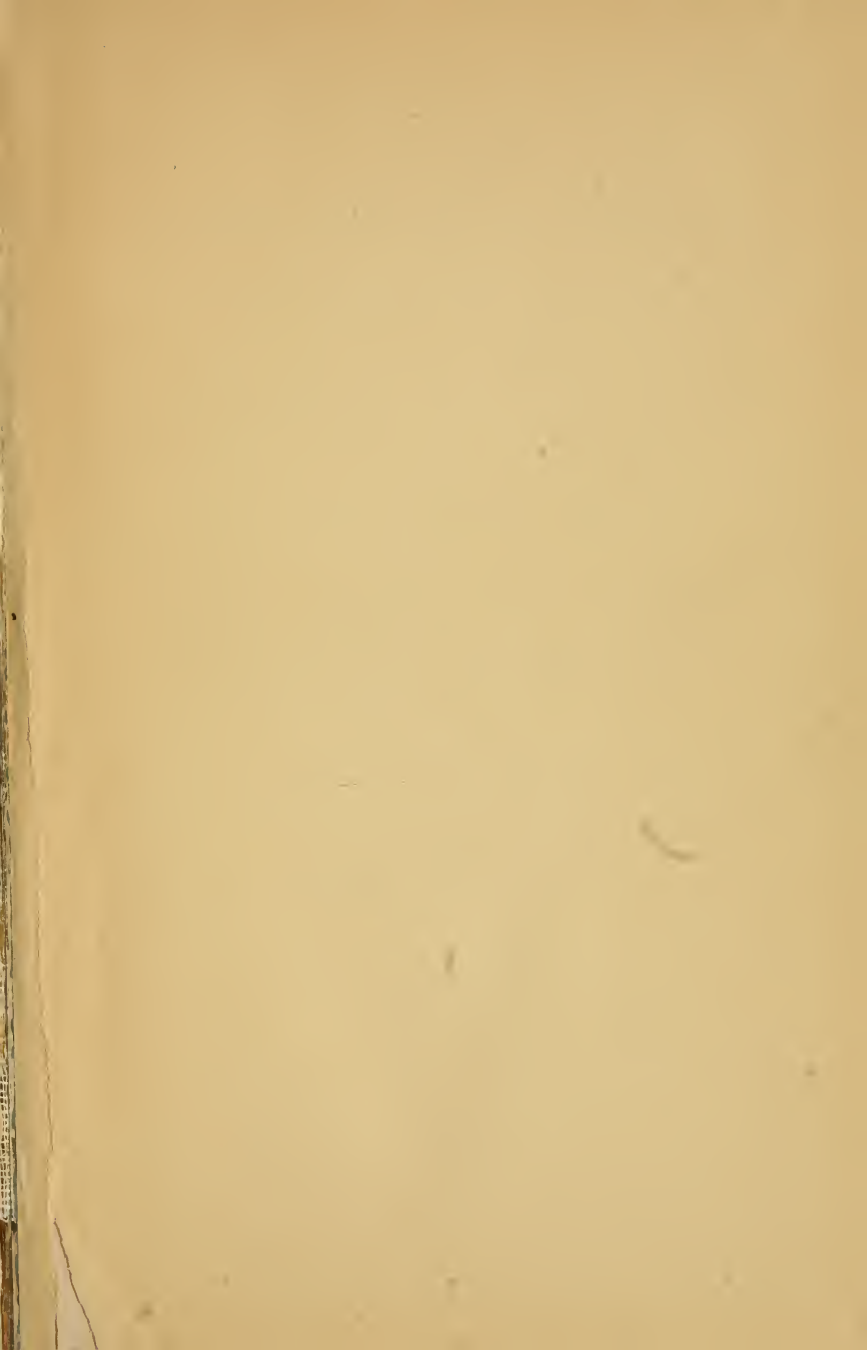






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Book . C 23







THE REPUBLIC  
OF THE  
UNITED STATES OF AMERICA:

ITS DUTIES TO ITSELF,

AND

ITS RESPONSIBLE RELATIONS TO OTHER COUNTRIES.

EMBRACING ALSO A

REVIEW OF THE LATE WAR

BETWEEN THE UNITED STATES AND MEXICO;

ITS CAUSES AND RESULTS;

AND OF THOSE

MEASURES OF GOVERNMENT WHICH HAVE CHARACTERIZED THE

DEMOCRACY OF THE UNION.

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STEREOTYPED AT THE  
BOSTON TYPE AND STEREOTYPE FOUNDRY.

TO THE

Hon. James Buchanan,

OF PENNSYLVANIA:

*With a just appreciation of his  
great talents and extensive attainments; of his  
services as a statesman; of his energies and  
integrity as a citizen, and of his inestimable  
qualities as a man, this volume is inscribed,*

*With considerations of the*

*Highest respect, by*

*The Author.*



## PREFACE.

---

IN preparing this volume for the press, the author has been encouraged by others in the belief that his humble labors might prove useful to his fellow-citizens, in leading them to contemplate the institutions of their country as sacred trusts, to be honored by duty, and protected by patriotism. It has been his aim to invest citizenship with those traits of character which give dignity to man, and to illustrate those great and eternal truths which give growth, power, and glory to nations. He has endeavored to define man, in his relations to external objects and to Deity, as a being of accountability and improvement; and nations, as the mighty aggregates of the conventional powers of humanity, which are combined, shaped, and directed by the hand of that Providence which marks its way only in harmony with the universal principles of truth and of progress. How far he has succeeded in his design he leaves for others to judge. He claims no favor but the admission of his sincerity, and no merit but in the purity of his motives.

Having designed an extended history of the late war between the United States and Mexico, and being engaged in collecting materials in view of its execution, the author was induced, by the superior judgment of others, to give form to the present volume, briefly treating of important subjects within a compass that should be available to the great mass of the people. The suggestion was a recent one, and the work has been prepared with a rapidity, which, though prudence might not approve, necessity made requisite and imperative.

The author makes his grateful acknowledgments to the Hon. Robert J. Walker, to the Hon. R. H. Gillet, and to other distinguished gentlemen, for their aid, counsel, and encouragement in the prosecution of the humble undertaking. If he has accomplished any good purpose, it is but just that the public should know the source of its indebtedness.

*October, 1848.*

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# INTRODUCTORY.

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## FORMATION OF NATIONS.

A CIVILIZED nation is a momentous combination of parts, of countless powers and influences that encircle the globe, and extend from the equator to the poles. It is an individual being, and yet it is the imbodiment of millions of the human race. Its boundaries are marked upon the earth, its resources upon the page, but its myriads of eyes look with an illimited vision into the unmeasured regions of space and of time. It is single in its organization, and yet its capacity is as multi-form as the subjects and objects of the universe,—extending out from itself active causes of progress to the world, and standing as its own conservator. It is circumscribed in its territory, but it is infinite in its relations and influences. Its interests are as diversified as the blessings of creation, embracing all that is within the pebble and the mountain, the mite and the man.

The divine faculties of the soul, in their highest conceptions of truth, beauty, and wisdom, make up its existence, and constitute the elements of its growth. The natural world in its grandeur and life-yielding fruits; the living creatures of the earth, air, and water; man, whether as an individual, or as a member of a family, a neighborhood, or state; whether as a citizen or a ruler; as an exponent of natural or conventional law,—all are made to subserve the nation, and through the nation the world, and through the world its Maker.

It is a beautiful truth that all may see who have surveyed

—— “the unbounded scheme of things,”



that every existence, however great or small, that comes from creative wisdom, is perfect in itself, and made for admirable ends. Nothing is left to accident. All is made for progress.

If we look to the beginning of things, our reason leads to the belief "in the gradual development of the powers of nature, and in the adaptation of living beings to the progress of that development."

The earth, from a mass of inert matter, has become what we behold it. Endowed with inherent power, vegetation soon covered its surface with herbs, and fruits, and flowers; beautifying its valleys, and clothing its mountains with stately trees and fragrant shrubs. The rocks with rude features walled up the fearful precipices, and lined the subterraneous caverns. The elements were soon ruled in order, surrounding and filling it with their mysterious life and agency. The springs and rivers were opened; the waters of the mighty deep were placed, and the tides were made to ebb and flow; invisible air moved the rising vapor and the yielding tree; and heat warmed all into growth and being. Then came the

—— "powerful king of day,  
Rejoicing in the east."——

And in its absence, the modest moon lighted up the earth with its milder rays, while unnumbered stars shone from the vaulted sky, and filled all space with gems of light. Seasons were measured, and time was marked by days and nights.

Thus was the earth prepared for man, and "for every living creature after his kind." It is not within our province, in this connection, to note the successive growths of ages of the natural world, or to trace the physical and mental causes which produced them. It is a study, however, fraught with beauty and instruction, an

"Effusive source of evidence and truth."

So far as analogical examples will aid us in understanding man in his relations of destiny and duty, we shall avail ourselves of this source of truth, speaking as it does the language of divinity.

In discussing the important topics which we have chosen for consideration, it is our purpose to observe those rules of evidence which have been sanctioned by science. Our objects are those of truth and duty, and if we err, the reader must measure to us that favor which he would ask for himself, ascribing whatever may seem amiss to that weakness which is common to us all.

It has been a source of regret in all ages of inquiry, that no records of the early condition of man were made, or, if made, preserved. It is an obvious truth, that reconciles us to this want, that prescience was not given to man in his ignorance, and that we have no just reason to look for a record of knowledge from those who did not recognize its power, or foresee its uses.

It is quite true, as is stated by the learned Dr. Tytler, that "all accounts of the early history of single nations trace them back to a state of rudeness and barbarism, which argues a new and infant establishment; and we must conclude that to be true with respect to the whole, which we find to be true with respect to all its parts. But to delineate the characters of this early state of society, to trace distinctly the steps by which population extended over the whole surface of the habitable globe; the separation of mankind into tribes and nations; the causes which led to the formation of the first kingdoms; and the precise times when they were formed — are matters of inquiry for which neither sacred nor profane history affords us that amplitude of information which is necessary for giving clear and positive ideas. But while we travel through those remote periods of the history of an infant world, making the best of those lights we can procure, we have the comfort of thinking that, in proportion as man advances from barbarism to civilization, in proportion as history becomes useful or instructive, its certainty increases, and its materials become more authentic and more abundant."

Society, as originally formed, was made up of families, each having its parental head. As man was fitted to associate with

his kind, the next development was the social circle—friend with friend, and neighbor with neighbor. Increase of numbers led to diversity of interests, and tribes were formed, each assenting to conventional rules, and yielding certain rights to all, that they were unwilling to yield to each other. As it was with individual and family interests, there soon arose the greater interests of the separate tribes, and the nation was the result,—each tribe surrendering to all the tribes what none would yield to its neighbor. Every change opened to new wants and to new conditions. The mind naturally looked forward to provide for the advancement of society to its ultimate formation. Its progress was onward and upward. Nations were multiplied upon nations,—rising or falling in their might or greatness, in the same degree that they were true or false to their trusts.

At the present period, a large portion of the earth is controlled by the conventional powers of nations; and yet, of a population of a thousand millions, the Christians can claim but about one fifth of that inconceivable number.\*

Nations have advanced in growth as independent existences, each having its own laws and institutions, according to its distinctive power and genius. They have become the conservators of commerce, science, and religion, throughout the world, and the subject of international law, though still in its infancy, is in rapid process of advancement. The individual is lost in the races, and the races make up the great question of man's destiny—universal humanity.

It has become the true province of science to investigate not

---

\* The population of the earth has been recently stated thus:—

Asia,.....	585,000,000	} Of which are	Heathen, .....	600,000,000
Europe, .....	235,000,000		Mahometans, ....	140,000,000
Africa,.....	110,000,000		Jews, .....	10,000,000
America,.....	50,000,000		Romish Church, ..	130,000,000
Oceanica, ....	20,000,000		Greek Church,....	55,000,000
Total, 1,000,000,000			Protestant Denomi- nations, .....	65,000,000



only the laws of inanimate matter, of the unmeasured regions of space, but of the immortal soul itself, in the recesses of its intellectual, moral, and religious nature. Man is studied as man, as father, husband, brother, friend, citizen, magistrate, legislator, and soldier. He is viewed as an element of the town, state, nation, world, and universe. Unlimited and unwearied, the spirit of inquiry seeks to know the rights of men in masses, as parts of a nation; and the rights of nations, as parts of the world; and our relations to the world, as the children of God.\*

In all ages, the influence of example has been acknowledged and inculcated. It is an incitement to sincerity, an encouragement to duty. The only legacy which the rude savage leaves to his children, or to his tribe, is a recital of his deeds, that they may be followed as the highest examples of good of which their nature is capable. The good man of the civilized world, in his parting blessing to those whom he loves best, speaks of examples of goodness as more precious to the forming man, than all the visible treasures of the earth. It is so with nations. The examples of nations influence nations, and each is held responsible, not only to its own subjects or citizens, but to the world, and to those eternal laws of right, which, in the process of moral change, will give equal freedom to the prince and to the slave.

Having made these remarks as introductory to the subjects treated of in the following pages, it is now our purpose to speak briefly of our own country, of the Republic of the United

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\* "Every generous emotion," says an interesting writer, "is in its nature elastic, and naturally labors to widen the sphere of its influence: the first impulse

— 'serves the virtuous mind to wake,  
As the small pebble stirs the peaceful lake;  
The centre moved, a circle straight succeeds;  
Another still, and still another spreads;  
Friend, parent, neighbor, first it will embrace,  
His country next, and next all human race.'"

*Taylor's Natural History of Society.*

States of America ; of its duties to itself, and its responsible relations to other countries.

It is not the design of the author, however, to illustrate this great subject by a statement of abstract propositions, for this is forbidden by his limits ; but rather to lead the reader into that atmosphere of thought which shall best prepare him to follow us in the investigation of those realities, those actual conditions of our country, as a matter of duty to ourselves, and to the nation and age in which we live.

## THE RESPONSIBLE DUTIES AND RELATIONS OF THE UNITED STATES.

---

### THE PIONEER.

WE honor the pioneer ! We reverence him as the early agent of Providence in all those great changes of life which constitute the improvement of the world. We speak of the pioneer in an enlarged sense, — as the discoverer of new regions, new agents, new laws, new beauties, and new combinations in the natural world, as well as new truths in the moral world. He seems to be endowed with an instinct superior to reason, a gift from his Maker to extend the limits of knowledge, and the great purposes of divine beneficence.

We find him in the wilderness, self-exiled from the refinements of civilization, inviting labor, enduring hardships, incurring dangers, — a willing neighbor to the savage. We find him upon the ocean, in the frail constructed bark, without instructions from man, ploughing the trackless deep, with no chart of his destined shores but that of faith. We find him in the icy regions of the poles, though aided by the light of science, but still the same unyielding and self-sacrificing spirit, reaching forward to burst the boundaries of his view. We find him in the laboratory and in the workshop, in the halls of legislation and in the observatory. We find him in the caverns of the earth, in the depths of the sea, in the vaults of the ancients, in the crater of the volcano, on the summit of the highest mountain, and borne by the chariot of science above and

beyond the tempests of the sky. We find him, too, in the missions of the gospel to distant lands ; we find him struggling in the cause of freedom ; earnest and bold in all reforms, and a ministering angel of sympathy in the cause of suffering humanity.

#### COLUMBUS AND THE PURITANS, THE GREAT PIONEERS OF THE FIFTEENTH AND SEVENTEENTH CENTURIES.

It was an extraordinary period in the history of the world, when the western voyages of Columbus were projected, and which led to the discovery of the American continent.\* His aim was dignity, rank, and wealth, and these were sought with the noblest motives. The vast gains that he anticipated from his discoveries, he intended to appropriate to princely purposes — to institutions for the relief of the poor of his native city, to the foundation of churches, and, above all, to crusades for the recovery of the holy sepulchre.† Endowed with talents of a high order, with a poetical temperament, a fervent piety, and, withal, a bigot's zeal, he was eminently fitted for such a mission.

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\* An unparalleled impulse was given, about this period, to the progress of European civilization, by the simultaneous invention, or at least introduction from the East, of the mariner's compass, gunpowder and artillery, an improved system of arithmetic, and the art of printing. Combined with these were a renewed study of the Roman law, the cultivation of Greek literature, the restoration of the fine arts, and the opening of new paths of industry and commercial enterprise. — See *Taylor's Natural History of Society*.

The state of geographical knowledge at the period when the continent of America was discovered, may be inferred from the treaty of Tordesillas, made June 7, 1494, in which were determined "the principles on which the vast extent of unappropriated empire, in the eastern and western hemispheres, was ultimately divided between two petty states of Europe." — See *Prescott's Ferdinand and Isabella*, Vol. II. p. 181.

† Irving's Columbus.

All was done in the name of the Holy Trinity, and through his sovereigns, he owned no master but his God.

Such was the character of Columbus. He discovered the continent of America, but it was left to other pioneers to people and to subdue it. His was the zeal of the Holy Catholic church, theirs was the zeal of reform. He carried the banner of St. Peter, they were the followers of Martin Luther. They were all inquirers after truth, but the declarations of the pope, and the protest of the sons of Britain, were alike the sources of zeal, faith, and sacrifice — all were prepared for martyrdom, each for his own form of faith. Columbus died ignorant of the extent of his own discovery,\* and the Puritans died without a knowledge of the freedom which they had secured for their children and the world.

The Puritans — filled with a self-respect that knew no laws but those of duty, moved by a sense of accountability that acknowledged no ruler but God — preferred the foreign wilderness with the rights of conscience, with unrestrained devotion, to the firesides of home made bitter by oppression. They were the pioneers of the moral world; they were the defenders of the mind's integrity, of the soul's best good, of man's high destiny.† We have no occasion to refer the reader to the well-known history of the Puritans; it would be as useless as an artist's chart to find the noonday sun in a cloudless sky. We point him to our country AS IT IS, with the proud conviction that all who read our pages have knowledge of WHAT IT WAS.

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\* He supposed Hispaniola to be the ancient Ophir, which had been visited by the ships of King Solomon, and that Cuba and Terra Firma were but remote parts of Asia.

† It is well remarked by an intelligent author, (De Tocqueville,) that "the emigrants who fixed themselves on the shores of America, in the beginning of the 17th century, severed the democratic principle from all the principles which repressed it in the old communities of Europe, and transplanted it unalloyed to the New World. It has there been allowed to spread in perfect freedom, and to put forth its consequences in the laws, by influencing the manners of the country."



## THE PURITANS AND THE INDIANS.

As colonists of Great Britain, our fathers were permitted to enjoy a new world in its freedom and freshness. They had the aid of the wisdom of the parent country, without its concomitant evils and follies ; the health and energies of its maturity without the infirmities of age. Separated by a vast ocean, and thrown upon their own resources, they acquired habits and views peculiar to themselves. The cold climate and rock-bound soil of New England were circumstances favorable to physical strength and industry. The wily Indian soon taught them the necessity of self-protection, and their dangers and hardships gave them those stern and hardy virtues which still bless their children's children.

It has often been the theme of the orator and poet, to speak of the great injustice done by the Puritans to the sons of the forest ; to assert that the Indian was the lawful possessor of the soil, and to lament that our fathers were guilty of stupendous wrong to a simple-hearted and ignorant race, by assuming the control of the land and gradually displacing the native from the home of his fathers.

Without pausing here to speak particularly of the principles of the subject, the remark may be made, that these views, probably, have been expressed without that examination which is always and imperatively required in matters involving charges of such magnitude. It is maintained by persons eminent for their learning and integrity, that the records bear evidence that the Puritans were scrupulously honest in their transactions with the Indians. That there were no exceptions, we are not prepared to say, for, in truth, such an assertion cannot properly be made of any people. But it is our humble opinion, based upon some examination of the subject, and yet more confidently relying upon the views of others than our own, — that the Puritans were true to their standard of integrity, which involved the interests of two and widely different races. The Indian was ferocious, sensual, and superstitious. Knowledge confound-

ed him, and the conventional distinctions of society were nothing to him but chaos. He could see no objects of life above the existence of the body ; no property, but in the implements of destruction, or in the extent of his hunting-grounds. He coveted nothing so much as the strange novelties of the white man, and when he consented to sell a small lot of land, it was doubtless his belief that he had made a gain without decreasing his privileges, and that the loss, if any, was on the part of those who gave away their wonders without an equivalent. That the standard of knowledge and duty of the Puritans was a very different one, all will admit ; but it was their necessity that led them to the adoption of particular modes of dealing adapted to the condition, views, and capacities of the barbarian. Besides, they could have had no definitive belief in what their own lot was to be in this new land. Religious freedom was paramount to all other considerations. Physical subsistence was admitted to be necessary, even indispensable ; and it was important, too, that conventional laws should be observed in regard to property ; but, as they viewed this world of but little consequence, the mere temporary dwelling-place of the soul, a place of probation to fit them for another existence, they doubtless felt that their relation to the savage, in the providence of God, was one of a spiritual nature, rather than one of temporal interests,—and, in making bargains with the natives, they were influenced by none of those selfish motives which are so often manifested and condemned in civilized countries. According to our present standard of knowledge, the Puritans were ignorant and bigoted. This cannot be said of them as true in their own times. The predominating element in their character, *the spirit of religious freedom*, was the same, whether it concerned the rights of the Catholic, or of the Protestant. It was not the mode of belief, it was not the standard of knowledge, but it was in this great principle,—that the individual had an inalienable right to worship his Maker according to the desires of his own soul, according to the convictions of his own mind, however peculiar, however different from established systems, his form

of faith. This element of character, of *actual freedom in any thing*, is the life-spring of liberty. As the acorn has within its narrow compass the elemental growth of ages, so this principle of freedom in the mind, at first applied to one subject, will in coming time be applied to all. As knowledge is advanced, its sphere of action will be enlarged, until freedom gladdens every people, and erects its monuments in every clime.

It is a proposition but few will deny, that the features and external aspects of a country have an influence in the formation of the character of its people. We would not lead the reader, by this remark, to adopt the common error of blending cause and effect together by attributing an absolute agency to external things, without regard to the character of the mind standing in relation to them ; but rather to speak of that mutual relation existing between mind and matter which is to be appreciated only as it is found to be marked by the energies of the soul.\* This continent was long in the posses-

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\* Locke, in speaking of the fitness of man for knowledge and improvement, makes use of the following remarkable passage : —

“Of what consequence the discovery of one natural body, and its properties, may be to human life, the whole great continent of America is a convincing instance ; whose ignorance in useful arts, and want of the greatest part of the conveniences of life, in a country that abounded with all sorts of natural plenty, I think may be attributed to their ignorance of what was to be found in a very ordinary despicable stone, — I mean the mineral of iron. And whatever we think of our parts or improvements in this part of the world, where knowledge and plenty seem to vie with each other, yet, to any one who will seriously reflect on it, I suppose it will appear past doubt, that were the use of iron lost among us, we should in a few ages be unavoidably reduced to the wants and ignorance of the ancient savage Americans, whose natural endowments come no way short of those of the most flourishing and polite nations.”

We do not quote this passage with a view to refute it, but to show the opinion of a grave philosopher, who, having written one of the ablest works extant on the nature of the mind, and having asserted its immateriality and immortality, should so far forget himself as to



sion of the barbarian ; and yet his feeble powers of apprehension were not equal to comprehending the beauty and magnificence of its scenery, much less to manifest traits of character as the result of any contemplation of its features.

In considering the rights and duties of nations, it becomes the spirit of inquiry, that while a just and uncompromising regard should be observed in reference to humanity on the one hand, we should, on the other, elevate our views in the endeavor to comprehend the relations existing between man and external objects, — in reverence to Him who looks upon all things as parts of a great whole, and destined to infinite progression as an integrant of the system of the universe itself. We often speak of

#### CIVILIZATION,

of what it is, of its laws, of its progress, of its blessings, of its refinements. Are we sure that we have just conceptions of the subject ? of what we mean ? of the duties which it involves ? of the truths encompassed by our language, and of the responsibility of our professions in connection with the subject ? We fear not. We will not arrogate to ourselves an

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make its best energies and refinement dependent on the presence and use of iron ore ! Since this ore was made known to the savage, seven generations have passed away ; and what the condition of the savage now is need not be stated. Locke had studied the results of the mental capacities, rather than the capacities themselves, in relation to external objects. The natural instrument of the mind was overlooked, and he sought the means of its manifestation in the rifle, chisel, and spade, forgetting that the mind invented and manufactured them, and therefore must have preceded them all.

Mr. Thompson, in his interesting work on Mexico, loses sight of this distinction. He says, "They have no fireplaces in Mexico, and I think this circumstance has a great influence on their character." The fireplace is one of the necessities of climate, and its connection with character is one of the *results of social condition*, but not the cause of it. It may be that this able writer simply intended to lament the want of *the necessity*, and even this must be regarded as an incidental influence.

ability to answer these questions above that, which, in all humility, we are willing to believe is possessed by our fellow-men ; but we may be permitted to express an earnest hope that the reader will pursue with us the inquiry with an honest heart and careful mind.

