico lying east of the Rio Grande, while Mexico still claims to hold this territory as a part of her dominions. The adjustment of this question of boundary is important.

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