Civilization, in that enlarged sense in which it is used when applied to nations, is a comprehensive term, which embraces those relations, and which cannot be enumerated, that exist between man and all external things. Man is a sentient being, placed in the midst of objects to be studied and to be known. He stands in relation to them all as ruler, and they to him as subjects. He stands in relation even to himself, and the oracle of Delphi, "*Know thyself*," was indeed the first step in knowledge worthy to be pointed out as of divine origin. The degrees of civilization correspond with those of knowledge, comprehending its applications and uses. Its highest state would imply a knowledge of our physical system, of its parts, of its functions, of the conditions of health, the causes of disease, the principles of true temperance, and the penalties of violation and abuse. It implies a knowledge of mind, of the nature of its faculties, sentiments, and propensities. It embraces all that can be comprehended by the intellect, and all that can be realized by the soul. It extends from the circle of the individual to that of the nation, and of the world, comprising all duties due to ourselves, to our country, to the world, and to God. The sphere of man is infinite, embracing all that is small, and all that is great ; all that is good, and all that is beautiful ; — his destiny is infinite progression.

The natural world is filled with causes which man is fitted to develop and to know. The secret springs of vegetation ; the healthful condition of vegetable life ; the uses of things that grow, and of inanimate substances ; the objects of beauty, and enjoyments of sense ; the numberless purposes of animal life ; the laws of matter, and the elements of mechanical power ; in fine, whatever exists upon, within, around, above, and beyond the globe, and the globe itself, — are subjects

enjoined upon man for him to master, to control without abuse, and to advance in the great scale of perfection.

With these views, can we adopt the belief that the red man was the true inheritor of this continent? that such a magnificent country, with its vast capabilities, should be destined to the mere objects of animal life? that it was to be the destiny of the savage to grovel with the beasts; to study destruction instead of life and growth; to roam over the land without a knowledge of its beauties, or of its latent treasures? Was this earth clothed in matchless beauty, and endowed with rich treasures adapted to humanity, forever to revolve in its orbit without development? Was it created without design, without destiny? To argue such questions would be subjecting reason to the trial of reason, judgment to the rule of doubt, and it would imply a total want of that awe and reverence which should ever characterize the spirit of our inquiries when we study the works of Infinite Wisdom.

This course of thought leads us next to notice the fact that our

#### RESPONSIBILITY INVOLVES A KNOWLEDGE OF THE CONDITIONS OF GROWTH.

Just conceptions of individual or national responsibility involve a knowledge of the conditions of moral and physical growth. Having glanced at the motives and circumstances which led to the discovery and settlement of this continent, it remains for us briefly to consider the origin, changes, and present character of the government, and of those sources of power with which we have been so abundantly blessed. The motives which actuated the first emigrants were those of enterprise, personal ambition, religious zeal, and the true spirit of freedom, really embracing those primary elements necessary to the formation of a new and energetic national character.

Even a rapid view of these elements will enable us to judge how favorable they were to results of strength and prosperity. The gradual development of interests; of new wants; of new

sources of comfort, profit, and power ; of difficulties and dangers, were incidental causes favorable to habits of industry, virtue, and independence.

Let us review, for a moment, the early formation of the

#### AMERICAN COLONIES AND THEIR DIFFERENT FORMS OF GOVERNMENT.

Although the colonies were subjected to the sovereignty of Great Britain, yet most of the early influences, privileges, restraints, and institutions established around them, were of their own choice and making. While they were willing to avail themselves of whatever advantages the mother country could extend to them, they did not hesitate to reject what their judgment could not approve when proposed for their adoption ; and their distance from all civilized nations was a circumstance favoring exemption from home rule, and stimulating that free exercise of all the faculties of the mind in the discussion of their rights which soon began to give them new traits of character, and which have been continued to their descendants.

Diversity of privileges, of interests, and of experience, were secured to them in the different forms in which Great Britain extended her laws and protection to the different colonies. The form of each became the study of all the others, and the results of each were separate, exhibiting the true causes of success or of failure.

The governments originally formed in the different colonies were of three kinds, viz. : the *provincial*, the *proprietary*, and the *charter*.\*

1. *The provincial governments* had no fixed constitution,

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\* In noticing the different forms of the colonial governments, and the organization of the general government, we have made free use of the able work of Judge Story on the Constitution of the United States. As we have slightly modified his phraseology in some passages, to adapt the matter to our purpose, we have not given the usual marks of quotation. These brief passages, however, alluded to, are merely historical.



but derived all their authority from commissions, issued from time to time, by the crown. They were subject to the pleasure of the king. A governor and council were appointed, and these were invested with general executive powers, and were authorized to convene a general assembly of the representatives of the freeholders and planters of the province. The assembly was the lower, and the council was the upper house. The governor was invested with a veto power upon all their proceedings, and had the power to prorogue and dissolve them. The legislature had power to make all local laws and ordinances not repugnant to the laws of England. Under this form of government, New Hampshire, New York, Virginia, North Carolina, South Carolina, and Georgia, were governed, as provinces, at the commencement of the American revolution; and some of them had been so governed from an early period of their settlement.

2. *The proprietary governments* were grants by letters patent from the crown to one or more persons, as proprietary or proprietaries, conveying to them not only the rights of the soil, but also the general powers of government within the territory so granted, in the nature of feudatory principalities, or dependent royalties; possessing within their own domains nearly the same authority which the crown possessed in the provincial governments, subject, however, to the control of the king. The governor was appointed by the proprietary, or proprietaries, and the legislature was organized and convened according to his or their pleasure. The executive functions and prerogatives were exercised by him or them, either personally or by the governor for the time being. At the time of the revolution, only three governments existed in this form, namely, Maryland, held by Lord Baltimore, as proprietary, and Pennsylvania and Delaware, held by William Penn, as proprietary.

3. *Charter governments* were political corporations, created by letters patent, which conferred on the grantees and their associates the soil within their territorial limits, and all the high

powers of legislative government. The charters contained a fundamental constitution for the colony, distributing the powers of government into three great departments, legislative, executive, and judicial; providing for the mode in which these powers should be vested and exercised. The charter governments existing at the time of the revolution, were Massachusetts, Rhode Island, and Connecticut.

It is a remark of the late Judge Story, that, "notwithstanding these differences in their original and actual political organization, the colonies, at the time of the American revolution, in most respects, enjoyed the same general rights and privileges." Although we may not dissent from this general remark, still it must be admitted that these differences are sufficiently marked to be noticed as distinct and separate causes; and though their effects may have been somewhat blended in a common experience, we cannot but regard them as sources of different results, and, as such, leading in some degree to diversity of character.

*The provincial government* was the absolute sovereignty of the crown, transferred, at pleasure, from an island to the continent, without any guaranty as to favor or permanency.

*The proprietary government* gave an interest in the soil, but that interest was secured to individuals, and the relations between the people and the proprietaries were those of dependence.

*The charter government* was a division of powers between two great parties, according to fixed conditions, each party having certain defined and reserved rights, the subordinate government being independent only under a constitution.

It will be perceived that in these forms of government there are three distinct degrees of liberty; and yet the scale is graduated to a common head, the British crown, and to which all acknowledged their allegiance.

"In all of these," says Judge Story, "express provision was made, that all subjects and their children, inhabiting in the colonies, should be deemed natural born subjects, and should

enjoy all the privileges and immunities thereof. In all of them, the common law of England, as far as it was applicable to their situation, was made the basis of their jurisprudence." Not that the entire system was introduced into any one colony, but only such portions of it as each found adapted to its own wants, and were applicable to its own situation. Of this, each colony judged for itself.

It is further remarked by the same author, that "although the colonies had a common origin, and common right, and owed a common allegiance, and the inhabitants of all of them were British subjects, they had no direct political connection with each other. Each colony was independent of the others, and there was no confederacy or alliance between them. They were excluded from all political connection with foreign nations, and they followed the fate and fortunes of the parent country in peace and war. Still the colonists were not wholly alien to each other. On the contrary, they were fellow-subjects, and, for many purposes, one people. Every colonist had a right to inhabit, if he pleased, in any other colony, to trade therewith, and to inherit and hold lands there."

We now come to the first step towards the

#### ORGANIZATION OF A NATIONAL GOVERNMENT.

When the British Parliament asserted the right to legislate over the colonies in all cases whatsoever, and made a systematic effort to execute this right by acts of internal legislation and taxation, it was boldly resisted by them, and a controversy was commenced which terminated in their independence. This new power was manifested in the Continental Congress of 1774, which adopted unanimously a declaration of the rights of the colonies.\* These were disregarded by the British government, and the American revolution was the result. In the exigencies of the times, union of the colonies became a paramount measure,—indeed, it was an absolute

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\* See Appendix A.

necessity — as a means of common defence. It was recommended to each colony to reorganize its government as that of a sovereign state, and to enact such new laws as the times seemed to require.

This voluntary association of the states for purposes of mere protection was not designed to be permanent, and, although every measure was adopted which nations usually adopt in seasons of apprehended danger from a foreign enemy, still the removal of the occasion left each state to recede from or to continue in the alliance. Besides, it could but be seen how great would be the dangers of the separation of the confederated states into independent communities, acknowledging no common head, and acting upon no common system. Rivalries, jealousies, real or imaginary wrongs, diversities of local interests and institutions, would soon sever the ties of a common attachment, which bound them together, and bring on a state of hostile operations dangerous to their peace and subversive of their permanent interests.\*

One of their first objects, therefore, beyond that of their immediate safety, which engaged the attention of the Continental Congress, was to provide the means of a *permanent* union of all the colonies under a general government. Certain Articles of Confederation were agreed upon in November, 1777, but were not accepted by all the states until March, 1781. As the government was not to go into effect until the consent of all the states should be obtained, this delay of more than three

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\* "If these states should either be wholly disunited," says Alexander Hamilton, "or only united in partial confederacies, a man must be far gone in Utopian speculations, who can seriously doubt that the subdivisions into which they might be thrown would have frequent and violent contests with each other. To presume a want of motives for such contests, as an argument against their existence, would be to forget that men are ambitious, vindictive, and rapacious. To look for a continuation of harmony between a number of independent, unconnected sovereignties, situated in the same neighborhood, would be to disregard the uniform course of human events, and to set at defiance the accumulated experience of ages."



years gave good opportunity for deliberation and discussion. It was soon found, however, that the Articles adopted were defective, not being sufficiently comprehensive and efficient for the government of a nation. The states were exceedingly jealous of their own rights, and, having realized a bitter experience in their former relations with the parent country, they doubtless entertained fears, and raised doubts not justified by enlightened views.

It soon became evident, from a gradual development of the subject by discussion, and from actual experience, that a new constitution was highly important, and, after several partial meetings in convention of a portion of the states, a general convention of commissioners was called from all the states, and met in Philadelphia in May, 1787. After very protracted deliberations, and great diversities of opinion, they finally, on the 17th of September, 1787, framed the present Constitution of the United States, and recommended it to be laid by the Congress before the several states, to be by them considered and ratified in conventions of the representatives of the people, to be called for that purpose. Conventions were accordingly called in all the states, except Rhode Island, and after many warm discussions, the Constitution was ratified by all of them, except North Carolina and Rhode Island. It was subsequently adopted by North Carolina in November, 1789, and by Rhode Island in May, 1790. Vermont was admitted February 18, 1791.

As the Preamble of the Constitution adopted imbodyes the motives of those who framed and accepted it, we copy it as a lesson of instruction.

“ We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States of America.”

In making this brief and hasty recital of the events con-

nected with the growth of our state and general governments, we are compelled to confine ourselves to mere outline. We have deemed it pertinent to our subject to notice these few details, as illustrating the different trials and processes through which these forms of government were passed before the results were reached, and which now bless our states and our general country. The work is one bearing all the marks of scrupulous care, of ability and integrity. Three different forms of government were tried by the different colonies, and three conventions were held by them, each convention performing its degree of labor, before the collected wisdom of the people could be imbodyed and detailed in a shape that should at the same time practically meet the wants of the nation, and do justice to the cause of universal freedom.\*

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\* "The Constitution of the United States," says De Tocqueville, "is like those exquisite productions of human industry which insure wealth and renown to their inventors, but which are profitless in other hands. This truth is exemplified by the condition of Mexico at the present time." We should be sorry to admit that this remark needed no qualification. The bare desire for a free government is a step towards it. The successful administration of it requires the wisdom and experience of age, and these must be preceded by a certain amount of mental capacity.

"A great equity lawyer," says Mr. Webster,\* "had truly said that, ever since the revolution of 1688, law had been the basis of public liberty. He held it to be undoubted that the state of society depends more on elementary law, and the principles and rules that control the transmission, distribution, and free alienation of property, than on positive institutions. Written constitutions sanctify and confirm great principles, but the latter were prior in existence to the former. Habeas Corpus Act, the Bill of Rights, Trial by Jury, were surer bulwarks of right and liberty than written constitutions. The gradual establishment of our free institutions was the work of time and experience, not the immediate result of any written instrument. English and our colonial history were full of those experiments in representative government which heralded and led to our more perfect system. When our revolution made us independent, we had not

\* In his speech delivered at Charleston, S. C., at a dinner given him by the Charleston Bar.

In this instrument and in the Declaration of Independence, are to be found the fundamental principles of our national government, and in which centre all those great sources of duty which involve justice and accountability.

Every true friend of liberty finds a subject of congratulation in

#### THE INDISSOLUBLE NATURE OF THE UNION.

This indissoluble combination of sovereignties of a gradual and similar formation is one of those extraordinary events of time, in which all may recognize the ruling hand of Providence. Such a union is one of inconceivable strength and permanency. We can see the elements of its growth, but we cannot even predict the beginning of the causes of its decay. It is enveloped in almost numberless circles of sovereignty. Its heart cannot be reached by danger. Towns, counties, states, and their unnumbered institutions, have each their own independent sphere of action, and their growing and diversified strength is a perpetual source of power to the Union.\*

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to frame government for ourselves — to hew it out of the original block of marble; our history and experience presented it ready made and proportioned to our hands."

The causes of progress may be found in the nature of man; the means for their development in the nature of things; and the results appear in our character, laws, and institutions. These, as they are recorded, become important aids to new and further developments.

\* "Local assemblies of citizens," says De Tocqueville, "constitute the strength of free nations. Town-meetings are to liberty what primary schools are to science; they bring it within the people's reach, they teach men how to use and how to enjoy it." The same author says, in another place, "In the American states power has been disseminated with admirable skill, for the purpose of interesting the greatest possible number of persons in the common weal. Independently of the electors, who are from time to time called into action, the body politic is divided into innumerable functionaries and officers, who all, in their several spheres, represent the same powerful whole, in whose name they act. The local administration thus affords an unfailing source of profit and interest to a vast number of individuals."

They are limbs of the great body politic. Their various modes of action, and the manifestation of their different views, sentiments, interests, and prejudices, are but the exercise necessary to their own growth, and to the healthy condition of that great body of which they are members. Its duration cannot be measured by man. The combined action of enemies without, and the assaults of party spirit within, can have no tendency, but to develop new energies, and to add new strength. It may rise in its grandeur and might for centuries to come ; have its periods of growth and decay, its blessings and its troubles ; but its changes can only be those of progress. Dissolution may be discussed, threatened, and, possibly, even attempted ; but every discussion will increase the knowledge of the indispensable necessity of union, every threat will add to the zeal of its friends, and every attempt to subvert it will create new safeguards for its protection and perpetuity. The physical world in its variety, and the mental world in its unity, encircle its boundaries and centralize its interests. THE DISSOLUTION OF SUCH A UNION IS A MORAL IMPOSSIBILITY.\*

#### THE CONSTITUTION OF THE UNITED STATES

is a sacred instrument, not only to the people of this country, but to the world. It is not a charter to bless a particular people, but the race. Our relation to the soil of this continent is

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\* We find the following eloquent passage in the able report of the secretary of the treasury, December, 1847 : —

“Upon this point, sectional fanatics, few in number at home, and despots abroad concurring with them, may hope or menace ; but the American Union is a moral and physical, a political and commercial necessity, and never can, or will, be dissolved. As well might we attempt to decompose the great element of nature which holds together the planets, suns, and systems of the universe, as hope to sever the links of mighty lakes and rivers, of ever-extending telegraphs, railroads, and canals, of free trade, of intercourse, of interest, of love and affection, of the glories of the past, the present, and future, which



but a temporary one. Though citizen transfers to citizen his deeds of pecuniary interest, his moral relation to the soil is one of sacred trust. All governments are commissions of trust, and prosperity and true glory await them only as they are faithfully executed.

The Indian, the steward of one talent, buried it, and made no interest. "From him that hath not shall be taken away even that which he hath." We are endowed with more talents, and they involve corresponding responsibilities. If our work is of any account, it makes a part of that Providence which numbers the hairs of our heads, and directs the destiny of nations. If it be any thing, it is one of vast concern and strict accountability.

Placed upon a continent of great extent, we are favored with that variety of climate and soil necessary to the countless products suited to the condition of man. Watered by mighty rivers and lakes, commerce moves its wealth upon them to every region of our land. The mountains meet the clouds in their heights, and send to our fields and valleys their fertilizing streams. Bound on every side with coasts and harbors, the products of our country are carried to every clime, and those of other nations are brought to ours. Enlivened and enriched by the spirit of enterprise, the valleys are exalted, the mountains are made low, and roads of iron radiate from every city, and are traversed with stupendous freights with the speed of the wind; and with the speed of lightning, intelligence is

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must forever bind together the American Union. Indeed, when we look upon the American revolution, the framing of our Constitution, the addition of Louisiana, Florida, Texas, and Oregon, our ever-extending area, products, and population, our triumphs in war and peace, we must be blind to the past, and close our eyes upon the fulfilling realities of the future, if we cannot perceive and gratefully acknowledge that a higher than an earthly power still guards and directs our destiny, impels us onward, and has selected our great and happy country as a model and ultimate centre of attraction for all the nations of the world."

transmitted from boundary to boundary of the entire continent. Steamships plough every ocean, and, with the aid of the mighty press, report all our acts to other nations, and they in return report to us. Experiments of governments, of science, and reform, are closely watched and studied by every people.\*

OUR GOVERNMENT IS THE RULE OF THE PEOPLE.

It is a republic that secures, as from a common centre to its entire circumference, equal rights and freedom to all. It gives freedom to mind, security to body, and protection to interests.

The democracy of the republic is in process of development.† The people are sovereign. Man stands alone, in his dignity, representing both government and subject. He acts for himself and for the greatest good of the whole people. The virtue of the masses is blended in action, and conscience is beginning to rule. Every man being made to feel that he is accountable to his God for the acts of his country, he is ever ready to serve her with unyielding integrity. He lives and rejoices in her glory, and suffers in her shame. Early taught at the district school, he knows the power of knowledge, and

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\* See Appendix B.

† "If the men of our time were led by attentive observation, and by sincere reflection, to acknowledge that the gradual and progressive development of social equality is at once the past and future of their history, this solitary truth would confer the sacred character of a divine decree upon the change. To attempt to check democracy, would be, in that case, to resist the will of God; and the nations would then be constrained to make the best of the social lot awarded to them by Providence." "Christianity, which has declared that all men are equal in the sight of God, will not refuse to acknowledge that all citizens are equal in the eye of the law. But, by a singular concurrence of events, religion is entangled in those institutions which democracy assails, and it is not unfrequently brought to reject the equality it loves, and to curse that cause of liberty as a foe, which it might hallow by its alliance." — *De Tocqueville*.

the sad penalties of ignorance. He fears nothing but wrong, and claims nothing but right.

Originating in millions of moral and intelligent beings, what a fearful aggregate of power to be delegated to rulers ! And with its privileges, what duties of fearful magnitude are imposed upon them ! What trusts from the nation, from the world, and from God !

An independent child of one of the greatest powers upon earth, our nation is looked upon as the great beacon of liberty and self-government throughout the world. The cause of democracy is the universal cause of equal rights and freedom, and it is placed with us, more than with any other people, to be protected, preserved, and advanced. It is not the cause of a day, but of all coming time ; not of a people, but of a world.\*

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\* Our national charities, our educational and religious missions, our constant commercial intercourse with all countries, serve to conciliate differences which separate the people of different nations from our own, and to impose upon us those additional duties, which gratitude in others, and success in ourselves, are sure to originate, as the high reward for the privileges of doing good.

"Nothing can be more desirable," says a sensible writer, "than to raise the minds of the American people to a 'level with their station,' and to call off their thoughts from the narrow pursuits of personal or national aggrandizement. A nobler object is set before them in the great moral enterprise to which this nation is called. Our field is the world. It is our influence on the whole human race that principally constitutes, it may be hoped, the peculiarity of American destiny.

"It was long ago said, respecting the leader of our revolution, the great and good Washington, that he had filled the world with his own and his country's glory — that the Arab and the Tartar conversed about him in their tents. This was rhetorically uttered, but with sufficiently near approach to the truth to redeem the remark from mere declamation.

"Our opinions have been embraced, and our example has been followed, in too many instances, not to indicate the general estimation in which the country is held abroad. Wherever revolutions in gov-

We can utter, with a cheerful heart and fearless spirit, — “*Our country, however bounded ; our country, right or wrong.*” Not to be continued in error ; but to be sustained when right, and to be righted when wrong. We have an individuality, as a nation, as we have personal identity as citizens. There should be a national consciousness, a national identity. All that makes the man helps make the nation, and all that makes the nation helps make the world.

#### THE DESTINY OF OUR NATION

has been alluded to by some of our public men with an eloquence befitting the cause of truth, and with a judgment indicative of rare attainments. Others, we regret to observe, have spoken of the subject as one of frivolous assumption, and as the forced conviction of party, and for party purposes.

We can understand and respect a man who honestly contends against our faith, for we are equally concerned in all the great objects of existence. Truth is our common friend ; but there is a withering levity in the spirit that would ponder lightly the solemn convictions of any one who believes in a destiny, whether concerning his own soul or his own country. It is an inspiration of high sentiment, if not of logical deduction ; and the faith, whether from instinct or knowledge, is entitled to be revered and honored. We are not beings of chance ; our country is not an accident in the providence of God. If we have evil, it is the legitimate fruit of sin, — a warning to men and nations doing wrong. If we are blessed

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ernment have been attempted, or realized, in modern times, the model has evidently been America, the encouragement America's success. France, Greece, Belgium, Mexico, and the republics of South America, each strove to change their condition, in the expectation of securing somewhat of the freedom and happiness of these United States.” — *Christian Spectator*, March, 1834.

These remarks were published in 1834. What a chapter of national events, which have transpired since that time, might be made up, our readers have no occasion to be advised.



with goodness, the examples endure forever, as encouragements to those doing right. Every person and every nation has a destiny marked by an Almighty hand. What that has been to us and to our country in past time, is a matter of history, the beginning of its being ; but what it is to be, no human wisdom can predict, affirm, or deny. If we believe in a God of infinite power and love, our aspirations in sentiment should elevate us to that condition of confident hope unknown to the atheist, the anchor to the soul that is true to its divine integrity. (See Appendix.)

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## REVIEW OF THE LATE WAR

BETWEEN THE REPUBLICS OF THE UNITED STATES  
AND MEXICO.

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IN proceeding to execute our plan, in leaving general topics for specific ones, in discussing measures of government which have been, or which are, the reader must not deem us officious if we ask him to accompany us in the investigations which are to follow, with a spirit of candor and divested of all prejudice.

The subjects which we propose to discuss are of great concern, though generations have passed away, each leaving its own mark of wisdom upon them. They are among the highest and holiest which can claim the attention of man, and the common interest, in which all are sharers, should be a defence against selfish views or disguised positions. Let us remember the injunction of Tacitus, "*Veritas visu et mora, falsa festinatione et incertis valescunt.*" Let us bring to our aid those views and fundamental principles which have already received our attention, and endeavor to place ourselves in that relation of duty which shall be in harmony with their requisitions.

In considering the subject of this chapter, *the late war between the United States and Mexico*, we are almost necessarily led first to the great and yet unsettled question of *war itself*.

## WHAT IS THE NATURE OF WAR?

What is its design? What may it accomplish in the providence of God? Is it necessary, is it justifiable, under any circumstances? What have nations done to avert it? What can they do? What ought they to do? These are questions repeatedly asked, and with a sincerity of purpose which is ever entitled to consideration.

Men have courage boldly to make war, to sanction it, to provide means for its prosecution, to acknowledge its good results; but they do not seem to be persuaded that it admits of that unquestionable moral defence which challenges all controversy, as a settled provision of nature. All nations admit its necessity, by providing for it; and all nations are professedly in favor of peace. It is fostered by all nations as a defence, and dreaded by all as a calamity. It is viewed by the same people as the protecting power of substantial blessings, and as a curse entailed upon the race by the wickedness of man.\* If it be a curse, its failure should prove a blessing; and yet there can be no failure in war without disgrace, no success without glory. Hundreds of generations have been born to life, and have returned to dust; nations have risen to splendor

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\* A recent writer, of ability and eloquence, alludes to the term "*laws of war*" as an absurdity. "Laws in that," he says, "which is lawless! order in disorder! rules of wrong!" He is inconsistent with himself. The acknowledgment of law in what has been *lawless* is a step towards conventional control. The absurdity appears only in the assumption and use of false premises. See an oration delivered by Charles Sumner, (Boston, 1845,) entitled *The True Grandeur of Nations*. We admire the spirit of this author; *it is war against war*; but he is in advance of the age. He is not practical. He should study more the nature of man — the nature of things. He has pictured to us the splendors of space without an acknowledgment of the forces that move the bodies which fill it. He has given the rainbow in its beauty, but has forgotten the cloud and its thunders which produced it. He has given us the grandeur of nations, but he has detached it from the conditions of mortality.

and power, and have fallen to decay ; even a world of being has been swept from the earth by deluge, and war has been the common lot of all ; and yet but few seem willing to acknowledge the hand of Providence in the recognition of its mighty movements, or its mighty aims.

Man has become an apologist for his Maker, rather than the student of his laws. He admits his rule, but practically denies his wisdom. The events of war are unqualifiedly condemned as sinful, and yet they are said to be *overruled by Providence for the ultimate good of all !* as if man's errors were necessary to Omnipotence ! as if infinite wisdom was in eternal conflict with its own designs ! as if infinite power were forced to conditions of compromise ! as if infinite love had failed in its mission to nations ! as if infinite justice had proved impracticable ! and infinite mercy an unappreciable blessing !

In his infinite goodness may God help us to be faithful, not only in belief, but in our professions of duty. Let us be true to the highest standard that is within us, or about us, and execute our convictions according to our best knowledge ; but, in whatever we think or do, may our entire being submit to the sublimest of truths, that there is a God infinite in all his attributes, whose will is reality, and whose nature is universal good. The existence of evil proves the necessity of reform in the moral, religious, and physical nature of man. We can discover no defect in this necessity, but rather the only condition of being that admits of progress ; the only process which admits of accountability, and of that ever-increasing purity of character which comes from a growing knowledge of God and all his works. We

——— “ cannot go

Where universal love not smiles around,  
Sustaining all yon orbs and all their suns ;  
From seeming evil still educing good,  
And better thence again, and better still,  
In infinite progression.”

We can doubt the existence of all external things ; we can doubt even our own being, and find relief in the reflection that

our reason has become a wreck ; but the doubt that would lessen the rule of Omnipotence in the least of all things, would open upon us that dreadful and withering alternative, that he who fails in the least of things may fail in the greatest. With us, such a doubt can have no place.

What is war ? War is a form of national death or suffering. It is the conflict of arms between two nations to sustain right, or in attempts to continue wrong. Or, in the language of the Hon. Mr. Rhett, of S. C.,\* “In its effects it is not confined to those engaged in military operations. It is not with the army and navy merely. War is a state of hostility and enmity between every man, woman, and child, of one nation, with every man, woman, and child, of another nation. All property, as well as life, is subject between the belligerents to the law of violence every where — on sea or land.” But this question leads us to first principles, and to ask *what are the principles of war*, the fundamental principles of war, as developed in man and in nature.

We may learn much from analogy. All nature is made eloquent by the power of God, and speaks the language of truth itself. Let us study what we can see, what we can know, without arrogating those impious assumptions that would make us wise above our Maker.

We find the principle of war in all things, even in peace societies against war. It may be seen in the elements, as displayed in the tempests of the sky and upon the billows of the mighty deep. It may be found in the earth, in its soils and substances ;† in the countless forms of vegetable growth, in their processes of decay and reproduction.‡ It may be seen in the insect world, as illustrated by

\* See Speech of Mr. Rhett, delivered in the U. S. House of Representatives.

† As developed in chemistry. The term *poison* is but another word for *war*, — *the war of matter*.

‡ Plants are poisonous and antidotal. Many of them, and shrubs, have means of defence. These means are the prickles and thorns



its systems of defence, conquest, and destruction.\* It may be seen in the viper's fang,† in the heron's claw,‡ and in the woodpecker's tongue.§ It may be seen in the lion's tooth, and

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with which we find them armed. The euphorbia, the cactus, and other similar plants, are in a good degree preserved by their thorns from violence. The gardener may protect the *rose* in the greenhouse, but it relies upon its own means of protection in the field. We have a singular example in the *dionaea muscipula*. "Its leaves are jointed, and furnished with two rows of strong prickles; their surfaces covered with a number of minute glands, &c. When these parts are touched by the legs of flies, the two lobes of the leaf instantly spring up, the rows of prickles lock themselves fast together, and squeeze the unwary animal to death." In this description of Smellie, we have omitted any allusion "to a sweet liquor" which he supposes was secreted by the glands to *allure* the flies. Such is not the fact.

\* The reader must be familiar with numerous examples illustrating this remark. Some of the most interesting may be found in the history of the ant and the bee.

† The *fang of a viper* is a clear and curious example of mechanical contrivance. It is a perforated tooth, loose at the root; in its quiet state lying down flat upon the jaw, but furnished with a muscle, which, with a jerk, and by the pluck, as it were, of a string, suddenly erects it. Under the tooth, close to its root, and communicating with the perforation, lies a small bag containing the venom. When the fang is raised, the closing of the jaw presses its root against the bag underneath, and the force of this compression sends out the fluid, with a considerable impetus, through the tube in the middle of the tooth. — *Paley's Natural Theology*. That the venom of the serpent has its use in nature, there can be no question. That there are exemptions from its dangers may be inferred from the warning which the rattlesnake gives when about to bite, and from the shining qualities of the *cencoatl* in the dark, (a poisonous snake of Mexico,) to notify the traveller of its presence, and of his danger.

‡ The middle claw of the heron and cormorant is toothed and notched like a saw. These birds are great fishers, and these notches assist them in holding their slippery prey.

§ The woodpecker lives chiefly upon insects lodged in the bodies of decayed or decaying trees. For the purpose of boring into the wood, it is furnished with a bill, straight, hard, angular, and sharp. When, by means of this piercer, it has reached the cells of the insects, then comes the office of its tongue; which tongue, first, is of such a



in the eye of the monarch of the sea.\* It may be seen in all things which have life or growth; in the means of defence with which they are supplied, implying power of attack or resistance.

If we look into society, we find the elements of war in the defence which is given to liberty of person, of property, and of life. In violation of law, all are taken by common consent of society. The vagrant is fined, the criminal punished, and the murderer hanged.† Here we find violence to meet violence, even between individuals, where a milder course is practicable, and would prove more efficient; and yet before this step is taken, nations are called upon to denounce war, when all other remedies, in the present condition of the world, are impracticable. All reforms commence with the individual, and, after passing through the various conventional circles, reach the nation. Let the commencement be seen before the end is demanded.

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length that the bird can dart it out three or four inches from the bill, in this respect differing greatly from every other species of bird; in the second place, it is tipped with a stiff, sharp, bony thorn; and in the third place, this tip is dentated on both sides, like the beard of an arrow or the barb of a hook. — *Paley's Natural Theology*.

\* In viewing the structure of the eye, as adjusted to the condition of fishes, we may remark the peculiar thickness of the sclerotic coat in the whale. Although he breathes the atmosphere, and lies out on the surface of the water, to escape his enemies he will plunge some hundred fathoms deep. The pressure therefore must be very great upon his surface, and on the surface of the eye. — *De la Beche*. When we make a section of the whole eye, cutting through the cornea, the sclerotic coat, which is dense as tanned leather, increases in thickness towards the back part, and is full five times the thickness behind that it is at the anterior part. The natural enemies of the whale are the sword-fish and the shark; and it is stated, that this huge creature, being without means of defence of any kind, carries his enemies, that have fixed upon him, to a depth of water, and consequently to a pressure, which subdues them, as their bodies are not constituted for such depths. It is under this instinct that when the whale receives the harpoon, he dives to the bottom.

† Many of the most respectable citizens of Massachusetts, *exempli gratia*, have for many years opposed, with all their ability and influ-

If we turn to man, we find him a being of thought and passions, a living example of conflict within himself, and with others ; \* his mind endowed with powers to discover, and his limbs with aptitudes for destruction and defence. We find his physical system guarded by numberless laws, as by a soldiery, inflicting pains for all acts of violation and neglect. Pain is the body's protector, its scourge and friend. If we follow him to the world of thought, there science and religion are found to be contests for truth ; and all the elements of right and wrong, in that eternal conflict of which no man can predict the end. We find him at the head of nations, with his armies of attack and defence, and with a magnitude of means corresponding to the magnitude of his power. Man meets man, nations meet nations. Instinct points out the enemy of an insect, reason discovers the enemy of man. What is this but a system of divine beneficence ? a beautiful system of progressive growth in the forms of matter and of mind. It gives even to death a feature of beauty, inasmuch as it makes an indispensable element of life. It is but the steps between the great changes in the ceaseless progress of all created things. There are forms of death to every form of life. There are conditions of life to every form of being. Even the immortality of the soul itself is based upon this principle ; it cannot live except the body die. And with what awe and submission should we speak it,—the infinite love of the Father of all is made known to his children by the blood of His only Son streaming from the cross ! What is it, then, that we would ask ? are we wise above God, that we should blindly regard his works ? Are nations without the pale of God's laws and protection ?

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ence, the abolition of capital punishment ; and yet they are violent in their opposition to war. They are willing to put a population of more than 700,000 people against a single unarmed man *to the death*, and still they cannot see the necessity of war ! Some of the other States are in the same position. Some have made a glorious beginning in the cause of reform, by abolishing capital punishment.

\* St. Paul's Epistle to the Romans, chap. vii.

Have we no faith in his ways, no belief in his providence? Rather let us confess ignorance, than profess knowledge that is impious. War at all times is a power of fearful responsibility. Let us study its principle, and learn its conditions, that peace may come from knowledge.\* Let us point out its terrible penalties, that wisdom may realize the great privilege of avoiding them. Let us find the value of life by knowing its conditions; its objects, by understanding its laws. Our position is one of ignorance and imperfection; and mental darkness is a state of suffering. Our destiny is one of progress; a gradual increase of mental light. A state of ignorance and imperfection is a state of war, implying all the causes necessary to produce it. A state of knowledge and obedience to God's laws, is a state of peace, implying all the causes necessary to preserve it.

Because we find in war an important element of reform, because we find it in the constitution of God's providence, we would not withhold our admiration from the friends of peace. The mission of Christ was one of peace, and we honor all who

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\* Where a high state of civilization is found, there also the arts of war will be fully understood. But the axiom, that inferiority of warlike implements proves an unwarlike nation, is false; for wars have been as numerous, as bitter, and as continuing, when waged by barbarians with no better weapons than clubs and arrows, as when we have laid all the powers of chemistry and mechanism under contribution, to do that scientifically in the mass, that the savage is forced to do, like a butcher, with his own hand, in detail. Indeed, the more certain the efficiency of the destructive engines, the more certain is the reign of peace. — *Review of Howison's European Colonies. Metrop. Mag. Lond.* Vol. XI. p. 181. The patents taken out in the United States for the invention of "*firearms and implements of war, and parts thereof, including the manufacture of shot and gunpowder,*" stand as belonging to the citizens of the several States as follows: Maine, 7; N. H., 6; Vt., 5; Mass., 40; R. I., 1; Conn., 20; N. Y., 50; N. J., 3; Penn., 46; Del., 2; Md., 10; Va., 10; S. C., 2; Ga., 1; Ala., 1; La., 1; Ky., 3; Ohio, 9; Mich., 1; Ind., 2; Mo., 1; — all other States, none. See the valuable reports of the Hon. Edmund Burke, Commissioner of the U. S. Patent Office.

follow in the glory of his teachings. Their standard is in the bow of the cloud, reflecting beauty to a world. Their mission comes after war, and without war their mission had not been known.\* War, like a storm in its dark masses, moves over the fair face of nature, spreading dismay and destruction in its path; while peace, with its benignant smiles, like the sunshine, follows and lights up the scenes of its past fury, and gains new features of beauty, and new joys by contrast. War destroys but to renovate, and it is the province of peace to exalt and beautify. The soldier and the friend of peace can exist only together.† The friend of peace is the friend of man, the phi-

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\* In a discourse recently delivered by the Rev. Dr. Dewey, before the American Peace Society, he manifests a candor that is hardly in keeping with his views. He says, "In past years I have often thought and said, that the cause of peace languished for the want of antagonism. The case seemed too plain. The cause was too good. There was not opposition enough to stir up the requisite zeal in its friends. But within a year past a spirit has sprung up in this very country that offers antagonism enough. We see that the war spirit has not died out of the human heart." Dr. Dewey is not an *ultra partisan* in respect to war. He says, "for I do not contend that in every possible case it is wrong to take the sword."

† "We hear much (not too much, certainly) concerning the horrors of war. The picture which is drawn of those horrors is not overcharged. It is all true to fact and reality. The catalogue of atrocities which war occasions is easily filled up, because those atrocities are public, notorious transactions, enacted in the open face of Heaven. The passions that lead to them are such as may be indulged, through the license of the world's opinion, without scruple. But can any reflecting man doubt, that as large, if not a still larger catalogue of what may be called the horrors of peace, — such, I mean, as belong exclusively to a time of peace, such as war banishes, and may perhaps be regarded as a remedy for in Providence, — might be made out? Take, for example, the times that preceded the first French revolution; consider the state of society in that country, the morals of the people in all classes, the monstrous abuses which were not only tolerated but consecrated by the insane delusion which left, unburied and chained to the living body of society, the dead and corrupt past; and if our horror at the bloody scenes which followed



lanthropist that would lift him to duty and to happiness. The soldier is the fearless pioneer who gives him opportunity to make known and to execute his beneficent purposes, and to accomplish his ends. The soldier strikes down the barriers of wickedness which claim no defence but in physical strength, and which reason and intelligence would require long ages to overcome; and it is the friend of peace who follows in his mildness, but in his power, to establish harmony, and to make known the moral laws of God, where ignorance, sin, and misery only were known before.

All Christian nations agree that war is a calamity pregnant with inherent evils, and fraught with consequences which every patriot who is true to the noblest attributes of his nature sincerely strives to avert. On this momentous subject the civilized world stands united in theory, and every consideration of a moral nature seems to confirm and strengthen this proposition as one of ultimate adoption. The entire voice of two hundred millions of Catholics and Protestants responds *amen* to the universal prayer for peace among all nations. No man in his heart, no nation in its councils, no league in its policy, demands war.

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is not diminished, is not our amazement less, when we trace those scenes to their true cause? \* \* \* We can see what the contemporaries of the great tragedy were too near to discern, — that the interests of humanity required that there should be a violent social convulsion, and an overthrow of existing institutions. The soil of society must be broken up by the ploughshare of revolution and war, before it could be prepared to produce what humanity craved. Consider the thirty years of peace with which the nations of the first class in Christendom have been blessed since the career of Napoleon was terminated on the decisive field of Waterloo. And is there any thinking man among us, so blindly wedded to theory, or so afraid of betraying a good cause by acknowledging a plain truth, who believes or will assert that such a peace could have been enjoyed for so long a period, had it not been preceded by the desolating but purifying flame of war, which was allowed to pass over the earth, and to burn up the corrupt noxious materials that had been accumulating for centuries? — *Rev. Mr. Lunt's Artillery Election Discourse.* (Boston, 1847.)

The statesman who gives direction to the destiny of his country by internal measures of economy, and who frames treaties with foreign powers for the protection of rights and the just interests of men, admits of no principle which would justify war in preference to an honorable peace, or predicate the welfare of a nation upon the magnitude of its power. All rest upon the illimitable basis of Christian principle, which has its origin in the will of the Almighty, and its development in the deeds of good men, and in the just measures of nations. This is the acknowledged STANDARD of the Christian world.

With this standard before us, it becomes a serious question how far war has been or may be made the instrument of power in advancing the cause of human freedom, and of securing to the citizen of every clime a just and permanent government. The progress of nations is as unequal as that of individuals; and as the freedom and prosperity of the latter always stand in relation to the stability of the former, all temporary, minor considerations of individual interest, or of comfort, should be made to yield to the ultimate good of all. The want of principle in a nation which denies to its citizens that protection to which they are entitled; the weakness of a government which is continually subjecting its citizens to changes destructive of all those privileges which render existence a blessing; the subserviency of a nation professing to be free and independent, and which fails to take care of itself; its submission to degrading terms of stronger powers, are causes sufficient to produce not only revolutions at home, but to undermine and absolutely to destroy all confidence in the stability and integrity of its government abroad. Such a people and such a nation becomes a living reproach to the form of government which it has adopted, and a legitimate prey to all enemies of free institutions. The penalty for all violation of principle, if continued and persisted in, whether done by an individual or a nation, is inevitable; it is uncompromising destruction. The individual loses his liberty, but the nation its



existence. The law secures the former, while the strong power of the sword ends the latter. The former is a measure to protect society, the latter for the protection and advancement of nations. Any nation that submits to insult and wrong, loses the measure of its own influence in advancing her true interests, and is false to posterity. The fact of yielding to another power, where justice forbids it, is a double wrong—it favors neither party as a measure of policy, and impairs the power of both to promote the universal cause of humanity. In this view, war to the nation is what justice is to the individual. It is a result, in the nature of things, which becomes in its turn a most powerful cause in the correction of evils of the greatest magnitude. Thus it has ever been, and thus it will ever continue, until nations shall be prepared for a different course.

In the deep and mighty current of all past time, war has been incident to humanity, a part of the destiny of all nations, of all ages; and it is with a feeling of awe and reverence that we are forced to admit that it is yet to be the mysterious and terrible instrument of good, in the ruling of that Providence which governs and controls the world of worlds, and all apparent differences adjust in final harmony. "So soon as Christianity shall gain a full ascendancy in the world," says Dr. Chalmers, "from that moment war is to disappear."

There is no power which is fundamental or permanent but *moral power*, and that endures forever. All physical power, all forms of existence, whether conventional or national, are temporary, and are incidental to the great ends of life. Nothing can preserve a nation but moral power, and if physical power be employed to sustain any other principle, it destroys its own means. Ultimate success, in a *just war*, is inevitable. Ultimate success, in an *unjust war*, is impossible. Injustice cannot be successful in the very nature of things. It may appear to be so, but this appearance is utterly deceptive. To admit such a proposition would be atheistical.

The great evils of war, such as the loss of life, violence,

expenditure of means, are entirely of a transient nature. They appear very formidable as the events of time, but in relation to eternity, utterly insignificant. Death is the lot of all, but the death of a soldier should be signalized as a sacrifice in the great cause of humanity.

Most of the great expenditures of government in war are made among its own people, and the evils usually attributed to them are doubtless oftentimes much exaggerated. The checks to trade and industry, the absorption of time and talents for a single object to the neglect of others, are evils which all deplore ; but they are temporary. Temporary evils, or private sufferings, are of no account whatever in determining the solemn duty of a nation when called upon to prosecute a war that is just.\* When justice requires it, war becomes a national duty. Let it be so regarded, let it be so understood, and wars will be lessened. Let the penalties of a nation's wrong be as terrible as its power is mighty. Let its might be on the side of right and freedom ; let its decrees protect the good, and be a source of terror to the wicked. Let a nation's glory be a nation's righteousness, and its wars will be few and victorious.

The war that is just closed has been with a sister Republic, a nation professedly of free institutions, and claiming to stand upon the same platform as our own. In her prosperity Mexico had our congratulations, and in her misfortunes she had our sympathy. And while it is to be lamented that her first war of any duration with another nation has been with the United States, it must be regarded as a singular truth, that by no other foreign power could she have been chastised and saved.

Our inquiries with respect to this war will embrace, 1st, Its causes ; 2d, A comparative view of the acts of the two governments ; 3d, The prosecution of the war ; and 4th, Its justice and results.

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\* See Appendix D.

## THE CAUSES OF THE WAR.

In analyzing causes of national acts, it is a common error to confound the fundamental with the casual, and thus to lose that literal order of cause and effect which alone exhibits events in their true relation. The process of cause and effect in the formation of national character, though not always obvious to the student, is subjected to undeviating laws. The success or failure of a nation is *no accident*. The virtue or vice of a people come not from chance. Chance may have its meaning with man, but it has no place in Providence. National growth or decay, national strength or weakness, national glory or degradation, may be traced by a faithful hand to a series of causes as exact and certain, could they be pictured to the eye, as the development of a flower from the seed, or an oak from the acorn. The moral world without laws would be a nullity. The moral world without certainty would be a mockery. The moral world without growth and progress would be an absurdity.

We would not be understood as making the assertion, that all events may be clearly traced to their legitimate causes, for the mind of man is not yet equal to the task : time and knowledge may lead to this ; but we confidently state our belief in that constitution of things which is governed by eternal and unalterable laws, and which would prove to us the greatest source of evidence, if we would but patiently study its parts and solve its beautiful harmony. All philosophy is but a knowledge of cause and effect, and all success, the result of correct application of its principles.

In proceeding, therefore, to investigate the causes of the war between the United States and Mexico, we shall endeavor to avoid the errors which have appeared to characterize the discussions of Congress and the views of journalists. With all deference to abler minds, it has seemed to us that ultimate effects have been placed as primary causes, and that the casual

has been mistaken for the fundamental.\* Not that any event should be excluded, in the examination, which is calculated to enlighten; but that we should not deceive ourselves by derangement of evidence. We need not warn the reader against the fallacy of the ancient metaphysicians, in the adoption of syllogisms to prove the truth of a proposition; and yet, if a parallel were wanting, there is much in modern logic that would furnish it without violence or injustice.†

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\* "The Peace Society of Massachusetts near 1825 instituted an inquiry into the actual causes of war, and, besides a multitude of petty ancient wars, and of those waged by Christian nations with tribes of savages, ascertained 286 wars of magnitude to have had the following origin: 22 for plunder or tribute; 44 for the extension of territory; 24 for retaliation or revenge; 6 about disputed boundaries; 8 respecting points of honor or prerogative; 5 for the protection or extension of commerce; 55 civil wars; 41 about contested titles to crowns; 30 under pretence of assisting allies; 23 from mere jealousy of rival greatness; 28 religious wars, including the crusades; *not one for defence alone.*" — *Peace Society Tract*, No. LVII.

What a commentary on divine Providence! If we are permitted to finish our more extended work on the late war, it is our purpose to enlarge upon this topic.

† The ancient metaphysicians conceived that most questions could be settled by syllogisms. It was certainly very convenient. They always had logical truth in their own keeping. The following propositions, which we give from memory, *ex gr.*, were clearly proved *syllogistically*.

"A glass of wine fuddles a man."

"A kernel of grain makes a bushel."

"A feather breaks a camel's back."

The process is quite irresistible. The question is repeated for each glass of wine given to the man, for each kernel of grain put into the measure, and for each feather put upon the camel's back. Will the *first* produce the result? No. Will the *second*? No; and so forth, until the negative is changed to the affirmative. It is the *last* glass, the *last* kernel, the *last* feather, that produces the result. The proof is complete; and what was considered remarkable by the ancients, it is complete by consent of parties. By this process, the march to the Rio Grande may be placed methodically as the cause of the war. Was there war before the march? No. Was there war after the march? and so forth.



In order to judge correctly of the causes of this war, it is necessary that we should understand the present and past condition of the two nations. What has Mexico been, and what has she done? What have been the acts of the United States with regard to Mexico? These are questions which, if properly answered, will give us some insight into the true causes of the war.

Our prescribed limits will not permit us to give many details of history, further than mere outlines that may enable the reader to understand our views. If we would fully understand the Mexican character, we must study the Aztec race before the conquest of Cortés. It is quite true the changes since that period have been many and great; still, without some knowledge of the causes which have produced them, we cannot hope to avoid errors of opinion in respect to the Mexicans *as they are*. Let us turn for a moment to

#### ANCIENT MEXICO.

The following quotations from Prescott's CONQUEST OF MEXICO,—and we cannot quote from this author without commending him for his ability and faithfulness,—may be here introduced with great propriety, as affording in a few words his reflections upon the fall of that ancient empire, and particularly as they embrace the elements of the causes which produced that fall.

After speaking of the wonders of the conquest, of its romantic and legendary features, he says,—

“ Yet we cannot regret the fall of an empire which did so little to promote the happiness of its subjects, or the real interests of humanity. Notwithstanding the lustre thrown over its latter days by the glorious defence of its capital, by the mild munificence of Montezuma, by the dauntless heroism of Guatemozin, the Aztecs were emphatically a fierce and brutal race, little calculated, in their best aspects, to excite our sympathy and regard. Their civilization, such as it was, was not

their own, but reflected, perhaps imperfectly, from a race whom they had succeeded in the land. It was in respect to the Aztecs, a generous graft on a vicious stock, and could have brought no fruit to perfection. They ruled over their wide domains with a sword, instead of a sceptre. They did nothing to ameliorate the condition or in any way promote the progress of their vassals. Their vassals were serfs, used only to minister to their pleasure, held in awe by armed garrisons, ground to the dust by imposts in peace, by military conscriptions in war. They did not, like the Romans, whom they resembled in the nature of their conquests, extend the rights of citizenship to the conquered. They did not amalgamate them into one great nation, with common rights and interests. They held them as aliens, even those who, in the valley, were gathered round the very walls of the capital. The Aztec metropolis, the heart of the monarchy, had not a sympathy, not a pulsation, in common with the rest of the body politic. It was a stranger in its own land.

“The Aztecs not only did not advance the condition of their vassals, but, morally speaking, they did much to degrade it. How can a nation, where human sacrifices prevail, and especially when combined with cannibalism, further the march of civilization? How can the interests of humanity be consulted, where man is levelled to the ranks of the brutes that perish? The influence of the Aztecs introduced their superstition into lands before unacquainted with it, or where, at least, it was not established in any great strength. The example of the capital was contagious. As the latter increased in opulence, the religious celebrations were conducted with still more terrible magnificence — in the same manner as the gladiatorial shows of the Romans increased in pomp with the increasing splendor of the capital. Men became familiar with scenes of horror and the most loathsome abominations; women and children — the whole nation — became familiar with and assisted at them. The heart was hardened, the manners were made ferocious, the feeble light of civilization, transmitted from a milder race,



was growing fainter and fainter, as thousands and thousands of miserable victims, throughout the empire, were yearly fattened in its cages, sacrificed on its altars, dressed and served at its banquets! The whole land was converted into a vast human shambles! The empire of the Aztecs did not fall before its time."

In another place, comparing the ancient with the modern Mexicans, the same accomplished historian remarks, —

"The American Indian has something peculiarly sensitive in his nature. He shrinks instinctively from the rude touch of a foreign hand. Even when this foreign influence comes in the form of civilization, he seems to sink and pine away beneath it. It has been so with the Mexicans. Under the Spanish domination, their numbers have silently melted away. Their energies are broken. They no longer tread their mountain plains with the conscious independence of their ancestors. In their faltering step, and meek and melancholy aspect, we read the sad characters of the conquered race. The cause of humanity, indeed, has gained. They live under a better system of laws, a more assured tranquillity, a purer faith. But all does not avail. Their civilization was of the hardy character which belongs to wilderness. The fierce virtues of the Aztec were all his own."

For our present purpose it is unnecessary to add to the language of Prescott, in regard to ancient Mexico, as it is of greater importance that we should give a more particular attention to

#### MODERN MEXICO.

Under the most favorable circumstances, a colonial government labors under numerous disadvantages. Detached and isolated from the sources of its own power, it cannot realize that individuality necessary to energy and advancement. Genius can have no encouragement to give birth to enlightened systems of national polity, which, to be developed, requires national concentration; and individual pride lies dormant

where the ultimate objects of ambition centre in powers of foreign origin and foreign control. Such evils increase with the increase of population.

This was true of the British American colonies, where the people were of common origin and of one blood. But if we look to the condition of the Spanish colonies of North America, before the separation of the viceroyalty of Mexico from the crown of Spain, we shall find the blighting influences of hate, jealousy, and revenge giving character to the motives and acts of the different races, castes, and orders, and rendering government a military rule, and necessarily destructive to the rights and well-being of the people. The outrages of the Spaniards in the overthrow of the Montezumas make the real and traditionary history of the mixed castes and native inhabitants of Mexico ; and their hate has been continued for centuries, and but little unabated even to the time of Iturbide. Most of the honors and emoluments of government were given to Europeans, and what was first deemed a system of outrage, was resolved into a system of settled injustice. It was the reign of royalty and ignorance, of selfishness and wrong.

In this condition of things, was it strange that the first revolutionists of Mexico should prove to be robbers and murderers, and that the first efforts of the masses of the people to act for themselves should develop ignorance, intrigues, corruption, criminal frauds, debasing servility, indecision, imbecility, and all that variety of causes which end in anarchy !\* In the adop-

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\* The first abortive effort, which was commenced in 1809, by Hidalgo and Allende, had not for its object the establishment of a republic or of free institutions ; if, indeed, free institutions can exist under any other form of government. That movement had its origin in feelings of enthusiastic and devoted loyalty, which, up to that time, was the ruling passion in the heart of every Spaniard. The abdication of the legitimate monarch of Spain, the atrocious perfidy by which it was obtained, and the transference of the sovereignty of the country to the emperor of France, which country had for centuries been regarded as the hereditary enemy of Spain, were the true causes of the insurrection in Mexico in 1809. It was begun under

tion and execution of the "plan of Iguala"\* and treaty of Cordova, all these fearful developments were made.

An ignorant race is jealous, cowardly, and cruel. It can neither protect the interests of others or conceive of its own. There is nothing in nature more terrific than the rising of an ignorant people, who have been chained down by an unrighteous power. All desire comfort and consideration, and most fail in their wishes, because they have no faith in integrity. Their experience has taught them a most bitter selfishness, and it is the work of time alone that can convey to their benighted minds even the ordinary knowledge of what is due to themselves and to others.

By the third article of the plan of Iguala, all distinction of castes was abolished, so that all individuals, whether Spaniards, Americans, Indians, or Africans, were placed on equal footing. At this time, the republican form of government was proposed and urged by several members of the Junta, but the proposition was successfully opposed by Iturbide and others. The views of Iturbide were expressed with an honest manliness highly creditable to him. "Nature," said he, "produces nothing by sudden leaps; she operates by intermediate degrees. The moral world follows the laws of the physical. To think that we could emerge all at once from a state of debasement such as that of slavery, and from a state of ignorance such as has been inflicted on us for three hundred years, during which we had neither books nor instructors, and the possession of knowledge had been thought a sufficient cause for persecution; to think that we could gain information and refinement in a moment, as if by enchantment; that we could acquire every virtue, forget prejudices, and give up false pretensions, was a vain expectation, and could only have entered into the visions of an enthusiast."

In 1822, Iturbide was declared emperor by the people; but

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the auspices of the Spanish viceroy, and had for its object, real as well as professed, the saving of that portion of his dominions for Ferdinand VII. — *Thompson's Recollections of Mexico.*

\* See Appendix E.

before the new government could be fully organized, he was deposed by factionists and banished.\* In 1824, Mexico became a republic, and a federal constitution was adopted. General Victoria was elected the first president, and he has been succeeded by such men as Pedraza, Guerrero, Bustamante, Santa Anna, Herrera, and Paredes, as presidents or dictators, at best, with scarcely an exception, rival military adventurers. Actuated by no higher motives than those of personal aggrandizement, they manifested no patriotism above party purposes, and but little conscience above self-interest. Having no hold upon the affections of the people, they relied upon no security except military rule, and this was made subject to the greatest treachery, or to the greatest cunning.

Without any settled principles of self-respect above egotism ; without independence not subject to an army ; † without honesty not subject to bribery and duplicity ; without knowledge not neutralized by superstition ; without religion not subject to vanity ‡

\* There are diversity of views with respect to the character of Iturbide. We shall not attempt to reconcile them in this place. In speaking of the congress of this time, Mr. Thompson says, "No similar body, under like circumstances, has evinced more virtue, firmness, and constancy, than did the congress of Mexico in resisting the usurpation and tyranny of Iturbide, surrounded as he was by his pretorian band."

† In his speech at Charleston, S. C., Mr. Webster says, "Our neighbor, the unfortunate, miserably governed Mexico, when she emerged from her revolution, had in her history nothing of representative government, habeas corpus, or trial by jury ; no progressive experiment tending to a glorious consummation ; nothing but a government calling itself free, with the least possible freedom in the world. She had collected, since her independence, 300,000,000 dollars, and had unprofitably expended it all in putting up one revolution and putting down another, and in maintaining an army of 40,000 men, in time of peace, to keep the peace."

‡ The wife of General Canalizo died whilst he was president *ad interim*, during the absence of Santa Anna. She was embalmed, and had a pair of glass eyes inserted, and lay in state for several days, gorgeously dressed, and glittering in jewels. — *Thompson's Recol.*



and a priesthood;\* without virtue not debased by licentiousness; without enterprise† not blasted by frivolous pride or indolence;—the people of this country have claimed to be acknowledged as free and independent, and to be regarded as within the pale of civilization and Christianity. Without genius or moral power, they have failed to organize a government that is above their own condition. Their government has been true only to its origin. It has been proud without magnanimity, sensitive without honor, extravagant without means, poor without prudence, cruel without courage, and bold without virtue. It has proved false to its sacred trusts; it has impoverished the country, debased the people, connived at riot, robbery, and murder,‡ encouraged violence, engendered civil war, and sanctioned treason. It has legalized plunder in the acts of its citizens, and violated treaties in its intercourse with foreign nations. It has imprisoned the free citizens of other countries, robbed the unprotected traveller,§ executed the innocent stranger, and assassinated the honest minister. We say that government has done all this, because such acts have been committed by the citizens of Mexico, and have been sustained in their wickedness. At no period, hardly, since that

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\* There are in the city of Mexico, alone, seven or eight hundred secular, and near two thousand regular clergy.

† The enterprise of the Mexicans may be inferred from the fact, that they sent to Massachusetts for the granite with which to build their custom-house at Vera Cruz, although they have stone equally good within ten miles of that city.

‡ “It is monstrous,” says Gilliam, “when the great majority of the inhabitants of a country are swindlers, thieves, and murderers, in an unqualified manner, as is the case in Mexico.”

§ “Understanding, as I now do,” says Mr. Gilliam, “the duplicity of the Mexicans, and their policy, I should not be surprised if some in power should have known more of Mr. Shannon’s robbery than might become them. But, as Santa Anna and his officers are the acknowledged heads of a band of pirates, it cannot be astonishing that he should tolerate such deeds.”

It will be remembered that Mr. Cushing, on his return from China through Mexico, was robbed.



Republic has been in existence, have her prisons been without guiltless tenants from our country, and at no period within the memory of man have life and property been safe within its boundaries.\* Mexico has neglected education and all modern means of reform, and has failed to secure the honest citizen in his rights, and the industrious in the fruits of his labor.†

There is no fiction in this melancholy recital; our language is true to reality. On this point we have no occasion for corroborative evidence, as no one will doubt us. However much politicians have been willing to oppose the late war with Mexico, there are none, no, not one, who is prepared deliberately to speak well of that benighted country. They have not only been unwilling to testify to her integrity as a nation, but have actually disclaimed, in advance, all inferences that might be made from their remarks, which should seem to sanction her past practices. The delusion has been complete. Indeed, it has been cruel. She has been wrong in every thing except the war; and in regard to that, right in every thing, except defeat! Why should she be reminded of her errors, in her first attempts to do right? Why should she be blinded by a false sympathy that increased her evils, and by a mock spirit of instigation to reject her best friends?

We are free to confess our wonder, that the Republic of Mexico has been preserved so long; that its faithless and

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\* See Appendix F.

† For the amount of general intelligence, and the extent of the wealth and commercial intercourse of the middle classes, there is more licentiousness and vice than in any other country on the globe. The Catholic church has nowhere so corrupt a priesthood. It is the policy of this class, and the rich, to keep the lower orders in ignorance, in order that they may prostitute them to subserve their selfish and unworthy purposes. There are probably not 5000 females, out of the population of 8,000,000, who can read and write. — *Gilliam's Travels in Mexico*. Mr. Mayer says, in his interesting work, "that in the year 1840, while \$180,000 were spent for hospitals, fortresses, and prisons, and \$8,000,000 for the army, (with no foreign war,) only \$110,000 were given to all the institutions of learning in Mexico."

barbarous acts should have been permitted by civilized nations to occur so often and without redress ; that its people have been spared to live with so little nakedness and starvation. In no way can we account for this exemption from instant accountability, except it be in the indulgent and misguided forbearance of nations. Her weakness and position have been her protection. Her worst enemies have been within her own limits ; the great sources of her evils have been in her own rulers ; the greatest obstacles to her success have been in the ignorance of her own people.

The period of her retribution had come. She had improved the seed-time of iniquity, and it remained that she should gather her own bitter harvests. Bound and fettered by political impostors, encamped and fortified within her vitals, and blinded by bigots that knew no grace but physical power, nothing could save her but a foreign war. Not a war forced without cause, but produced by laws of violated nature — produced by her own misguided acts and negligence ; a war of literal justice. It was as likely to happen with one nation as with another, but most likely with one nearest her borders.

The primary causes of the war with Mexico may be found in her past acts, which we have reviewed ; and the recent events which have been spoken of so often, are but the ultimate results, or the legitimate outbreaks of troubles which have been engendered by her government and people.

What was true in regard to Great Britain, in 1812, has long been true in relation to Mexico. The relations between Great Britain and the United States, in 1812, were admirably summed up in a few words by President Madison, in a message to Congress.

“ We behold,” says Mr. Madison, “ in fine, on the side of Great Britain, a state of war against the United States ; and on the side of the United States, a state of peace towards Great Britain. Whether the United States shall continue passive under these progressive usurpations and these accumulating wrongs, or, opposing force to force in defence of their national

rights, shall commit our just cause into the hands of the Almighty Disposer of events, avoiding all connections which might entangle it in the contest or views of other powers, and preserving a constant readiness to concur in an honorable establishment of peace and friendship, is a solemn question, which the Constitution wisely confides to the legislative department of the government. In recommending it to their early deliberations, I am happy in the assurance that the decision will be worthy the enlightened and patriotic councils of a virtuous, a free, and a powerful nation."

It is with no ordinary satisfaction that we find ourselves enabled to quote, as confirmatory of our method of investigation, a passage from the writings of that eminent statesman, the late John Quincy Adams. It is taken from the lecture which he delivered on the war between Great Britain and China, in 1842.

"It is a general, but I believe altogether mistaken opinion," says Mr. Adams, "that the quarrel is merely for certain chests of *opium* imported by British merchants into China, and seized by the Chinese government for having been imported contrary to law. This is a mere incident to the dispute, but no more the cause of the war than the throwing overboard of the tea in the Boston harbor was the cause of the American revolution.

"The cause of the war is the pretension, on the part of the Chinese, that, in all their intercourse with other nations, political or commercial, their superiority must be implicitly acknowledged, and manifested in humiliating forms. It is not creditable to the great, powerful, and enlightened nations of Europe, that for several centuries they have, for the sake of profitable trade, submitted to this insolent and insulting pretension, equally contrary to the first principles of the law of nature and of revealed religion — the natural equality of mankind —

'Auri sacra fames,  
Quid non mortalia pectora cogis !' "

## INDEPENDENCE AND SUBSEQUENT ANNEXATION OF TEXAS.

## ANNEXATION NO CAUSE OF WAR.

Among the results, which have been discussed as causes, we find the Texas question, — *the independence and subsequent annexation of Texas as a State of our Union.*

This has become simple history. Parties are at issue with respect to some facts, which are not very important, even if determined, in aiding us to decide the general merits of the case. The opponents of annexation have thought proper to assail the motives of the friends of that measure, and, upon the assumption that their views were correct, have manifested a singular prejudice and hostility to every proposition and event which have grown out of it. It is not our business to question their motives or their integrity, but to consider the whole subject independently of them. These were national measures, and as such we propose to consider them. The motives of those who originated and matured them make no part of the subject. A good measure may be proposed with bad motives, or motives that we cannot approve ; and bad laws may be proposed and enacted springing from the best of motives. Besides, all men do not judge accurately of results. National measures for specific interests are sometimes proposed with limited views, and for the attainment of objects not to be justified, but which, on examination, are found to possess other features highly favorable to other good purposes not contemplated by the original mover. Indeed, they may prove fatal to his intentions. He may have failed to study his own combination of causes, and he lives to be disappointed in the results of his own acts. Let it be so. Causes are certain, men uncertain. We discuss measures to be determined, according to our best knowledge and convictions of duty ; but when called upon to consider the events of the past, we desire to take them as we find them, approving what we can, condemning what we



must. We can only judge of our own motives, conceding to others the same prerogative.

As late as in 1821, Mexico was subject to the crown of Spain; but, for reasons deemed sufficient by her people, she asserted her own independence. Her revolution was successful, and her independence was acknowledged by the United States, January 23, 1823, and soon after by other leading governments of Europe. In 1824, she adopted a federal constitution. We have already reviewed her history, and have seen what has been the measure of her success. In 1834, "Santa Anna, at the head of the military power, overthrew the constitution of 1824, abolished the state governments, and established one of the most tyrannical and absolute governments that ever existed." \* In 1835, the State of Texas protested against the usurpation of Santa Anna, and insisted upon their rights, as guaranteed by the federal constitution of 1824. The objects of that constitution were similar to those of the Constitution of the United States,—"to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These objects were sacred, and the government of Mexico was bound to be faithful to the conditions imposed by the trust. If it failed in the accomplishment of any one of them, there would be just cause for complaint on the part of the people, and their submission to such failure would make no part of duty. If the government failed in all the objects of the union, as set forth, it would be regarded as a case of absolute weakness, criminal design, or neglect, and nothing but a total change of administration should satisfy a people that they were true to themselves or to their country. If it failed not only to accomplish the objects for which it was organized, but usurped authority in gross violation of those objects, then its measures were acts of treason, and revolution became an imperative duty, not to be avoided without dishonor.

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\* See Speech of General Rusk, Senator from Texas.



This was the fact with Mexico, and Texas was the only State that had sufficient character to oppose successfully the infamous usurpation of Santa Anna. The protests of Texas were treated by the usurper as acts of rebellion, and her representative was arrested, imprisoned, and was suffered to lie in a loathsome dungeon without a hearing. The constitutions of the States were destroyed; States were declared to be mere departments; they were deprived of all legislative authority; their officers were arrested, and the governors were made subject only to the central government, thereby becoming the willing instruments of tyranny. These acts of oppression were followed by a decree requiring the States as well as individuals to surrender up all the arms they had in their possession. Not satisfied with these outrages, agents were sent by the tyrant to instigate the Indians, whose numbers were large, to exterminate with the scalping-knife and tomahawk a people who were hated because they were feared.

Submission to such outrages, executed in the name of freedom, can excite no sentiment but that of indignation in the breast of every friend of liberty; while, on the other hand, we should not withhold our admiration for that small band of pioneers who had the courage to defend their rights against a nation that counted its millions of subjects. Becoming persuaded that their lot would be one of hardship and oppression as connected with the general government, the Texans declared their independence on the 2d of March, 1835.

The usurper marched his hireling troops to the soil of that brave people, conscious of superior strength, certain of victory, and impatient for the bloody work which should remove all subjects unwilling to be slaves. The successes of his army were crowned with INFAMY,\* and the battle of his own controlling with defeat.

On the 21st of April, a large portion of his army, under his

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\* We need only mention the base betrayal of Zacatecas, and the cold-blooded and treacherous massacre of Colonel Fanning, and his force of four hundred men.

own command, met the Texans, under General Houston, on the plains of San Jacinto. An engagement took place, and half of his troops were slain, and the other half were taken prisoners of war, including the tyrant himself. Apparently humbled, the dictator sued for terms of peace, and after some hesitation on the part of the Texans, a treaty was made and executed.\* Rights were defined, and boundaries stated. The independence of Texas was to be acknowledged by Mexico, and the parties to the instrument on the part of Mexico pledged themselves faithfully to use their influence in procuring a ratification of its stipulations by their own government.

From this moment Texas was free and independent. She was left by Mexico in undisturbed repose, though the treaty of Santa Anna was basely disregarded by the Mexicans who executed it, and was denounced and disavowed by their government. In 1837, the independence of Texas was acknowledged by the United States, and in quick succession by the great powers of Europe.

Here was one of the results of the folly, weakness, neglect, and wickedness of Mexico. She lost some of her best citizens, and a large portion of her richest soil. It was a result that all good men must rejoice in, for, whether we consider most the gain to Texas, to the United States, or to the cause of freedom, we cannot but regard the independence of this State, and subsequent annexation, as events of justice to Mexico, and one of instruction to the age.

Here was a sovereign power in a country that was ceded by our government to Spain in 1820, in violation of our treaty stipulations with France in 1803, and much against the views of many of our people.† Texas became her own sovereign master, and was free to choose her own destiny.

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\* See Appendix G.

† We insert, with much confidence, in our Appendix some extracts from a letter of the Hon. R. J. Walker, addressed, in 1844, to the people of Kentucky, "relative to the re-annexation of Texas," &c. This letter embraces a large amount of information, and is written with great ability. See Appendix H.

Actuated by no unworthy motives of ambition, her defenders became devoted to her true interests, and proved faithful as citizens and rulers. They had no objects in government but security in their rights and interests, and it soon became a serious question how these might best be preserved and advanced. Having the elements of prosperity within her limits, her population increased, the riches of her soil were made manifest, and soon the young Republic became the subject of notice and favor of foreign and rival nations. Annexation to the United States was proposed, as being preferable to national sovereignty with national weakness—a measure of adding a lesser power to receive a greater. It was a measure of duty and interest to them, and one of national concern and importance to the Union.

In regard to the importance of Texas to the United States, much has been said by distinguished citizens of all parties. It is not a recent question, and not until lately has it been made a party question. Indeed, its importance has been so fully acknowledged by statesmen entitled to our confidence and respect, irrespective of party, that any enlargement here upon the subject might be deemed by some an act of supererogation.\* It is now one of the States of the Union; and while we cannot speak from personal observation of the value or beauty of its territory, we may be permitted to quote the language of the Hon. W. S. Archer, of Virginia, chairman of the committee of foreign relations in the House of Representatives in 1822. At that time he delivered a speech on the subject of appointing a minister to Mexico, from which we make the following extract. He pronounced the territory “one of the richest and most favored portions of the habitable earth. *I say this deliberately*, for if I were called upon to select any portion of the earth’s surface which was fitted by nature to become the garden spot of the globe, I should without hesitation point to the province of Texas.” This was not an expression of party sen-

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\* See Appendix H.

timent, as no party lines, at the period of its utterance, had been drawn in reference to its possession. All desired it, but it was in a position to be acquired only by purchase of a foreign nation.

That Mexico should, in the chagrin and folly of her course, endeavor to force the allegiance of Texas, was a circumstance to be anticipated. Where injustice makes up the policy of a nation, desperation ever finds an apologist in pride, and patriotism a virtue in necessity. Her pretensions of right to govern Texas, when she had proved herself utterly incapable of protecting the ordinary interests even of a single city of her dominion, are absolutely too ridiculous to merit serious refutation. If Texas were not entitled to independence after the events of her revolution, then no people can ever hope to be fully justified in opposing tyranny, or in any attempts to establish justice and equality among men.

And yet, while we would not impute to Mexico utter ignorance of her own demerits, we cannot but think that she has been encouraged in her downward course in consequence of opinions expressed by public men of the United States. If she would not hesitate knowingly to persist in wrong, we may well suppose that she would eagerly seize all flattering or promising influences that seemed to favor her desperate and ill-featured cause.

A distinguished citizen of Kentucky,\* in a letter written in 1844, says, "I consider the annexation of Texas at this time, without the assent of Mexico, compromising the national character, and involving us certainly in a war with Mexico, and probably with other foreign powers."†

Mr. Clay was a candidate for the presidency, and more than

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\* Hon. Henry Clay.

† And yet, in 1847, in a speech delivered at Lexington, he asks, "Who would now think of perpetrating the folly of casting Texas out of the confederacy, and throwing her back upon her independence, or into the arms of Mexico? Who would seek to divorce her from this Union?" And why not? If annexation were an act of injustice to Mexico, it could not be "folly" to repair the wrong.



any other man, perhaps, the chief of a powerful party. A single word from his lips or pen would afford such a nation as that of Mexico encouragement in the greatest folly, in the most hopeless cause. We would not speak lightly of a man who has filled with honor so many pages of his country's history; but while we admit his merits, and the correctness of some of his views on questions of public importance, we cannot but regret that want of consistency which charity would attribute to his party prepossessions rather than to his judgment.

Mr. Clay has not been alone in the expression of views tending to encourage Mexico. Some of our State governments adopted resolutions; public men and editors expressed opinions for party purposes, defending the cause of Mexico against their own country. It has been asserted that Santa Anna prepared a document made up of speeches and editorials put forth in this country concerning the war, *for circulation among his soldiers and people*.\* It is easy to see how the doubts of a powerful enemy would have more influence in Mexico, than any knowledge of strength, where weakness prevailed, or of any confidence of success, in the absence of means and system.

It is a plain, open case. The facts are before us. Speculation is unnecessary. A knowledge of common justice and national law gives us no alternative but to read the evidence, and see the legitimate conclusion.

In a speech delivered in the U. S. Senate, March, 1848, by Mr. Webster, we find the following paragraph, in the emphatic language of that distinguished senator: —

“ I state now, sir, what I have often stated before — that no man, from the first, has been a more sincere well wisher to the government and people of Texas than myself. I looked upon the achievement of their independence in the battle of San Jacinto as an extraordinary, almost marvellous, incident in the

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\* See speech of Colonel Burnet, delivered at Philadelphia; of Colonel Doniphan, at St. Louis; and the statements of Wynkoop, and Morgan, and of other officers, published in the journals.



affairs of mankind. I was among the first disposed to acknowledge her independence."

In 1842, Mr. Webster, then secretary of state, in a despatch to the minister of the United States at Mexico, said, "From the time of the battle of San Jacinto, in April, 1836, to the present moment, Texas has exhibited the same external signs of national independence as Mexico herself, and with quite as much stability of government. Practically free and independent; acknowledged as a political sovereignty by the principal powers of the world; no hostile foot finding rest within her territory for six or seven years; and Mexico herself refraining for all that period from any further attempt to reëstablish her own authority over the territory."

In a speech delivered by the Hon. R. Johnson, of Maryland, in the U. S. Senate, on the 10th and 11th January, 1848, he says, "Sir, annexation of itself would not have been war; Mexico had no right to make it a cause of war. Texas' independence had been too long established and undisturbed to have her absolute right of sovereignty called in question."

Texas became independent of Mexico in the same manner that our States became independent of Great Britain; and if her title among nations was not good, then there is no reason why ours should be. This being admitted, the event of annexation was not a matter within the control of Mexico, much less could it be cause for war. That it was no cause of war in the opinion of Mexico herself, may be inferred from the fact, that she offered to acknowledge the independence of Texas, provided she would reject all propositions of annexation to the United States; or, in other words, if she would not add to the power of a country already too great to be balanced in the scales of European politicians.\*

The short sentence of Mr. Clay, in 1844, was just enough to be dangerous to Mexico, and troublesome to foreign poli-

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\* See the able speech of the Hon. J. A. Dix, delivered in the U. S. Senate, Jan. 1848.

ticians. It justified war on her part, and expectation of aid from foreign governments. It led to destruction without any responsible guaranty of aid or safety. It was a text for a Guizot or a Palmerston. Its apocryphal character was not suspected. It was proved, however, by experiment. Mexico was compelled to act without the poor benefit of her own cowardice, and to find, in the end, nothing but contempt and derision where she was persuaded to look for aid and sympathy.

Texas was annexed by act of Congress on the part of the United States, and by Congress and by a convention of the people on the part of Texas.\* The authority under which the act of Congress was passed on the part of the United States, is in the Constitution. The language is simple, and cannot be misunderstood. It is this: "New States may be admitted by Congress into this Union; but no new State shall be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned, as well as of the Congress."

That the act of annexation was in conformity to the Constitution of the United States, is obvious from the facts in the case. The fact that Texas *was* an independent nation makes no element of the question whatever, inasmuch as she was divested of national prerogatives, before she was admitted as a State of the Union.

There is another *alleged* cause of the war, in the act of the war department of the United States, ordering General Taylor to the Rio Grande.

This was a prudential measure, on the part of our government, to *prevent* hostilities by being prepared for them, and properly makes a portion of our next chapter. It is simply a historical question as to the *first act of hostility* between the two nations in the *commencement* of a war, but in no sense can it be regarded as the cause. If it were the cause of the war, to what cause are we to attribute the assembling of two armies

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\* See Appendix I.

in hostile proximity, and both stationed at a great distance from their respective governments? So far from being *the* cause, or even *a* cause of the war, it is not to be classed with the measure of annexation as one of the results of the causes which we have enumerated. It was purely a preventive measure on the part of our government, and only as such intended and authorized.

### COMPARATIVE VIEW OF THE ACTS OF THE TWO GOVERNMENTS.

#### ASSUMED POSITION AND NATIONAL RELATIONS OF MEXICO.

Although the loss of Texas was a consequence of the bad faith of Mexico, still Mexico was induced to assume that annexation was sufficient cause of war. What combination of influences led that nation to take such a position is still a matter of some uncertainty. It is true, desperation is frequently indicative of weakness, and boldness or rashness is made to represent power. But acts of rashness may be generally traced to ulterior motives, to some contingent redemption or aid that may be possible, or probable, though not certain. A bold position in a nation which is wrong may cost nothing, and a compromise between right and extravagant claim may sometimes render it a source of gain. That Mexico was really ignorant of her own character, we cannot believe. That she was not fully aware of her own weakness, all must admit. That the embarrassments and confusion of her own affairs led her rulers to suppose that nothing could happen to add new misery to her condition, is more than probable. She supposed her chance for charity among nations about equal to that of justice. She was honored with marks of sympathy, but she was deceived by supposing they would be redeemed by acts of aid.

In what proportion, therefore, the various influences made up her inducements to action, it is difficult to determine. Perhaps it is unnecessary. It is probable, however, that her very existence required action, and in her pride and weakness she

was led to indulge in a vague belief that her manifestations of nationality would be taken for strength and patriotism, and thus enlist foreign intervention. At that time, the relations between the United States and Great Britain were unsettled. The Oregon question was the great source of excitement. Negotiation was of doubtful issue, and war was predicted. Foreign powers had acknowledged the independence of Texas, and her favor was courted both by England and France. If we had war with England, Mexico could follow with some degree of safety in her wake of destruction. Her weakness might be covered by England's strength, and English subjects had solid interests to urge them to such a union. France desired to help Mexico, that she might be able at some future day to help herself, and she opposed the dissolution of the sovereignty of Texas because it would add too much to the power of the United States.

Thus were nations at work as elements in determining the affairs of Mexico, as involved with those of Texas. Mexico was one of five independent powers, and she was willing to be the fifth in order of influence, and be subject to the contingent relations of the other four; and to take her chance as to the result. She was made blind to her own resources by expectations as baseless as they proved to be fatal. But, before we compare the acts of the United States and Mexico, let us glance at the

#### RELATIONS BETWEEN THE UNITED STATES AND TEXAS.

That the government of the United States has been actuated by considerations of strict justice and liberality to Mexico, and of integrity to its own great interests, will appear from the simple facts embraced in official documents. We shall endeavor so to classify them as to give the reader a just and connected view of the evidence which they contain.

The acts of governments, as well as those of individuals, are determined by motives. We can conceive of no other mode of action, however manifested or combined. In judging,



therefore, either of collective or of individual action by a few leading facts, we must, in justice, remember the influences of the thousand little things which indeed make up the atmosphere of the motive world, and oftentimes characterize it, though they cannot be enumerated. We can hope to do but little in representing the motives of either government by selecting a few declarations, though we may aid the reader by our outlines in giving direction to further investigation.

The United States and Texas must be regarded as two sovereign nations engaged in a negotiation mutually important, and really in no way threatening the peace or involving the interest of any other nation. The special interest of Mexico in Texas was forfeited nine years before, and that forfeiture was recognized, and the consequent independence acknowledged, by the leading powers of Europe. Notwithstanding this, Mexico assumed the hostile attitude in regard to both in the contingency that they agreed. The contingency of agreement took place, and we commence our documentary account of events which preceded it, and which are necessary to a proper understanding of what followed.

It must be borne in mind that Mexico takes a forced position. Any other nation, according to the laws of nations, had the same right as Mexico to protest against annexation, and to threaten war. While the United States proposed to take nothing from Mexico that belonged to her, their government was bound to be faithful in all its engagements with Texas.

In literally dissolving her nationality, Texas claimed from the United States that protection which was necessary in view of successful negotiation, provided she was invaded by Mexico. While she was preparing to assume a subordinate position, in a national point of view, as one of the States of this Union, she was discontinuing those means of defence which would be no longer required. In reply to her government on this point, the United States gave



## ASSURANCE OF PROTECTION TO TEXAS.

*Mr. Buchanan, Secretary of State, to Mr. Donelson, Chargé d'Affaires of the U. S., in Texas, May 23, 1845.*

"I am instructed by the president to inform you that, as soon as the existing government and the convention of Texas shall have accepted the terms proposed in the two first sections of the 'joint resolution for annexing Texas to the United States,' he will then conceive it to be both his right and duty to employ the army in defending that state against the attacks of any foreign power. This shall be done promptly and efficiently, should any emergency render it necessary. In order to be prepared for such a contingency, a force of three thousand men shall immediately be placed upon the border, prepared to enter Texas and to act without a moment's delay. It would be the most crying injustice towards the people of Texas, for the United States to stand by and refuse to extend a helping hand to sustain them against an invasion brought upon them by their free determination to annex their own glorious Republic to the American Union, in compliance with a solemn resolution of Congress."

In conformity with this obligation, orders were given to our army and navy. As these orders were among the first acts of the United States, in granting a military defence to Texas, we give them nearly entire.

*Mr. Marcy, Secretary of War, to General Z. Taylor, at Fort Jesup, La.*

"WAR DEPARTMENT, May 28, 1845.

"I am directed by the president to cause the forces now under your command, and those which may be assigned to it, to be put into a position where they may most promptly and efficiently act in defence of Texas, in the event it shall become necessary or proper to employ them for that purpose. The information received by the executive of the United States warrants the belief that Texas will shortly accede to

the terms of annexation. As soon as the Texan Congress shall have given its consent to annexation, and a convention shall assemble and accept the terms offered in the resolutions of Congress, Texas will then be regarded by the executive government so far a part of the United States as to be entitled from this government to defence and protection from foreign invasion and Indian incursions. The troops under your command will be placed and kept in readiness to perform this duty.

“Should the territories of Texas be invaded by a foreign power, and you shall receive certain intelligence through her functionaries of that fact, after her convention shall have acceded to the terms of annexation contained in the resolutions of the Congress of the United States, you will at once employ, in the most effective manner your judgment may dictate, the forces under your command, for the defence of these territories, and to expel the invaders.”

THE RIO GRANDE DEL NORTE TO BE OCCUPIED BY OUR  
TROOPS.

*George Bancroft, acting Secretary of War, to General Taylor.*

“WAR DEPARTMENT, June 15, 1845.

“On the 4th day of July next, or very soon thereafter, the convention of the people of Texas will probably accept the proposition of annexation, under the joint resolutions of the late Congress of the United States. That acceptance will constitute Texas an integral portion of our country.

“In anticipation of that event, you will forthwith make a forward movement of the troops under your command, and advance to the mouth of the Sabine, or to such other point on the Gulf of Mexico, or its navigable waters, as in your judgment may be most convenient for embarkation at the proper time for the western frontier of Texas.

“The point of your ultimate destination is the western frontier of Texas, where you will select and occupy, *on or near* the Rio Grande del Norte, such a site as will consist

with the health of the troops, and will be best adapted to repel invasion, and to protect what, in the event of annexation, will be our western border. You will limit yourself to the defence of the territory of Texas, unless Mexico should declare war against the United States.

“Your movement to the Gulf of Mexico, and your preparations to embark for the western frontier of Texas, are to be made without any delay; but you will not effect a landing on that frontier until you have yourself ascertained the due acceptance of Texas of the proffered terms of annexation, or until you receive directions from Mr. Donelson.”

U. S. SQUADRON ORDERED TO COÖPERATE IN THE DEFENCE  
OF TEXAS.

*Mr. Donelson to Captain Stockton, U. S. Navy, Commander U. S.  
Squadron, near Galveston.*

“LEGATION OF THE U. S., }  
“WASHINGTON, TEXAS, June 22, 1845. }

“Captain Waggaman arrived here last evening with despatches to the president of this Republic and myself, from General Taylor, who has been ordered, in case Texas is invaded by Mexico, to render the protection asked for by this government. Although these troops will be, as usual, under the command of the regular officers of the United States, they are yet not to act within the limits of Texas without consultation with this government.

“It is highly important, therefore, that your squadron should, in like manner, so act as not to alter the general character of the defence which the United States will interpose for Texas. The whole measure of annexation being dependent upon the consent of this government, the employment of our forces within the limits of Texas must be, of course, subordinate to the necessity which will exist for it.

“I have no idea that you would otherwise employ the squadron under your command; but, for greater caution, and to have certain evidence in our possession that the action of

our force within the limits of Texas will be strictly defensive, I have thought it right to make these observations.

“It is almost certain that our troops now on the border will be, in a few days, on the march to such stations as may be selected for them within the territory of Texas. Corpus Christi, San Antonio, and one other station farther north, will probably be selected.

“The prospect of a Mexican war is so immediate as to justify your remaining on the lookout for the event. It is openly threatened by Mexico, and the British minister has left behind him a general impression that it will take place. If it does, your coöperation with our land troops I should think sufficient, without much aid from Texas herself, to drive the Mexican arms west of the Rio Grande. It is to be hoped, however, that Mexico, seeing the determination of the United States to maintain by force the right of Texas to annex herself to our Union, will yet prefer to settle, by treaty, the points in dispute.”

TERMS OF ANNEXATION ACCEPTED BY THE GOVERNMENT  
AND PEOPLE OF TEXAS.

*Mr. Donelson to Mr. Buchanan, June 23, 1845.*

“You will receive herewith enclosed the joint resolution and the letter of the secretary of state transmitting it, giving the consent of this government to the proposals for the admission of Texas as a State of the Federal Union. *“The vote upon it was unanimous.”*

The measure remained to be acted upon by the people of Texas. They were notified by a proclamation of President Jones, on the 4th of June, 1845, to choose delegates to meet at the city of Austin on the 4th of July following. The result in convention is stated in despatch, dated July 6, 1845, from

*Mr. Donelson to Mr. Buchanan.*

“There was but one dissenting voice to the acceptance of our proposals by the convention, and that one afterwards affixed



his signature to the resolution adopted on the subject ; so that the ordinance now forwarded to you has the unanimous support of all the deputies. Thus are dissipated all the schemes of foreign powers to raise a party in Texas adverse to annexation ; and thus has this gallant State vindicated her appreciation of the principles of liberty, and of the necessity of union with us in order to preserve those principles."

#### GENERAL TAYLOR ADVISED OF ANNEXATION.

On the 28th of June, Mr. Donelson advised General Taylor that the terms of annexation had been unanimously accepted by the government of Texas ; and, on the 7th of July, that the convention of the people had unanimously approved the same ; " and that, therefore, the contingency has occurred on which the president of the United States placed the right and duty of defending this territory against the attacks of Mexicans and Indians." On the 23d of August, the secretary of war says to General Taylor, " Orders have been issued to the naval force on the Gulf of Mexico to coöperate with you." In the same despatch, the secretary of war authorizes General Taylor to call upon the governors of Louisiana, Alabama, Mississippi, Tennessee, and Kentucky, for volunteers, " should Mexico declare war, or commence hostilities by crossing the Rio Grande with a considerable force."

#### THE CHOICE OF THE TEXANS.

*Ebenezer Allen, Attorney-General of Texas and acting Secretary of State, to Mr. Donelson, June 23, 1845.*

" Rejecting the idea of separate nationality, although commended to their choice by the proffered recognition of their independence by Mexico, and the countenance of powerful European sovereignties, the people of this country have thus evinced, by most decided manifestations, their strong but natural preference for the advantages of a voluntary incorporation into the American Union, and their strong attachment to the free institutions of that great and glorious Republic."



FREE ACTION OF THE TEXANS. ANNEXATION A BLOODLESS  
ACHIEVEMENT.

It is the language of truth and sincerity, however much it may be doubted by partisans, which we find in the message of President Polk to Congress, December, 1845.

"This accession to our territory has been a bloodless achievement. No arm of force has been raised to produce the result. The sword has had no part in the victory. We have not sought to extend our territorial possessions by conquest, or our republican institutions over a reluctant people. It was a deliberate homage of each people to the great principle of our federative Union.

"If we consider the extent of territory involved in the annexation, its prospective influence on America, the means by which it has been accomplished, springing purely from the choice of the people themselves to share the blessings of our Union, the history of the world may be challenged to furnish a parallel."

The president had acted openly and independently in this negotiation, and he had every reason to congratulate the country on the result. We shall more justly appreciate his sentiments if we refer to his letter of instructions, in which the manner of negotiation is advised, in a despatch from

*Mr. Buchanan to Mr. Donelson.*

"The president entirely concurs in opinion with you, that the United States should avoid even the least appearance of interference with the free action of the people of Texas on the question of annexation. This is necessary to give its full effect to one of the grandest moral spectacles which has ever been presented to mankind, and to convince the world that we would not, if we could, influence their decision except by fair argument. We desire that our conduct shall be in perfect contrast to that pursued by the British chargé d'affaires to Texas in reference to the question."

## FOREIGN INTERFERENCE. PROMPT ACTION NECESSARY. RESULT.

Great efforts were made by the representatives of France and England to prevent annexation, and even Mexico herself was induced to assent to propositions of peace, provided Texas would remain independent.\*

Preliminary propositions were formally made and sent from Mexico, in May, by Baron Alleye De Cyprey, and Charles Bankhead, envoy extraordinary and minister plenipotentiary of his majesty the king of the French, and minister plenipotentiary of her Britannic majesty, sanctioned by the Mexican government. They were presented by Mr. Elliott, her Britannic majesty's chargé d'affaires in Texas. These were duly submitted by President Jones to the Congress of Texas, with all due respect to the motives of those who framed them. The proposed treaty was unanimously rejected by the Congress of Texas on the same day that the resolutions of annexation were unanimously accepted.

These efforts will enable us to understand an anxiety manifested on the part of our government to have the business promptly closed. It must be gratifying to all lovers of their country that the promptitude of our government was not marked by any departure from the fundamental principles of sound diplomacy, justice, and humanity. It is well remarked, and, doubtless, with a just sense of pride, by the president in his message of December, 1845, that,

“ In contemplating the grandeur of this event, it is not to be forgotten that the result was achieved in despite of the diplomatic interference of European monarchies. Even France, the country which had been our ancient ally; the country which has a common interest with us in maintaining the freedom of the seas; the country which, by the cession of Louisiana, first opened to us access to the Gulf of Mexico; the country with which we have been every year drawing more and more

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\* See Appendix J.

closely the bonds of successful commerce, most unexpectedly, and to our unfeigned regret, took part in an effort to prevent annexation, and to impose on Texas, as a condition of the recognition of her independence by Mexico, that she would never join herself to the United States. We may rejoice that the tranquil and pervading influence of the American principle of self-government was sufficient to defeat the purposes of British and French interference, and that the almost unanimous voice of the people of Texas has given to that interference a peaceful and effective rebuke. From this example, European governments may learn how vain diplomatic arts and intrigues must ever prove, upon this continent, against that system of self-government which seems natural to our soil, and which will ever resist foreign interference."

POSITIONS OF THE GOVERNMENTS OF THE UNITED STATES AND  
MEXICO AFTER ANNEXATION.

The resolution authorizing the annexation of Texas was passed by the Congress of the United States, on the 28th of February, 1845, and was approved by the president on the 1st of March.\*

On the 6th day of March following, the Mexican minister at Washington, General Almonte, in the name of his government, addressed to the state department "a PROTEST, in the most solemn manner, against the law whereby the province of Texas, an integrant portion of the Mexican territory, is agreed and admitted into the American Union; that the said law can in no wise invalidate the rights on which Mexico relies to recover the above-mentioned province of Texas, of which she now sees herself unjustly despoiled; and that she will maintain and uphold those rights at all times, by every means which may be in her power."

He "will say in conclusion, to the honorable secretary of state of the United States, in order that he may be pleased to com-

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\* See Appendix I.

municate it to the president of these States, that in consequence of this law, against which he has just protested, his mission near this government has ceased from this day. Wherefore, the undersigned prays the honorable secretary of state to be pleased to deliver him his passports, as he has made arrangements to leave this city, [Washington,] without delay, for New York."

*This was the first position of Mexico after annexation. It was one of complaint and protest.*

The secretary of state, on the 10th day of March, 1845, advised General Almonte, that he had submitted his protest made in the name of his government, to the president, and he was instructed, in answer, to say, "that the admission of Texas as one of the States of this Union, having received the sanction, both of the legislative and executive departments of the government, is now irrevocably decided, so far as the United States are concerned. Nothing but the refusal of Texas to ratify the terms and conditions on which her admission depends, can defeat this object. It is, therefore, too late, at present, to re-open a discussion which has already been exhausted, and again to prove that Texas has long since achieved her independence of Mexico, and now stands before the world, both *de jure* and *de facto*, as a sovereign and independent State amid the family of nations. Sustaining this character, and having manifested a strong desire to become one of the members of our confederacy, neither Mexico nor any other nation will have just cause of complaint against the United States for admitting her into this Union."

*This was the position of the United States. It was one of justification and defence.*

Having before us the two nations in their respective positions of complaint and defence, we propose to review their spirit of conciliation and of hostility, as manifested by their acts prior to the commencement of the war. We will first turn our attention to

## THE DISPOSITIONS OF MEXICO, AS MANIFESTED TOWARDS THE UNITED STATES.

Although it is not our design, in this connection, to notice events prior to March, 1845, it may be proper, perhaps, to advert to the assumed position of Mexico, in regard to annexation, in 1843 and 1844.

Under date of August 23, 1843, the Mexican minister of foreign relations, in the name of his government, addressed to our minister in Mexico, the following language : — \*

“The Mexican government will consider equivalent to a declaration of war against the Mexican Republic, the passage of an act for the incorporation of Texas with the territory of the United States, *the certainty of the fact being sufficient for the proclamation of war*, leaving to the civilized world to determine with regard to the justice of the cause of the Mexican nation in a struggle which it has been so far from provoking.”

On the 12th of June, 1844, just two months after the signature by Mr. Calhoun of the treaty for the annexation of Texas, Santa Anna, then the president of Mexico, announced to the government of the United States, “that Mexico was resolved again to undertake vigorously the campaign against Texas, for which she held in readiness a large army,” and further expressed the determination of Mexico upon the point, as follows :—

“That in no manner will she consent to dismember territory ; rather will she carry the war to any extreme which may be necessary to sustain her rights ; and that as nations do not die, *the right of reconquering that territory shall remain to our children and our grandchildren ; that this was the opinion of the government and of the Mexicans.*”

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\* See the able speech of Hon. Mr. Downs, delivered in the U. S. Senate, January, 1848, — from which we have copied some details to 1844.



This declaration was followed up by Santa Anna, by issuing, in the same month, (June, 1844,) a requisition for thirty thousand men, and \$4,000,000, to "*carry on the war against Texas.*" Generals Canalizo and Woll were placed in command of the force raised upon this requisition, and, having advanced to Mier, on the Texan frontier, Woll, at the head of his invading army, put forth a general order, under date of June 20, 1844, menacing "every individual within one league of the left bank of the Rio del Norte with the traitor's doom."

Mr. Bocanegra, then the Mexican minister of foreign relations, styled the act of Congress providing for annexation, in his circular letter to the various European ministers then resident in Mexico, under date of May 31, 1844, "a declaration of war between the two nations."

In his message of December, 1845, the president of the United States says, —

"On the 6th day of March last, the Mexican envoy extraordinary and minister plenipotentiary to the United States made a formal protest, &c. Our envoy extraordinary to Mexico was refused all official intercourse with that government, and, after remaining several months, by the permission of his own government he returned to the United States. Thus, by the acts of Mexico, all diplomatic intercourse between the two countries was suspended.

"Since that time Mexico has, until recently, occupied an attitude of hostility towards the United States — has been marshalling and organizing armies, issuing proclamations, and avowing the intention to make war on the United States, either by an open declaration, or by invading Texas."

In a letter from Mr. Donelson to Mr. Buchanan, dated June 2, 1845, it is stated, "It is believed that Mexico is concentrating troops on the Rio Grande."

Again, on the 4th of June, 1845, he says, "I look upon war with Mexico as inevitable — a war dictated by the British minister here, for the purpose of defeating annexation."

*Mr. Donelson to Mr. Allen, June 11, 1845.*

“The minister of the foreign affairs of Mexico, when asking for the authorization of the chambers to negotiate with Texas on the basis of her independence, at the same time declared that the army on the Rio Grande would be reinforced, and the agency that obtained and brought back to this government the declaration that the door is open for negotiation of a definitive treaty between the two nations, brought also the formal notification that this door will be closed again if Texas consents in any manner to the resolution passed by the Congress of the United States on the subject of annexation. Thus is it made difficult for Texas, even had her judgment led her to reject the overture for her admission into the Federal Union, to accept the propositions of Mexico, without incurring the imputation of being awed by an armed force, kept avowedly upon her frontier to commence hostilities, if her decision should be different from that prescribed for her.”

*Mr. Donelson to Mr. Buchanan, June 23, 1845.*

“Mexico, however, has threatened a renewal of the war for THE WHOLE OF TEXAS, if she accepts the proposals for annexation to the Union.”

#### CHAGRIN OF MEXICO — HER MODE OF WARFARE.

*Mr. Allen to Mr. Donelson, June 26, 1845.*

“But the very preference manifested by the government and people of Texas for annexation to the great republican confederacy, and for a participation in the benefits and efficacy of her free institutions, when contrasted with the alternative of separate and acknowledged independence, and when the latter alternative was commended to the acceptance of the nation by the partiality of mighty powers, must be mortifying to the pride of Mexico, and may very probably induce her to commence against this country sudden and active hostilities. For

the last six or eight years her warfare has consisted of irregular incursions across our western frontier, her forces entering and retiring from our territory at wide and uncertain intervals of time, and occasioning ruin and distress along the immediate line of their marches. A new irruption of this kind may now be reasonably expected."

*Mr. Donelson to General Taylor, June 28, 1845.*

"If any reliance is to be placed upon the threats of Mexico, and upon the advice which we may presume will be given by the French and British governments, an invasion of Texas may be confidently anticipated."

On the 12th and 16th of July, the Mexican secretary of war issued circulars, requiring the officers of the army to raise the requisite number of troops to wage war against the United States. We have placed copies of these circulars in our Appendix.\*

On the 12th of August, 1845, General Arista addressed his troops in the following language:—

"Comrades: The supreme executive has sent to me, by express, the news that the United States, in pursuance of their ambitious views, *having taken possession of the department of Texas*, he had demanded a declaration of war from Congress against that unjust nation.

"The time to fight is come. We must prepare with the ardor inspired by duty and patriotism, when an attack is made upon the soil, the honor, and the pride of the nation.

"Arms are the only arguments to use AGAINST BANDITTI and men without good faith. Let us hope for that justice which is invoked by all society, and the decision of the civilized world. Our lot will be envied by the rest of the army; we are nearest to the theatre of war; we are the first to avenge the outrages on our country, and to ravish from the usurpers the object of their rapines. Large bodies of troops are on their march; they will soon be here, to share our dangers and repulse the enemy."

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\* See Appendix K.

On the 27th of August, 1845, General Paredes thus addressed the soldiers of the Mexican army : —

“Soldiers : A rapacious and grasping race have thrown themselves upon our territory, and dare to flatter themselves that we will not defend the patrimony which our forefathers conquered with their blood. They deceive themselves ; we will fly to snatch from them the spoils, the possession of which they are impudently enjoying ; and they shall learn, by dearly-bought experience, that they are not contending with the undisciplined tribes of Indians whom they robbed of their land, their heaven, and their country ; and that the Mexicans will ardently combat the soldiers of a nation which has sanctioned by its laws the most degrading slavery.”

In a letter addressed by Mr. Donelson to Mr. Buchanan, dated July 24, 1845, he says, “The common opinion of the citizens best acquainted with the Mexican population is, that the government will be obliged to declare war, in order to have the power to compromise with after events.”

*General Taylor to Adjutant-General Jones.*

“CORPUS CHRISTI, Aug. 15, 1845.

“I have the honor to report that, by New Orleans papers of the 7th instant, I have received intelligence of the preparatory steps taken by Mexico towards a declaration of war against the United States.

“I am enabled to say, upon information which is regarded as authentic, that General Arista was to leave Monterey on the 4th of this month for Matamoras, with 1500 men, — 500 being cavalry. I learn by the same source, that there are 500 regular troops at Matamoras.”

*Adjutant-General Jones to General Taylor, Aug. 26, 1845.*

“Official information, at short intervals, is now the more necessary, as the country is filled with rumors of the movement of Mexican troops in direction of your head-quarters, as also of matters in relation to our own service.”



COMMUNICATION ACROSS THE FRONTIER PROHIBITED UNDER  
PENALTY OF DEATH.*General Taylor to Adjutant-General Jones.*

"CORPUS CHRISTI, Sept. 6, 1845.

"A decree has been issued, prohibiting, under the penalty of death, any communication, by writing, across the frontier — a precaution which has been adopted on former occasions, and caused, no doubt, by our presence here."

We think that no one will be disposed to doubt the fact, that Mexico was uniform in her spirit and acts of hostility towards the United States, if in nothing else. To use the language of Mr. Madison, she was in "a state of war against the United States." It is the notoriety of these hostile manifestations which we would have the reader notice, as an important element of the subject.

During every period of the discussion upon the subject of annexation, from the first to the last, these manifestations of hostility on the part of Mexico have been known to Congress, and to all the political parties of the country.

By those who claimed that nothing could be generous that was not just, they were lamented; and by others, who claimed that party was above principle, we have too much evidence to believe that they were encouraged. Still, the vote for annexation in Congress was a very decided one.

It has been assumed by some that we had but little evidence that Mexico intended hostilities. If hostilities were not intended, how could Peña y Peña say to Mr. Black, as he did, October 31, 1845, "The government of Mexico has given its orders, for the purpose of suspending, for the present, any act of hostility against the United States, and limits itself to the defensive, awaiting the issue of the negotiation proposed by the government of the United States, through the consul?" How could acts of hostility be *suspended*, if they had not been ordered? and of course the inference is plain, *to be renewed* if negotiation failed.



It may be true, perhaps, that Mexico intended no action but a display of threats without the slightest design of redeeming them. If she found us unmoved by these, her counsels of prudence were sufficient to produce other and equally safe expedients. But the decree alluded to by General Taylor was evidence enough that she intended *war*, and nothing but war. It was not, however, the open war of civilized nations that they looked for and desired, but for opportunities of sudden incursions and massacres! They would have ventured attacks upon unarmed citizens, asleep, in the night time, and possibly upon detachments of troops, if their numbers were so small as to give them no apprehension of danger. Not to enjoy such privileges of bloodshed was a sore disappointment to them. They did not expect to be met on the line, where they could have no chance to execute their acts of revenge upon the people of Texas without a check, or a shot that might injure them. They, indeed, claimed it as a right, that our army should remove beyond the Nueces, until the two governments had settled the boundary question. They had a sudden, and for them, a novel disposition, to protect their own soil, and their own people. But it was thought by our government that no evil could arise by giving protection to ALL the territory that Texas claimed, knowing full well that the tender mercies of Mexico could in no human probability exceed those which would be extended by our army, and without any expense to them. It was a matter of duty, however, paramount to every other consideration with our government, if persuaded that any protection was required, to give it with an amplitude that should insure entire and unquestioned safety to Texas, and preserve unsullied the integrity of the United States.

Let us now look on the other side. Let us see what was

#### THE PREVAILING SPIRIT OF THE UNITED STATES TOWARDS MEXICO,

during this period of threatened hostilities on the part of that republic. We would not intentionally bias the reader in favor

of his own country, if she were in the wrong ; nor would we endeavor to create prejudices in his mind against a sister republic, if she were in the right. Our purpose is, simply, to ask a candid attention to facts. Let the documents speak for themselves. Our limits allow us no alternative but to make extracts, and almost always at the expense of much evidence confirmatory of our views, which we are compelled to omit.

## PLEDGE OF AMITY OF THE UNITED STATES GOVERNMENT.

*Mr. Buchanan to General Almonte, March 10, 1845.*

“The president sincerely regrets that the government of Mexico should have taken offence at these proceedings, [act of Congress annexing Texas ;] and he earnestly trusts that it may hereafter be disposed to view them in a more favorable and friendly light. Whilst entering upon the duties of the presidential office, he cheerfully declares, IN ADVANCE, that his most strenuous efforts shall be devoted to the amicable adjustment of every cause of complaint between the two governments, and to the cultivation of the kindest and most friendly relations between the sister Republics.”

## ACTS OF HOSTILITY FORBIDDEN BY THE UNITED STATES.

*Mr. Buchanan to Mr. Donelson, June 3, 1845.*

“This government will studiously refrain from all acts of hostility towards that Republic, (Mexico,) unless these should become absolutely necessary in self-defence. Orders have been transmitted to Captain Stockton in accordance with this declaration.”

## ORDER FOR DEFENCE, NOT INVASION.

*Secretary of War to General Taylor, June 15, 1845.*

“You will limit yourself to the territory of Texas, unless Mexico should declare war against the United States.”

ORDER TO SPARE ANY MILITARY ESTABLISHMENTS EAST SIDE  
OF THE RIO GRANDE.

*Secretary of War to General Taylor, July 8, 1845.*

“ This department is informed that Mexico has some military establishments on the east side of the Rio Grande, which are, and for some time have been, in the actual occupancy of her troops. In carrying out the instructions heretofore received, you will be careful to avoid any acts of aggression, unless an actual state of war should exist.”

This order has been frequently quoted to prove that our government was wrong in claiming to the Rio Grande, because a few Mexicans had been specially permitted by our government to remain between that river and the Nueces. This is certainly novel logic. We should suppose that the meaning was quite the contrary. If our government deemed it expedient to make such an exception, the fact of making it is evidence to prove that it considered its title to the territory undoubted ; otherwise the act would have been one of inconsistent assumption. It was an act of deliberate indulgence. If the right of exception implies any thing, it implies the right of possession.

## ORDER TO AVOID AGGRESSION, BUT TO PROTECT TEXAS.

*Secretary of War to General Taylor, July 30, 1845.*

“ While avoiding, as you have been instructed to do, all aggressive measures towards Mexico, as long as the relations of peace exist between that republic and the United States, you are expected to occupy, protect, and defend the territory of Texas to the extent that it has been occupied by the people of Texas.”

This was made subject to the exception given in the letter of July 8.

ASSURANCE OF GENERAL TAYLOR THAT FRIENDLY RELATIONS  
WOULD NOT BE INTERRUPTED.

*General Taylor to Adjutant-General Jones, July 20, 1845.*

“The department may rest assured that I will take no step to interrupt the friendly relations between the United States and Mexico.”

GOVERNMENT OF THE UNITED STATES PROPOSES TO NEGOTIATE.  
APPOINTMENT OF MR. SLIDELL MINISTER TO MEXICO.

The desire for peace was universal and sincere with the people of the United States, and it pervaded all the acts of our government. The olive branch was made a part of the national banner, and peaceful negotiation was invited at every step and movement of our army by our government. From evidence that was deemed authentic, it was generally believed, in this country, that the people of Mexico were averse to war with the United States, and that they would be glad to have an opportunity to sustain their government in any measures that would secure a permanent peace. Constantly alive to the best good of that Republic, and a consistent friend to peace, the president of the United States thought that an act of condescension on the part of the more powerful government might have a salutary effect in conciliating Mexico, and in preparing her to listen to those dictates of prudence which one would suppose she would be at no loss to find in her own distracted condition.

In his message of December, 1845, the president says, —

“After our army and navy had remained on the frontier and coasts of Mexico for many weeks, without any hostile movement on her part, though her menaces were continued, I deemed it important to put an end, if possible, to this state of things. With this view, I caused steps to be taken, in the month of September last, to ascertain distinctly, and in authentic form, what the designs of the Mexican government were ;

whether it was their intention to declare war, or to invade Texas, or whether they were disposed to adjust and settle, in an amicable manner, the pending difficulties between the two countries. On the 9th of November, an official answer was received, that the Mexican government consented to renew the diplomatic relations which had been suspended in March last, and for that purpose were willing to accredit a minister from the United States. With a sincere desire to preserve peace, and restore relations of a good understanding between the two Republics, I waived all ceremony as to the manner of renewing diplomatic intercourse between them ; and, assuming the initiative, on the 10th of November, a distinguished citizen of Louisiana \* was appointed envoy extraordinary and minister plenipotentiary to Mexico, clothed with full powers to adjust and definitely settle all pending differences between the two countries, including those of boundary between Mexico and the State of Texas.” \* \* \* “He has been instructed to bring the negotiation with which he is charged to a conclusion at the earliest practicable period ; which, it is expected, will be in time to enable me to communicate the result to Congress during the present session. Until that result is known, I forbear to recommend to Congress such ulterior measures of redress for the wrongs and injuries we have so long borne, as it would have been proper to make had no such negotiation been instituted.”

This was magnanimity — such as could only come from a nation conscious of its accountability, greatness, and power. A feeble nation would lose its rank, and be stigmatized as wanting in courage and self-respect, that should assume the initiative in renewing diplomatic relations that had been suspended by the acts of another power. It was an act worthy of this Republic, and, if any evidence were wanting fully to confirm the sincerity of the government declarations manifesting a strong desire for peace, this must be deemed conclusive

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\* Hon. John Slidell.



by all who do not wish to deceive themselves by forced convictions that cannot bear the test of truth. But this appointment, and the results of it, will be best understood by a perusal of the government documents.

PROPOSAL OF THE U. S. GOVERNMENT TO MEXICO TO RESTORE  
FRIENDLY RELATIONS.

*Mr. Buchanan to Mr. Black, U. S. Consul at Mexico, September 17,  
1845.*

“Information recently received at this department, both from yourself and others, renders it probable that the Mexican government may now be willing to restore the diplomatic relations between the two countries. At the time of their suspension, General Almonte was assured of the desire felt by the president to adjust amicably every cause of complaint between the governments, and to cultivate the kindest and most friendly relations between the sister Republics. It was his duty to place the country in a condition successfully to resist the threatened invasion of Texas by Mexico, and this has been accomplished. He desires, however, that ALL existing differences should be terminated amicably by negotiation, and not by the sword. He is anxious to preserve peace, although prepared for war.

“Actuated by these sentiments, the President has directed me to instruct you—in the absence of any diplomatic agent in Mexico—to ascertain from the Mexican government, whether they would receive an envoy from the United States, intrusted with full power to adjust all the questions in dispute between the two governments. Should the answer be in the affirmative, such an envoy will be immediately despatched to Mexico.

“If the president were disposed to stand upon a mere question of etiquette, he would wait until the Mexican government, which has suspended the diplomatic relations between the two countries, should ask that they may be restored. But his desire is so strong to terminate the present unfortunate state of our

relations with that Republic, that he has consented to waive all ceremony, and take the initiative.

“So soon as you have received the answer of that government, you will communicate a copy of it, without delay, by some safe opportunity, to F. M. Dimond, Esq., our consul at Vera Cruz. You will also transmit a copy to this department. It is of great consequence that you should use as much despatch as possible in executing this important commission.

“The future course of this government may, and probably will, depend upon the answer which you may receive. \* \* \*

“There will be a vessel of war at Vera Cruz ready to receive your despatch, and to convey it to the United States with the least possible delay.”

#### HOW THE PROPOSITION WAS RECEIVED — APPREHENSION OF THE MEXICAN GOVERNMENT.

Mr. Black received the letter of the secretary of state on the 10th of October, and on the 11th, had a confidential interview with the minister of foreign relations in Mexico. He manifested an earnest desire that negotiations might take place, but there was an evident solicitude in regard to the effect that such a negotiation would produce upon the people. He was fearful that it might prove fatal to their then existing government. He requested of our consul a communication in writing, expressing the wishes of the United States government, and promised an explicit answer. All interviews and communications were to be confidential, and yet no regard whatever was paid to the most solemn injunctions of secrecy.

Mr. Black, in his letter to Peña y Peña, October 13, 1845, very judiciously gave the precise words of Mr. Buchanan embracing the proposition, which we have quoted, and adds with evident pleasure his own convictions upon the subject. He says, “The undersigned can assure his excellency, that it is with the most heartfelt satisfaction he sees, in the preceding proposition on the part of the United States, (notwithstanding

the preparations for war on both sides,) that a door is still left open for conciliation, whereby all existing differences may be amicably and equitably adjusted, and the honor of both nations preserved inviolate."

## MEXICO ASSENTS TO THE PROPOSITION OF THE UNITED STATES.

On the 15th of October, Mr. Peña y Peña sent Mr. Black his answer, from which the following extracts are made : —

"I have informed my government of the private conference which took place between you and myself on the 11th instant, and have submitted to it the confidential letter which you, in consequence of, and agreeably to, what was then said, addressed to me yesterday. In answer, I have to say to you, that although the Mexican nation is deeply injured by the United States, through the acts committed by them in the department of Texas, which belongs to this nation, my government is disposed to receive the commissioner of the United States, who may come to this capital with full powers from his government to settle the present dispute in a peaceful, reasonable, and honorable manner ; thus giving a new proof, that even in the midst of its injuries, and of its firm decision to exact adequate reparation for them, it does not repel with contumely the measure of reason and peace to which it is invited by its adversary. \* \* \*

"What my government requires above all things is, that the mission of the commissioner of the United States, and his reception by us, should appear to be always absolutely frank, and free from every sign of menace or coercion. And thus, Mr. Consul, while making known to your government the disposition on the part of that of Mexico to receive the commissioner, you should impress upon it, as indispensable, the previous recall of the whole naval force now lying in sight of our port of Vera Cruz. Its presence would degrade Mexico, while she is receiving the commissioner, and would justly subject the United States to the imputation of contradicting, by acts, the

vehement desire of conciliation, peace, and friendship, which is professed and asserted by words."

In a letter from Mr. Black to Mr. Buchanan, dated October 28, 1845, he says, "The Mexican government is very anxious to know when they may expect the envoy from the United States; and also, that I may soon be able to give it the information of the American squadron having retired from the port of Vera Cruz.

"We have rumors every day that a revolution is shortly to take place, but, as yet, things are quiet. Let this go as it will, I think that an arrangement is safe, as it has the sanction of the Mexican Congress in secret session."

#### WITHDRAWAL OF THE NAVAL FORCE OF THE UNITED STATES.

*Mr. Black to Mr. Peña y Peña, October 29, 1845.*

"The undersigned has the honor to transmit herewith a copy of a communication addressed to Commodore Conner, commander of the American squadron before Vera Cruz, to the American consul, F. M. Dimond, Esq., of that place, by which his excellency will see that the wishes of the Mexican government have been, in this respect, fully and promptly complied with."

*Commodore Conner to Mr. Dimond.*

U. S. SHIP FALMOUTH, }  
OFF SACRIFICIOS, October 23, 1845. }

"By the letter of Mr. Black, which you were kind enough to send me this morning, I learn that the proposition to enter into negotiation, made by our government to that of this country, had been accepted. There appears to exist, on the part of this government, some fear lest they should be accused of being forced into this measure by the hostile attitude of the United States.

"Being fully aware that our government has had no intention of threatening this country, but, on the contrary, has

always been actuated by a sincere desire to heal existing differences in a manner honorable to both nations, I believe I shall best contribute to such an arrangement by withdrawing our naval force from before Vera Cruz."

SINGULAR AND UNEXPECTED RECEPTION OF MR. SLIDELL,  
IN MEXICO.

*Mr. Black to Mr. Buchanan, December 18, 1845.*

"On Wednesday, the 3d instant, I received a letter from our consul at Vera Cruz, dated the 29th of November, informing me that a vessel had just arrived at Sacrificios, on board of which was the Hon. John Slidell, who had sent for him, the said consul, to come down to that place, as he wished to leave Vera Cruz for the capital by that night's diligence; but he, the consul, was of opinion that he would not be able to leave until the next stage.

"I went up to the president's quarters, when the minister came out in the ante-chamber and met me, and accosted me, saying that the government was informed that there was an arrival at Vera Cruz from the United States, bringing out a commissioner, by which the government was taken by surprise, and asked me *who could this commissioner be, and what had he come for?* I told him I did not know, but I presumed it was the envoy which the Mexican government had agreed to receive from the government of the United States; all the information which I had upon the subject was, that the consul of the United States at Vera Cruz had advised me, in a letter under date of the 29th of November, that the Hon. John Slidell had just arrived at Sacrificios, and wished to leave Vera Cruz for this capital by the first diligence, and that I was under the impression that this person was an envoy from the government of the United States to that of Mexico, as we had good reason to expect one about this time. He said that ought not to be; the government did not expect an envoy from the United States until January, as they were not prepared to receive him; and he desired, if possible, that he would not come to the capital,



nor even disembark at this time, and that I should endeavor to prevent his doing so, as his appearance in the capital at this time might prove destructive to the government, and thus defeat the whole affair. You know the opposition are calling us traitors, for entering into this arrangement with you. I told him that I regretted this had not been known in time, as the envoy would be now on his way to this capital, and that the Mexican government had set no time for his arrival, and it was presumed that they would be ready to receive him whenever he arrived. 'I know,' he said, 'there was no time set; but from the conversations which I have had with yourself, and, from what I have heard from others, I had good reason to believe that the envoy would not have been appointed by your government, or, at least, not have started on his mission, until after the meeting of Congress.' \* \* \*

"He said that the government itself was well disposed, and ready to proceed in the negotiation, but that if the affair was commenced now, it would endanger its existence; that the government were preparing the thing, collecting the opinion and consent of the departments, which they expected to have finished by January, and then they would be able to proceed in the affair with more security; that the government were afraid that the appearance of the envoy at this time would produce a revolution against it, which might terminate in its destruction."

EMBARRASSING POSITION OF THE U. S. MINISTER.  
MEXICAN DIPLOMACY.

*Mr. Slidell to Mr. Buchanan, Mexico, December 17, 1845.*

"I reached this city on the 6th instant. At Puebla, I was met by our consul, Mr. Black, who in some measure prepared me for the delays and difficulties which I should have to contend with. \* \* \*

"On Monday, the 8th instant, I addressed to the minister of foreign affairs a note, in the usual form, announcing my arrival in the capital, accompanying it with a copy of my letter of

credence,\* and your official communication to the minister of foreign affairs, and asking to be informed when and where I should be admitted to present my credentials to the president. \* \* \* It was handed by Mr. Black to the minister, who assured him that I should have an answer on the following Wednesday ; and requested him to call and receive it. On that day, however, Mr. Black received a note from the secretary of the minister, stating that it was necessary to submit the matter to the council of government, and that he would be advised when the answer would be given.

“ This government is a permanent body, of a very anomalous character, composed of persons not removable by the executive ; its functions, so far as I can understand them, are, with a few exceptions, — and these not applying to foreign relations, — merely advisory, and no obligation exists on the part of the executive, but in the exceptional cases, to consult the council. The council was not consulted when the executive determined to renew diplomatic relations with the United States, and a recourse to it at this moment was altogether gratuitous. It is a notorious fact, that several of the members of this council are not only in open and violent opposition to the present administration, but endeavoring to get up a revolutionary movement to overthrow it, and it is generally understood that a majority of them are unfavorably disposed towards it.

“ This, at least, is certain — the administration, in referring a matter entirely within their own competence to a body whose decision they cannot control, and upon whose sympathies they cannot rely, manifest either a weakness or a bad faith, which renders the prospect of any favorable issue to negotiations with them at best very problematical.

“ The deliberations of the council, although ostensibly confidential, soon became known out of doors. It had been twice or thrice convoked for the purpose of deliberating upon my

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\* See Appendix L.

reception, and it is perfectly well known that it has advised against it. The most absurd reasons have there been advanced against my recognition; so absurd, indeed, that they would appear scarcely credible to any one not upon the spot. \* \* \*

“The objections started were, that my credentials did not appear to have been given with the sanction of Congress; that my appointment had not been confirmed by the Senate; that this government had agreed only to receive a commissioner, and that, consequently, the appointment of an envoy extraordinary and minister plenipotentiary was not in accordance with the letter of the 15th October, from the minister of foreign affairs to Mr. Black; that this letter only contemplated negotiations of Texas; and finally, to cap the climax of absurdity, that my powers were not sufficient!

“Having received no reply to my note of the 8th instant, and no assurance of the time when I might expect one, I addressed another, on the 15th instant, stating my desire to communicate speedily with my government, and requesting to know when I might expect an answer. I have, while writing this, received a communication from the minister of foreign relations, of which I shall furnish you a copy.\* You will observe that it is dated yesterday, although I have no doubt it was written after the final negative decision of the council, which was rendered on that day. You will find it evasive and unsatisfactory, intimating difficulties respecting my credentials, and that negotiations, by the terms of his letter to our consul, were to be confined to the subject of Texas.

“You will observe that this note is not addressed to me in my official capacity; the omission to do so is certainly not an accidental one.

“Notwithstanding the desire, which I believe the present administration really entertains, to adjust all their difficulties with us, so feeble and inert is it, that I am rather inclined to

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\* See Appendix M.

the opinion that the chances of a successful negotiation would be better with one more hostile, but possessing greater energy. The country, torn by conflicting factions, is in a state of perfect anarchy, its finances in a condition utterly desperate. \* \* \*

"A refusal to treat with, or even receive me at all, in the only capacity in which I am authorized to act, under pretexts more or less plausible, is a possible (I ought perhaps to say a probable) event. This is a contingency which could not have been anticipated, and for which your instructions have consequently not provided. It will place me in a novel, awkward, and almost embarrassing position, and impose upon me a grave responsibility. Should it occur, I shall endeavor so to conduct myself as to throw the whole odium of the failure of the negotiation upon this government; point out, in the most temperate manner, the inevitable consequences of so unheard-of a violation of all the usages which govern the intercourse between civilized nations; and declare my intention to remain here until I can receive instructions adapted to the exigencies of the case."

Mr. Slidell sent to Mr. Buchanan the files of the "*Amigo del Puebla*," the leading opposition journal. "It breathes," says he, "the fiercest hostility against the United States, denounces the proposed negotiations as treason; and in the last number, openly calls upon the troops and the people to put down the government by force." \* \* \*

"P. S. December 18, 1845. At the moment I was about to close this, I obtained the *dictamen* of the council of government, published in the 'Siglo.' I send you the paper."

It should be remembered that this was the letter received by our government on the 12th of January, 1846, and which gave rise to the order to General Taylor on the 13th—the following day.



MEXICO REFUSES TO FULFIL ITS ENGAGEMENTS OF  
OCTOBER, 15, 1845.

*Mr. Peña y Peña to Mr. Slidell, December 20, 1845.*

“The undersigned having submitted the whole to his excellency, the president of the Republic, and having also considered attentively the note addressed to him by the secretary of state of the United States, relative to the mission of Mr. Slidell, regrets to inform him that, although the supreme government of the Republic is animated by the pacific and conciliatory intentions which the undersigned manifested to the consul of the United States in his confidential note of the 14th of October last, it does not conceive that, in order to fulfil the object proposed by the said consul, in the name of the American government, and accepted by the undersigned, it should admit his excellency Mr. Slidell in the character with which he is invested, of envoy extraordinary and minister plenipotentiary residing in the Republic.”

*Mr. Slidell to Mr. Buchanan, December 27, 1845.*

“On the 21st instant, I received from Mr. Peña y Peña his promised reply, (from which the above is an extract,) conveying the formal and unqualified refusal of the Mexican government to receive me in the character for which I am commissioned. Of this most extraordinary document I send a copy. To this I replied, under the date of the 24th instant, disproving the unfounded assertions of Mr. Peña y Peña, and refuting the arguments upon which the refusal to receive me was based.”

As the reply of Mr. Slidell to Mr. Peña y Peña, alluded to above, embraces a variety of information of interest to all who desire to understand what were the true relations existing at that time between the two countries, we have placed it in the Appendix.\* We would give a place to the letter of Mr.

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\* See Appendix N.



Peña y Peña, also, to which this is a reply, if we had not determined to insert, for several reasons which will appear, his communication of December 11, 1845, addressed to the council. This communication embraces essentially and briefly his views, which are elaborately given in his letter.\*

FOLLY OF MEXICO — PRUDENCE AND PATIENCE ADVISED BY  
THE UNITED STATES GOVERNMENT.

*Mr. Buchanan to Mr. Slidell, January 20, 1846.*

“Should the Mexican government, by finally refusing to receive you, consummate the act of folly and bad faith of which they have afforded such strong indications, nothing will then remain for this government but to take the redress of the wrongs of its citizens into its own hands.

“In the event of such a refusal, the course which you have determined to pursue is the proper one. You ought, in your own language, so to conduct yourself, as to throw the whole odium of the failure of the negotiation upon the Mexican government;—point out, in the most temperate manner, the immediate consequences of so unheard-of a violation of all the usages which govern the intercourse between civilized nations; and declare your intention to remain in Mexico until you can receive instructions adapted to the exigencies of the case. This sojourn will afford you an honorable opportunity to watch the course of events, and avail yourself of any favorable circumstances, which, in the mean time, may occur. Should a revolution have taken place before the 1st of January, the day appointed for the meeting of Congress, (an event which you deemed probable,) or should a change of ministry have been effected, which you considered almost certain, this delay will enable you to ascertain the views and wishes of the new government or administration. The desire of the president is, that you should conduct yourself with such wisdom and firmness in the crisis, that the voice of the American peo-

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\* See Appendix O.

ple shall be unanimous in favor of redressing the wrongs of our much injured and long suffering claimants.

“It would seem to be the desire of the Mexican government to evade the redress of the real injuries of our citizens, by confining the negotiation to the adjustment of a pecuniary indemnity for its imaginary rights over Texas. This cannot be tolerated. The two subjects must proceed hand in hand ; they can never be separated. It is evidently with the view of thus limiting the negotiation that the Mexican authorities have been quibbling about the mere form of your credentials, without ever asking whether you had instructions and full powers to adjust the Texan boundary. The advice of the council of the government seems to have been dictated by the same spirit.”

[*Advice of Order to General Taylor.*]

“In the mean time, the president, in anticipation of the final refusal of the Mexican government to receive you, has ordered the army of Texas to advance and take position on the left bank of the Rio Grande, and has directed that a strong fleet shall be immediately assembled in the Gulf of Mexico. He will thus be prepared to act with vigor and promptitude the moment that Congress shall give him the authority.”

HONORABLE EFFORT AND PERSEVERANCE ADVISED BY THE  
UNITED STATES GOVERNMENT.

*Mr. Buchanan to Mr. Slidell, January 28, 1846.*

“After a careful and critical examination of the contents, [of your despatches,] the president entirely approves your conduct. The exposure contained in your reply to the Mexican minister of foreign affairs,\* of the evasions and subterfuges of his government in excuse of their refusal to recognize you as envoy extraordinary and minister plenipotentiary of the

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\* See Appendix N.

United States, is so complete as to leave me nothing to add upon the subject. It is now, however, morally certain that the insurrection of Paredes has proved successful, and that a new administration of some kind or other at this moment controls that unfortunate country.

“The question arises, therefore, what course you should pursue in this contingency. In my despatch on the 20th instant, I have already anticipated nearly all that is necessary to say in answer to this question. The president is sincerely desirous to preserve peace with Mexico. Both inclination and policy dictate this course. Should the Mexican government, however, finally refuse to receive you, the cup of forbearance will then have been exhausted. Nothing can remain but to take the redress of the injuries to our citizens, and the insults to our government, into our own hands. In view of this serious alternative, every honorable effort should be made before a final rupture. You should wait patiently for a final decision on the question of your reception, unless it should be unreasonably protracted, or you should clearly discover that they are trifling with this government. It is impossible for any person not upon the spot, and conversant with the motives and movements of the revolutionary government now most probably existing in Mexico, to give you precise instructions how long your forbearance ought to continue. Much must necessarily be left to your own discretion. In general terms, I may say that you should take care to act with such prudence and firmness, that it may appear manifest to the people of the United States and to the world, that a rupture could not be honorably avoided. After this, should the Mexican government finally refuse to receive you, then demand passports from the proper authority, and return to the United States. It will then become the duty of the president to submit the whole case to Congress, and call upon the nation to assert its just rights, and avenge its injured honor.”

## REVOLUTION IN MEXICO — PAREDES IN POWER.

*Mr. Slidell to Mr. Buchanan, January 14, 1845.*

“On the 2d January, Paredes entered the capital with his troops, those already stationed here joining his triumphal march. On the same day, a junta of military officers, convened by him, met and established a plan of provisional government, to be administered by a president elected by a body composed of two notables from each department. These notables, nominated by Paredes, met on the following evening, and, as you may readily imagine, unanimously elected him president, and on the 4th instant he took his oath of office. By the plan of the junta of officers, a constitutional Congress was to be convened, with unlimited powers for the establishment of a new government, &c.

“I shall not be surprised to receive, in a day or two, notice of the escort (which had been asked for in the early part of the month) being at my disposition. When received, I shall proceed, without delay, to Jalapa. If there be any disposition on the part of those now in power to reconsider the decision of their predecessors, I feel satisfied that my absence from the capital will tend rather to accelerate than to retard its manifestations.”

UNITED STATES AND GREAT BRITAIN.    DUPLICITY OF THE  
MEXICAN GOVERNMENT.

*Mr. Slidell to Mr. Buchanan, Jalapa, February 6, 1846.*

“I reached this place on the 20th ultimo. Since my despatch of the 14th ultimo, nothing has occurred to indicate the course likely to be taken by the existing government as to my reception; but I think it will mainly be controlled by the aspect of the Oregon question. Should our difficulties with Great Britain continue to present a prospect of war with that power, there will be but a very faint hope of a change of policy here. \* \* \*

"I send a copy of a communication of Mr. Peña y Peña to the council of government, made on the 11th of December, inviting an expression of opinion of the council on the subject of my recognition, and suggesting his reasons why it should be refused.\* This document presents in the most glaring light the bad faith of the late government; and, in connection with the statement of Consul Black, accompanying my despatch of the 17th of December,† shows in the most conclusive manner that, from the moment my arrival was announced, it had determined to avail itself of ANY PRETENCE, however frivolous, to refuse a reception, in the hope that by thus depriving its opponents of their chief theme of reproach and agitation, the impending blow would be averted."

WEAKNESS OF PAREDES. APPROVAL OF GENERAL TAYLOR'S  
ADVANCE.

*Mr. Slidell to Mr. Buchanan, Jalapa, February 17, 1846.*

"Appearances justify the belief that Paredes will not be able to sustain himself until the meeting of the constitutional Congress; that his government will perish from inanition, if from no other cause.

"The advance of General Taylor's force to the left bank of the Rio (Grande) del Norte, and the strengthening our squadron in the gulf, are wise measures, which may exercise a salutary influence upon the course of this government."

SOLICITATIONS FOR NEGOTIATION RENEWED BY MR. SLIDELL.

*Mr. Slidell to Mr. Buchanan, Jalapa, March 1, 1846.*

"In conformity with your instructions, I have addressed a note to the minister of foreign relations, resubmitting the question of my recognition for final decision.

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\* See Appendix O.

† See Appendix P.



“My note will be presented at the most propitious moment that could have been selected. All attempts to effect a loan have completely failed. The suspicion of intention to introduce a foreign monarch has tended very much to abate the clamor against the United States.

“My letters from Mexico speak confidently of my recognition, but there is no safety in reasoning from the probabilities or analogies as to the course of public men in this country.”

After reviewing the correspondence between the two governments, with an independence becoming the subject, and yet with the best possible spirit, Mr. Slidell says, in his letter to Don Joaquim Castillo y Lanzas, minister of foreign relations, under date of March 1, 1846,—

“The president of the United States entirely approves the course pursued by the undersigned, and the communications by him addressed to the Mexican government. Had the then existing government continued in power, as no alternative would have remained, the undersigned would have been directed to demand his passports.

“The destinies of the Mexican Republic, however, having since been committed to other hands, the president is unwilling to take a course which would inevitably result in war, without making another effort to avert so great a calamity. He wishes, by exhausting every honorable means of conciliation, to demonstrate to the civilized world that, if its peace shall be disturbed, the responsibility must fall upon Mexico alone. He is sincerely desirous to preserve that peace; but the state *quasi* hostility which now exists on the part of Mexico is one which is incompatible with the dignity and interests of the United States; and it is for the Mexican government to decide whether it shall give place to friendly negotiations or lead to an open rupture.”

## MR. SLIDELL INSTRUCTED BY HIS GOVERNMENT STILL TO PERSEVERE.

*Mr. Buchanan to Mr. Slidell, March 12, 1846.*

"I am directed by the president to instruct you NOT TO LEAVE that Republic until you shall have made a formal demand to be received by the new government. The government of Paredes came into existence, not by a regular constitutional succession, but in consequence of a military revolution, by which the subsisting constitutional authorities were subverted. It cannot be considered as a mere continuance of the government of Herrera. On the contrary, the form of government has been entirely changed, as well as all the high functionaries at the head of the administration. The two governments are certainly not so identical, that the refusal of the one to receive you ought to be considered conclusive evidence that such would be the determination of the other. It would be difficult, on such a presumption, in regard to so feeble and distracted a country as Mexico, to satisfy the American people that all had been done which ought to have been done, to avoid the necessity of resorting to hostilities.

"On your return to the United States, energetic measures against Mexico would at once be recommended by the president; and these might fail to obtain the support of Congress, if it could be asserted that the existing government had not refused to receive our minister. It would not be a sufficient answer to such an allegation, that the government of Herrera had refused to receive you, and that you were therefore justified in leaving the country, after a short delay, because, in the mean time, the government of Paredes had not voluntarily offered to reverse the decision of its predecessor.

"I transmit you, herewith, a sealed letter from the president of the United States, accrediting you in your official character to General Paredes, as president, *ad interim*, of the Mexican Republic. \* \* \*

"You suppose that appearances justify the belief that

Paredes will not be able to sustain himself until the meeting of the constitutional Congress ; that his government will perish from inanition, if from no other cause.

“ In this critical posture of Mexican affairs, it will be for yourself to decide the question of the time of your departure according to events as they may occur. If, after you shall have fulfilled your instructions, you should indulge in a reasonable hope that, by continuing in Mexico, you could thus best subserve the interests of your country, then you ought to remain, provided this can be done with honor. The president reposes entire confidence in your patriotism and discretion, and knows no temporary inconvenience to yourself will prevent you from performing your duty.

“ It may be that, when prepared to take your departure, another revolution might be impending, the result of which would enable you, by a timely interposition, to accomplish the great objects of your mission. Besides, in the present distracted condition of Mexico, it is of importance that we should have an able and discreet agent in that country to watch the progress of events, and to communicate information on which the department could rely.”

UNITED STATES MINISTER AGAIN REFUSED BY MEXICO.

*Mr. Slidell to Mr. Buchanan, March 18, 1846.*

“ On the 15th instant, I received from the minister of foreign relations a reply to my communication of the 1st instant, of which you have already been advised.

“ It is a peremptory refusal to receive me in the capacity of envoy extraordinary and minister plenipotentiary. I have consequently, in conformity to your instructions, applied for my passports, and, so soon as they are received, I shall proceed to Vera Cruz, there to embark for New Orleans.

“ I am at a loss whether to ascribe his (Paredes) refusal to receive me, at a moment when his position is so critical, to the dread of having the pretext which he had so successfully used

against Herrera, employed against himself, or to a reliance on foreign intervention. Perhaps his motive may be a mixed one.

“As to any changes of rulers in Mexico, I look upon them as a matter of great indifference. We shall never be able to treat with her on fair terms until she has been taught to respect us. It certainly was proper to place us in the strongest moral position before our own people and the world, by exhausting every possible means of conciliation; but here all amicable advances are considered as indicative either of weakness or treachery.”

## THE LETTERS OF MR. CASTILLO Y LANZAS.

*Mr. Castillo y Lanzas* was the successor of Mr. Peña y Peña in office. He addressed several letters to Mr. Slidell, and they are published with the other documents of our government; but as they present no new views, we do not deem them of sufficient importance to be given in this place. They are written with spirit, but not with much judgment, and they add nothing to the strength of the positions of his predecessors in office.

In his letter of March 12, 1846, to Mr. Slidell, with a flip-pant arrogance and ill-judged rudeness, he says, “After the definite and clear explanations rendered to his excellency, Mr. Slidell, in the note of 20th December last, referred to by him, it is not easy to comprehend how the executive of the United States should still think it can find reasons for insisting upon that which was then refused upon grounds the most conclusive.”

He endeavors to sustain charges of usurpation, violence, fraud, artifice, and intrigue against the United States, in a manner which might be looked for in an ultra party journal, but not in the communications of a cabinet minister. He arrives at a conclusion, as others had done before him, not warranted by the premises, or by the diplomatic usage of nations.

“The Mexican government,” he says, “offered to admit



the plenipotentiary or commissioner who should come clothed with special powers to treat upon the question of Texas. Upon this point the resolve of the Mexican government is immutable.

“It is, therefore, upon the United States, and not upon Mexico, that devolves to determine in the alternative presented by Mr. Slidell, that is, between a friendly negotiation and an open rupture.”

#### MEXICAN GOVERNMENT WITHOUT EXCUSE OR DEFENCE.

In reply to the last paragraph of the letter of Mr. Castillo y Lanzas, Mr. Slidell, under date of March 17, 1846, says,—

“The Mexican government cannot shift the responsibility of war upon the United States, by assuming that they are the aggressors. A plain, unanswerable fact responds to all the subtilities and sophistries by which it is attempted to obscure the real question; that fact is, the presence in Mexico of a minister of the United States, clothed with full power to settle all the questions in dispute between the two nations, and among them that of Texas. Their complaints are mutual; the consideration of them cannot be separated; and they must be settled by the same negotiation, or by the arbitrament which Mexico herself has elected.”

Again, in a letter to Mr. Buchanan, dated April 2, 1846, Mr. Slidell says, “The notes of Mr. Castillo y Lanzas will give you a correct idea of the temper of the Paredes government; and, although it will probably soon be replaced by another, we have no reason to expect a change of tone towards us until Mexico shall have been made to feel our strength.”

#### THE REJECTED MISSION OF PEACE.

If the act of sending a minister to Mexico was one of magnanimity on the part of our government, it may be truly said, that the mission was executed in beautiful harmony with such a spirit. The requisitions of St. Paul to the Corinthians,\* with

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\* 1 Cor. chap. xiii.



regard to the world-wide duties of charity, were never more fully exemplified than in the course pursued by our government with that of Mexico. We doubt whether such a series of examples of kindness, of patience and forbearance, in a nation, can be found in the annals of the world.

Every step on the part of Mexico was marked by a supercilious recklessness that admits of no solution but in weakness, and by a spirit of bold insult that admits of no apology but in ignorance.

She agreed to propositions which she dare not decline, and she declined to abide by her agreements, because she dare not execute them. She was a slave to a thousand fears that she could not define, and she was deluded by a thousand hopes that she could not control. She had not courage to avow her real motives, and she was willing to submit to any degradation in preference to an exposure of her desperate condition. She had no confidence but in change, and no hope but in the uncertainty of all that was doubtful in the future. She considered no compromise too dear that promised a temporary influence, and no expedient objectionable that postponed present liabilities to future contingencies. She was like a subject within the iron grasp of unrelenting disease : conscious of its dreadful and withering presence, and convinced that all remedies were terrible, but reluctant to resort to the benefit of the one, or to submit to the crisis of the other. In her necessities and long-continued, sad practices, she had exhausted all the changes of escape which a kind Providence extends to its subjects of accountability, and she was made delirious by the startling conviction that she could perform no duty but at the expense of humiliation. Her pride had mastered her principle, and her want of principle had prostrated her power and compromised her dignity. Mexico was indeed a subject of charity. And it is with sentiments of profound satisfaction that we find she was so regarded by our government.

We are not ignorant that opposite views have been frequently and earnestly advanced against the temper and objects

of this mission, but we cannot withhold an expression of our amazement, that even partisans should permit themselves to be so blinded to the truth, and patriotic duty, as to be the willing instruments of deception in aiding to obscure what will in future time be regarded by the people of this country, and of other countries, one of the brightest pages of our national history. The Hon. Daniel Webster, in a speech delivered in Philadelphia, 1846, said, that "Mexico was wholly unjustifiable in refusing to receive our minister." In dwelling upon this mission, it is not so much our object to prove Mexico in the wrong, — which demands but few words to show, — as to exhibit the admirable spirit by which all the acts of our government were dictated. The lesson is an instructive one.

The proposition of our government was made in language that could not be mistaken. It was plain and directly to the point. The object was stated, the means for its accomplishment suggested. The communication of the secretary of state was before the government of Mexico, and our consul, in his communication to the minister of foreign relations, quoted verbatim the entire proposition, after having given it verbally. It was thrice repeated. The entire phraseology of the letter of Mr. Buchanan to Mr. Black shows but one purpose, and by no rule of construction can that purpose be increased or lessened. Past relations were referred to, and asked to be restored — not in one thing, but in all things. An envoy to settle ALL disputes was proposed, and no allusion whatever was made to any agency upon a special subject. To accomplish such an end, a minister of the highest grade was requisite ; and if our government had done less by sending an agent of inferior rank, Mexico would indeed have had some cause of complaint.

Admitting for a moment that such was the understanding of the Mexican government, that we were to send a commissioner impowered to act upon one subject only, — this admission gives no relief to the position of the Mexican government whatever. It is a principle as clear in common sense and political economy as it is in mathematics, that the *greater*

includes the *lesser*, and if the lesser be stipulated and the greater given, the variation must be viewed as a courtesy or a gain. Who would repel it? Reverse the order, and who would not reject it? This distinction is reduced to an *axiom*, and yet many affect to be ignorant of the principle in application. The error is admirably illustrated by a simple story, quaintly told somewhere, by Lord Jeffrey. We give the substance, but may not give the language of his lordship.

A kind-hearted man had a large cat and a small kitten. He prepared a snug little house for them both, making a large door for the cat and a small door for the kitten, not dreaming, in his simple philosophy, that the kitten, in its littleness, could follow the cat, in her amplitude, with more ease than if confined to an opening of its own dimensions, and that one door would have accommodated both!

We shall be excused, we doubt not, for introducing an example of such apparent insignificance to illustrate so grave a subject as the one under consideration.

Our government opened with frankness its widest and largest door, and invited Mexico to enter, and with the spirit of conciliation to negotiate and to adjust all difficulties. But Mexico, hesitating and retiring, says, "No! our dignity requires that we should enter no place so large. Our position through such a door might not be distinctly seen or understood. If you will close that large door, and open a small one, we will enter, but not otherwise." They would not have proposed even this, if they had not known that there was but one door in this case that could be opened, and that, too, in a building where all their accounts were kept, and which they had no desire to see. They would prefer the smallest door in any other place, than the largest door in the right place. Their necessity was made a plea for dignity.

That the reply of the Mexican minister was confined to a commissioner different in capacity to the one proposed by our government, is a matter of no consequence, inasmuch as no difference was proposed or recognized. The proposition was

met, and no exceptions were made to it. If a language was employed of a limited sense with a motive to ulterior advantage not expressed, we have only to lament another instance of duplicity to be added to a catalogue already too long in the history of that nation.

That the reception of our minister would be regarded as a restoration of all friendly relations between the two countries, was a singular and gratuitous assumption. The very terms of the appointment of a minister implied negotiation and adjustment, as the means of restoration,—not restoration itself. Could the effect precede the cause? What nation would confound a treaty with the discussion of a treaty? Is a minister less qualified to negotiate and adjust one question, because he is authorized to adjust all? It is worse than idle to enlarge upon a distinction so puerile in itself, and so absurd in its application. It would be too much deference to an act that cannot claim the paternity of an honest judgment. Its authors made it with no honest purpose, and whoever attempts to defend the position, must do it at the expense of all rules of logic, and at the greater expense of reputation in the use of the powers of moral and intellectual discernment. There is no merchant, however deficient in system, that would employ an agent to settle a single item of a disputed account, leaving all others still to be adjusted by other agents. Why should our government be asked to adopt a method of business with nations that individuals would reject as insulting, if proposed to be adopted by them in their most ordinary concerns?

A debtor unprepared to pay is averse to all appointments with creditors. He will not decline them, for this would be folly, as his own interest might suffer by an act that would cost him nothing; but, if he can see his way clear to avoid them, he counts it a most happy privilege. It was so with Mexico. She wished to call our nation to an account for its acts with another power, but she did not desire to render any account of her own acts in relation to us. She stood in a forced position as plaintiff in respect to Texas, but in other respects she



was a delinquent debtor to the United States, and an aggressor to an extent that was yet to be ascertained. She had no money, and no reliable means to command any. This was not the worst of her condition. The very existence of her government was doubtful, and her prospect was any thing but flattering for the future. Lifted up by pride and ambition, she gilded the skeleton of her body, with a seeming ignorance that her poverty was seen only in the want of its flesh. As a nation, she had not the spirit to discuss the interests which she could not sustain; and, as a bankrupt, she had no heart to sit upon the adjustment of accounts she could not pay. Nothing would avail her but integrity, and of this she had less than of silver and gold.

The Mexican minister was willing to express surprise that an envoy from the United States had arrived *so soon*! "Who could it be! What could it mean!" Why did he not honestly express his fears, as he subsequently did, without this affectation of ignorance, without a falsehood that he could not conceal? If he had re-perused the letter of Mr. Buchanan, proposing to send a minister, he would have seen that *the time* was mentioned. It was—"immediately." He was glad to see promptness in the withdrawal of our squadron, but it was unpleasant to him in any other respect. His whole course was one of abject subserviency to prevailing circumstances. He had not the courage to keep a secret, in the fear that his fellows in office might promulgate it in advance at his expense. He must hold one language to the council, another to our minister, and yet another to the people. He was opposed to all measures that threatened the stability of his influence, and in favor of all that promised to sustain it. The pride of consistency and truth was no part of his nature. He preferred success with disgrace to failure with honor.

We grieve to be severe upon a man who does not appear to be conscious of his own degradation, but we can hardly repress our feelings of indignation when we look at the examples of duplicity in Mr. Peña y Peña, in his letters, addressed at the



same time, upon the same subjects, but with conflicting views, to Mr. Black, to Mr. Slidell, and to the council. It is proper that such acts should be pointed out and condemned, so that the inducements to wrong may be lessened, and the incitements to right increased. We now come to another important question.

WAS THE UNITED STATES GOVERNMENT JUST TO MEXICO  
ON THE SUBJECT OF BOUNDARY.

We have seen that our government was faithful and prompt in affording protection to Texas against foreign invasion; we have contrasted the acts of favor of the United States with those of hostility on the part of Mexico; and we now proceed to inquire whether the government of the United States, in striving to be just to Texas, has been just to Mexico, in regard to the boundary lines between the two countries.

The boundaries of Texas were those secured by revolution. They were marked by the sword, and confirmed by possession. Her battles were fought by her own citizens, and with none but with the armies of Mexico. Her victories were at the expense of Mexico — strength measuring strength. Her independence was to the exclusion of Mexico, and self-established. Her government was organized, and endowed with vitality; and Mexico lost all right there, by being unable to sustain it, and she lost all power within the limits of the State by withdrawing her forces. Texas stood acknowledged as one of the great family of nations. She had marked her own boundary lines; and she had entire confidence in the justice of her claims to limits as they were defined in her statute-book.

By the act of annexation, the question of boundary between Mexico and Texas was left an open one, to be decided by negotiation between the governments of Mexico and the United States. It was embraced in the instructions given to Mr. Slidell, but, as we have seen, it was not even considered.

It became the first question with the government of the

United States, when asked to give protection, — how far it should be extended.

## HOW IS TEXAS BOUNDED?

It was not a question within its own control, to be decided according to its own interests or views.\* There were two parties to be consulted. Texas had her rights, and so had Mexico. Texas made her claims, but Mexico disputed them. Mexico made no question with regard to boundary. Her claim was one of title and sovereignty.† The people of Texas were claimed to be the subjects of Mexico; and the territory of Texas a part of her national domain, undivided and indivisible. In this posture of affairs what course could be safely pursued by the United States? Mexico claimed the whole, and refused to negotiate.

So far as the claim of Mexico was involved, the United States had decided it, by acknowledging the independence of Texas. Other nations had done the same. This question was indeed no longer open for discussion; it had been settled. The supposed interest of Mexico remained at issue, to be adjusted whenever she was prepared to negotiate. The interest of Texas was defined in her own public acts, and she claimed her own rights as she had in her own sovereignty declared them. The government of the United States was

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\* See Appendix Q.

† In the letter of the Mexican commissioners to Mr. Trist, when negotiating for a treaty of peace, September 6, 1847, they say, —

“The existing war has been undertaken SOLELY on account of the territory of the State of Texas, respecting which the North American Republic presents as its title the act of the said State by which it was annexed to the North American confederation, after having proclaimed its independence of Mexico. The Mexican Republic offering (as we have informed your excellency) to consent, for a proper indemnification, to the pretensions of the government at Washington to the territory of Texas, THE CAUSE OF THE WAR has disappeared, and the war itself ought to cease.”

the adjusting power between the two parties. Mexico refused to speak, and the boundary of Texas, as claimed by her own government and people, was the only one offered. Our right to fix the boundary was only by negotiation with Mexico, and that was declined. The government of the United States, therefore, had no alternative, but to defend the territory of Texas as claimed by her government.\*

But another question arose, and it has received much attention. *It was one of supposition.* It was asked, "Suppose Mexico were to give up Texas, and acknowledge her independence, to what boundary would she give her assent?" Whatever may have been our opinions upon this question, nothing was more certain than that we had no authority to decide it. It was not for us to assume a position for Mexico which her government had positively disclaimed. We had no right to sit in judgment upon a boundary question in which her interest was involved without her consent. Mexico cannot have the privilege of two positions in respect to the same interest. She must stand as claiming all Texas, or a part of Texas, but she must make her election which. She did, indeed, make her election, but her friends made a different one.† We insist that she shall speak for herself. No party has a right to speak for her, when her

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\* "Well, then, were the United States at liberty to surrender a portion of that territory? Why, that would have been a flagrant violation of the implied contract which the joint resolutions of Congress had completed. Could the president of the United States take upon himself the responsibility of such an assumption as that Texas, after becoming one of the United States, had ceased to have her limits up to the Rio Grande? He could not. And if he could not surrender any part of that territory, how could it be that this was the president's war?"— *Mr. Soule's Speech, U. S. Senate, February, 1847.*

† That Congress was *really* in favor of the advance of General Taylor to the Rio Grande, may be inferred from the votes of that body on the amendments offered by Mr. Holmes and by Mr. Delano. These were intended to be acts of censure or disapproval of the government in taking possession of territory beyond the Nueces. The former was rejected by a vote of 122 to 8; the latter by a vote of 97 to 27.

own acts have become a part of history.\* If she claims all, as was the case, then the act on the part of the United States in sending troops to the Rio Grande was no more an act of hostility than if they had been sent to Galveston. The question to be decided by the United States was, so far as Mexico was concerned, whether troops should be sent to *any* part of Texas — not to *what* parts, for the same question was involved in regard to *every* part. It was impossible to conform to the requisition of Mexico, for it would have been in contradiction to our own acts, and to those of other countries with respect to Texas. It then remained that we should defend the boundary of Texas, and be true to that until we should have evidence that a different one was required by justice ; and hence it was left an open question by the act of annexation.

No other position was tenable for Mexico. If she had adopted a policy for herself, similar to the one which her affected friends have defended on her account, our government doubtless would have received a communication from Mexico, through Mr. Slidell, or Mr. Buchanan, something like the following : —

“ If we show that we can recover Texas, as we have sworn to try, then the United States have committed hostilities by marching troops into the first rod of that country. But, if we cannot recover Texas, then you have committed hostilities by marching troops to the Rio Grande ; for, if we cannot get all Texas, we shall claim a part, as if no revolution had taken place, and we had only to fix a friendly boundary. If, however, Texas succeeds in defending the soil to the Rio Grande against us, then you have committed no acts of hostility at all.

“ What you do will be judged of entirely by what we are able to do. As our military power is not great, we think it would be an act of magnanimity on the part of the United States to permit us to continue hostilities if successful ; but if unsuccessful, to allow us to close all differences in a friendly way, as if no war had existed.”

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\* See Appendix R.



This is a literal statement of the positions in which some of the friends of Mexico have placed her. Even Mexico would not consider itself much honored by such absurdity.

But, as much argument has been based upon supposition in the controversy, we are ready to meet the question,

#### HAS TEXAS A JUST CLAIM TO MAKE THE RIO GRANDE

her boundary, by virtue of her revolution? This boundary has always been claimed by Texas, according to settled principles of international law; and, until Mexico can prove to the contrary, the United States are pledged to hold it sacred.

We have made a quotation from a speech of the Hon. T. J. Rusk, U. S. senator from Texas,\* which briefly and clearly gives evidence that the claim of Texas is a just one. There have been some able speeches upon this subject, made by members of Congress, and if we do not quote from them, it is because our limits forbid it. General Rusk was distinguished in the revolution of Texas, and he speaks from personal knowledge. Besides, there is a candor and simplicity in his remarks, which incline us to a feeling of confidence in his statements.

The same power which made Texas free and independent of Mexico, claimed the Rio Grande as the boundary.† If the power was equal to title and sovereignty, was it not equal to a declaration of its boundary, admitting that she had no

\* See Appendix S.

† In an article upon Texas, published in the Cincinnati Gazette, November, 1829, a writer, who professes a practical acquaintance with his subject, says, —

“The term *Texas* is usually understood to designate the whole tract of country lying between the south-western boundary of the United States and the River Rio Grande, *alias*, the Rio Bravo del Norte.”

Mr. Ward, once British chargé d'affaires in Mexico, in his work on Mexico, says, “It is now seven years since the design of appropriating to themselves the fertile province, (Texas,) and thus extending their frontier to the Rio Bravo del Norte, was first attributed to



other claim? When the independence of Texas was acknowledged by the United States and by other nations, she had declared her boundary; and if this had been considered an element as absolutely inconsistent with her claims to sovereignty, if it had been viewed as a gross infringement upon the rights of Mexico according to the laws of nations, it should have been noticed by these nations as a bar to their acknowledgment.\*

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the United States," &c. This work was noticed by the National Intelligencer, October 21, 1829, under the following head: "*Prospect of the annexation of Texas to the United States.*"

In an article published in the New York Courier and Inquirer, November 8, 1834, on the boundary of Texas, in case of annexation, the writer says, "What that boundary will ultimately be, it is impossible to say; but it is so obviously the interest, both of Mexico and the United States, to make the Rio Grande the dividing line, that we do not doubt, sooner or later, that river will be fixed upon by the two governments."

We give these extracts mainly for the purpose of showing the popular sentiment in regard to the boundary of Texas long before it became a party question.

\* This principle was recognized by the British government, in regard to a different boundary, when called upon to acknowledge the independence of Texas. "While the Texan commissioner at the court of St. James was negotiating the acknowledgment of the independence of his country by England, Lord Palmerston called the attention of General Henderson, the Texan minister, to the extraordinary claim set up by the president of Texas, and objected to go on with the negotiation, lest the acknowledgment of the country might be construed to sanction its asserted claim to Northern Mexico and California. The commissioner replied, that he had no authority to commit his government on the question of boundary. Nevertheless, the independence of Texas was then acknowledged by the British government, and with full knowledge and admission by them of President Lamar's claim. General Lamar, in his first message as president of the Republic of Texas, claimed all the country lying west of Texas to the Pacific." — *Gilliam's Mexico*, p. 388. If Lord Palmerston had foreseen the event of annexation, the independence of Texas, most likely, would not have been acknowledged by England at that time.

See Appendix T.

The formal recognition of a new government is an important act, and involves important principles. These principles are entirely national in their character, and relate to the well-being of nations as such. Ephemeral governments would be national evils ; and governments of outrage would be national wrongs. Although one nation cannot determine for another nation its form of government, nor direct its foreign or internal policy, still, it has a right to require conformity to certain great principles of justice which make up the common law of nations. It may not be the right of a nation to demand such conformity of another, except when called upon to grant an act of recognition. This recognition should always be on the side of justice and humanity — not according to the views of one nation, but of all nations that come within the sphere of civilization.

The United States had agreed to take the title of Texas to sovereignty, and if this does not embrace rights as to its own boundary, it is inconsistent with itself.

But with the spirit of equity let us examine

#### THE TREATY OF SANTA ANNA,\*

which gives the Rio Grande as the true boundary between the two nations.

This is said to be no treaty, because it was not ratified by the government of Mexico. In this respect it would be defective as a treaty between two nations, if made under ordinary circumstances. The circumstances in this case, however, were peculiar and extraordinary.

1. Mexico was governed at that time by a military dictator, and he was, *ex officio*, commander-in-chief of the Mexican army.

2. Under his command the army invaded Texas; was defeated and captured.

3. Santa Anna, as commander-in-chief of the Mexican army, was a prisoner of war ; but as dictator of Mexico, he

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\* See Appendix G.

fully represented the treaty-making power of his own government, — he was, in fact, the government.\*

4. He proposed and urged a treaty, agreeing to all the stipulations required by Texas, and it was executed by himself as president of Mexico and by the chief officers of his army, — the second in command, Filisola, at the head of five or six thousand men, being at liberty to act his pleasure, to confirm the act of his commander or to reject it. He confirmed it, and the army and its officers were liberated.

5. The president solemnly pledged himself to use his influence with his government to ratify the treaty; but he violated his promises, and by his government it was denounced and proclaimed as void, because, as was falsely alleged, it was extorted from their president while prisoner of war.†

On the part of Texas, all the stipulations of the treaty were honorably fulfilled. The lives of the prisoners were saved, and

\* Vattel says, "The same power who has the right of making war, of determining on it, of declaring it, and of directing its operations, has naturally that likewise of making and concluding a treaty of peace."

† In his despatch to the government *ad interim*, dated June 10, 1836, General Filisola, who was never a prisoner, says, —

"His excellency, (Santa Anna,) in my humble opinion, in the treaties agreed upon, and that I had the honor to send to your excellency, acted with entire liberty, and nothing more in view than the interest of his country."

Santa Anna, in his letter of July 4, 1836, says, —

"When I offered to treat with this government, (Texas,) I was convinced that it was useless for Mexico to continue the war. I have acquired exact information respecting the country, which I did not possess four months ago. I have too much zeal for the interests of my country to wish for any thing which is not compatible with them. Being always ready to sacrifice myself for its glory and advantage, I never would have hesitated to subject myself to torments of death, rather than consent to any compromise, if Mexico could thereby obtain the slightest benefit. I am firmly convinced that it is proper to terminate this question by political negotiation."

See the very able speech of Senator Johnson, (H. V.,) delivered in the U. S. Senate, January, 1848.

their persons liberated. All property taken was returned, and the Mexican army, unmolested, marched with its effects beyond the Rio Grande.

The end of law is justice between men, and between nations. The rights of nations are defined by law or by treaty. Both law and treaty are sustained by power. The law of the strongest is executed. Our views as to what constitutes the strength of a nation the reader will find in other chapters of this work. The object of treaties is to supersede the frequent exercise of power in the adjustment of undefined rights, by embracing conditions applicable to the positive and probable wants and interests of the high contracting parties.

As the peace of nations is preserved or disturbed according to the good or bad faith in which treaties are observed, they cannot be too solemnly regarded. Attempted fraud in a treaty should be met with universal reprobation. Its condemnation and consequent penalties should be commensurate with the great evils which it is calculated to produce, if successful. It would be a dangerous incitement to lessen the serious importance of national compacts. Such compacts should be held as sacred as the flag of *truce*, not to be counterfeited or violated with impunity.

In this case, a counterfeit treaty was attempted by the president of Mexico and imposed upon Texas. It was honorable on the part of Texas, false on the part of Mexico.

If Mexico deemed it just to renounce the treaty, her power should have reached the treason that sanctioned it. Its authors should have been tried as traitors, or returned to the confinement from which its conditions had freed them. The army of Mexico should have been marched back to Texas, to be surrendered to those who had been made the subjects of the treachery. It is a safer precedent to sanction such a treaty, under the circumstances, than to sanction its violation in the principal officers of the nation. It would indeed be a precedent of the most dangerous tendency.

If Mexico rejected the acts of her president, which involved



the safety of her army, there is no good reason why it should be done at the expense of Texas.

It was eminently a treaty on the side of humanity. Mexico had murdered, by the orders of her government, the soldiers of Texas who had surrendered as prisoners of war; and what would have been the measure of retaliation in this case, it is difficult to say. It unquestionably prevented much bloodshed and suffering. It may have saved the Mexican army and the chief magistrate of the Mexican nation from slaughter; and shall it now be tolerated, either in theory or practice, that Mexico may gather her strength to massacre the Texans, at whose hands they were permitted to live? Shall Texas surrender the only considerations which Mexico gave, and which would have been ratified by the Mexican government, if Santa Anna and his troops had been held as securities? or if Santa Anna and his officers had demanded it as necessary to their honor and integrity? Never. To admit such a principle is against the best good of civilized nations; to sanction it, an outrage upon humanity.

If Mexico was false to the treaty, Texas could be true to herself. The same power that compelled terms was able to defend them.\* The same power that humbled Santa Anna was able to punish his perfidy. Texas had her boundary lines marked by the best blood of her citizens, and her energy was equal to her wants in the defence of her rights against Mexico.

Let us examine how this subject was viewed by the government of the United States. It is with the sentiment of proud

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\* Mr. Pillsbury, member of U. S. Congress, 1847, and long a resident of Texas, in a speech before the house, says, —

“That all attempts at maintaining Mexican posts east of the Rio Grande had been frustrated by the Texans, and the Mexicans driven west of the Rio Grande. No Mexican forces could maintain themselves, as was frequently attempted; all Texas would have rushed to arms to drive them back.”

See the excellent speech of the Hon. Mr. Norris, delivered before the house in February, 1847.



satisfaction that we find our government, in respect to this matter, consistent from the beginning. Right at first, and right to the last. The boundary of Texas was taken as declared by that nation, and protected accordingly. Nothing else was proposed, nothing else would have been approved, by Texas. When annexation had been accomplished, orders were given amply to meet the case. Our government had no discretion to exercise. Its duty had been marked by lines that could not be erased or altered,—it was imperative. Where but to the frontiers of a country should troops be ordered to protect its territory and to repel an invasion? Should possession be given that it might be regained? Should outrages be permitted that they might be avenged? Should life be exposed that it might realize the privileges of escape? Should advantages be allowed to be seized that might compromise our rights? Should our general government assume to act for Texas, and to disregard her sovereignty by recognizing new boundaries? No such policy was conceived. No such policy was executed. No such policy would have been sustained by the people of our country.\* Let us examine the record, and see what were

THE PRECAUTIONARY ACTS OF THE UNITED STATES GOVERNMENT.

The president of the United States, in his message of December, 1845, says,—

“The moment the terms of annexation offered by the United States were accepted by Texas, the latter became so far a part of our country, as to make it our duty to afford such

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\* We are happy to find that these positions are ably sustained by a distinguished jurist of the U. S. Senate, the Hon. Reverdy Johnson, of Maryland. In some of his exceptions to the defence of the administration, however, as corollaries from his own premises, we have a striking example of how a logician may be lost in the politician. His truths master his politics.

protection and defence," (against invasion.) "I therefore deemed it proper, as a precautionary measure, to order a strong squadron to the coasts of Mexico, and to concentrate a sufficient military force on the western frontier of Texas. Our army was ordered to take position in the country between the Nueces and the Rio del Norte, and to repel any invasion of the Texan territory which might be attempted by the Mexican forces."

## OCCUPATION ON THE RIO GRANDE ADVISED BY MR. DONELSON.

*Mr. Donelson to Mr. Buchanan, May 11, 1845.*

"It may be considered as certain the Congress of Texas, soon after the assemblage of the 16th of June, will accept our proposals, and call a convention for the purpose of carrying them into effect. Of course, if war be declared against us, Texas will be its theatre, and the earlier we are in possession of the commanding points on the Rio Grande, the sooner we shall be able to bring it to a close."

## TROOPS REQUESTED FOR THE PROTECTION OF TEXAS.

*Mr. Donelson to Mr. Buchanan, May 24, 1845.*

"As soon as the Texan government accepts our proposals, it will be proper, in compliance with the request already communicated to you, to send our troops to the frontier."

## SOLICITUDE OF TEXAS WITH REGARD TO MEANS OF DEFENCE.

*Mr. Allen to Mr. Donelson, May 19, 1845.*

"The undersigned deems it his duty respectfully to inquire of Mr. Donelson, whether, under such circumstances, (of threatened invasion,) calculated to excite the reasonable apprehensions of the people of Texas, and especially to disturb the tranquillity of the settlements along her western frontiers, it would not be alike proper and consistent for the United States to extend its protection to this people."

DEFENCE OF TEXAS ORDERED BY THE GOVERNMENT OF THE  
UNITED STATES.

*Secretary of War to General Taylor, May 28, 1845.*

"Should the territories of Texas be invaded by a foreign power, and you shall receive certain intelligence through her functionaries of the fact, after her convention shall have acceded to the terms of annexation contained in the resolution of the Congress of the United States, you will at once employ, in the most effective manner your judgment may dictate, the forces under your command, for the defence of these territories, and to expel the invaders."

Here was an order to General Taylor "*to expel the invaders,*" if notified to do so by the "*functionaries*" of Texas. We need not add, that if the Mexican troops had crossed the Rio Grande, the notice would have been given, and General Taylor would have executed the order.

## POSTS SUGGESTED ON THE RIO GRANDE.

*Mr. Donelson to Mr. Buchanan, June 2, 1845.*

"It is believed that Mexico is concentrating troops on the Rio Grande, where Texas has as yet established no posts. If this be so, it is possible that Texas may send a force there to remove intruders. But such a movement, if made, will be independent of the United States."

This shows the determination of Texas, that she was unwilling to leave her boundary unprotected, if threatened, even for a few days, or until the act of annexation should be accomplished.

## THE RIO GRANDE RECOGNIZED AS THE BOUNDARY OF TEXAS.

*Mr. Bancroft, acting Secretary of War, to General Taylor,  
June 15, 1845.*

"The point of your ultimate destination is the western frontier of Texas, where you will select and occupy, on or

near the Rio Grande del Norte, such a site as will consist with the health of the troops, and will be best adapted to repel invasion, and to protect, in the event of annexation, what will be our western border."

*Mr. Donelson to Captain Stockton, June 22, 1845.*

"Your coöperation with our land troops I should think sufficient, (in case of war with Mexico,) without much aid from Texas herself, to drive the Mexican arms west of the Rio Grande."

#### THE RIO GRANDE QUESTION ANTICIPATED.

*Mr. Donelson to Mr. Buchanan, June 23, 1845.*

"It is the policy of those who are on the side of Mexico in the present crisis to throw upon the United States the responsibility of a war for the country between the Nueces and the Rio Grande. That territory, you are aware, has been in possession of both parties."

Regarding this point, in a letter to Mr. Buchanan, dated July 11, 1845, Mr. Donelson says, —

"Texas has at pleasure taken possession of her posts there, and has only suspended jurisdiction because it was inconvenient to maintain it, and because she knew that in a short period her resumption of it would be acquiesced in by the inhabitants, if they were assured of protection."

#### POSTS ON THE RIO GRANDE ADVISED BY TEXAS.

*Mr. Allen to Mr. Donelson, June 26, 1845.*

"The undersigned would suggest to Mr. Donelson the propriety and NECESSITY of an immediate introduction of the troops referred to, (U. S.,) and that they proceed at once to occupy positions upon the Rio Grande, and at other points of the frontier, without waiting for the action of the convention relative to the measure of annexation."

## PRUDENTIAL SUGGESTIONS WITH REGARD TO THE USE OF FORCE.

*Mr. Donelson to Mr. Buchanan, July 6, 1845.*

"You are already advised of my letter to General Taylor of the 28th ultimo, in which I leave the question of marching to the Rio Grande to be decided by developments yet to be made. If Mexico passes that stream, menacing Texas, or otherwise threatening to disturb the territory of Texas, as it stood when our joint resolution passed, our right to repel her commences, and we may force her to retire west of the Rio Grande."

*Mr. Donelson to General Taylor, July 7, 1845.*

"In this event (of war) a bold movement on the Rio Grande would be justified as the one best calculated to give general security to the frontier of Texas, and take from the enemy his power to injure us."

## IF PEACE MEASURES FAIL, WAR JUSTIFIABLE.

*Mr. Donelson to Mr. Buchanan, July 11, 1845.*

"If Mexico undertakes the invasion, &c., Texas would have the immediate right, and so will the United States, to repel the invasion; and in doing so, Mexico may be disarmed by the occupation of the Rio Grande by our troops," &c.

## ENTIRE PROTECTION TO TEXAS ENFORCED BY THE UNITED STATES GOVERNMENT.

*Secretary of War to General Taylor, July 30, 1845.*

"While avoiding, as you have been instructed to do, all aggressive measures towards Mexico, as long as the relations of peace exist between that Republic and the United States, you are expected to occupy, protect, and defend the territory of Texas to the extent that it has been occupied by the people of Texas. The Rio Grande is claimed to be the boundary



between the two countries, and up to this boundary you are to extend your protection," &c.

MEXICANS TO BE DRIVEN BEYOND THE RIO GRANDE IN CASE  
OF INVASION.

*Mr. Donelson to Mr. Allen, August 5, 1845.*

"If, however, contrary to present appearances, this invasion should be made by a larger force than would be prudent for the present United States troops to repel *alone*, the undersigned doubts not that the patriotism of the president of Texas will call into the field such additional aid from the Texas militia as will at once drive the Mexicans beyond the Rio Grande, and give security to the frontier."

FRONTIER POSTS TO BE ESTABLISHED BY GENERAL TAYLOR,  
AIDED BY TEXAS.

*General Taylor to Anson Jones, President of Texas, August 16, 1845.*

"When our relations with Mexico, and the state of the service in this quarter, shall permit my absence, I will take great pleasure in proceeding to the seat of government, and conferring with you personally in relation to the proper dispositions to be made for the permanent occupation of the frontier."

VIGILANCE OF GENERAL TAYLOR IN PROTECTING THE BOUND-  
ARY TO THE RIO GRANDE.

*General Taylor to Adjutant-General Jones, August 20, 1845.*

"I still deem it my duty to look to the possibility of such an event, (crossing of the Rio Grande by the Mexican troops,) and to prepare for a forward movement, should circumstances require it."

CROSSING OF THE RIO GRANDE BY THE MEXICANS TO BE  
CONSIDERED AS THE COMMENCEMENT OF HOSTILITIES.

*Secretary of War to General Taylor, August 23, 1845.*

"Should Mexico declare war, or commence hostilities by crossing the Rio Grande with a considerable force, you are

instructed to lose no time in giving information to the authorities of each or any of the above-mentioned States, as to the number of volunteers you may want from them respectively.”  
 \* \* \* “Such a movement (crossing the Rio Grande by the Mexicans) must be regarded as an invasion of the United States, and the commencement of hostilities.”

In a letter from Adjutant-General Jones to General Taylor, dated August 26, 1845, he requests him to “keep the department advised of the state of the service on the Texan frontiers.” An inspection of General Taylor’s letters subsequent to this order will show how strictly he conformed to its requisitions. In almost every letter before the commencement of hostilities, he speaks of news, or the want of news, from the Rio Grande.

SOLICITUDE OF THE U. S. GOVERNMENT THAT TEXAS SHOULD  
 BE PROTECTED TO THE RIO GRANDE.

*Secretary of War to General Taylor, August 30, 1845.*

“Instructions heretofore issued enjoin upon you to defend Texas from invasion and Indian hostilities ; and, should Mexico invade it, you will employ all your forces to repulse the invaders, and drive all Mexican troops beyond the Rio Grande.”  
 \* \* \* “An attempt to cross that river (Rio Grande) with such a (large) force will also be considered in the same light,” (as the commencement of hostilities.)

NO BOUNDARY THOUGHT OF BY GENERAL TAYLOR BUT THE RIO  
 GRANDE.

*General Taylor to Adjutant-General Jones, September 14, 1845.*

“The commander of the rangers at San Antonio, Major Hays, has reputation as a partisan, and to him I have specially intrusted the duty of keeping me advised of any movements on the Rio Grande.”

LETTER OF ADVICE OF GENERAL TAYLOR TO ADVANCE TO THE  
RIO GRANDE.

*General Taylor to Adjutant-General Jones, October 4, 1845.*

“It is with great deference that I make any suggestions on topics which may become matter of delicate negotiation; but if our government, in settling the question of boundary, makes the line of the Rio Grande an ultimatum, I cannot doubt that the settlement will be greatly facilitated and hastened by our taking possession at once of one or two suitable points on or quite near that river. Our strength and state of preparations should be displayed in a manner not to be mistaken. However salutary may be the effect upon the border people by our presence here, we are too far from the frontier to impress the government of Mexico with our readiness to vindicate, by force of arms if necessary, our title to the country as far as the Rio Grande.”

This advice of General Taylor proceeded from no new manifestations on the part of Mexico, for, in the same letter he says, that Mexico had committed “*no overt act of hostilities* ;” and that he “*does not conceive that it will become necessary, under any circumstances, to call for volunteers from the United States.*” Indications, indeed, appeared to be favorable to peace, but peace without promptitude. Although the advice was characterized by good judgment, and was in confirmation of its own views, still, the government was slow to adopt it. It was made in ignorance of the mission of Mr. Slidell, and wholly with the view to move the government of Mexico to prompt and decisive action. It is certainly not a little remarkable, that, when it was adopted by the government of the United States, — more than three months afterwards, — it was adopted with similar motives.

“On the 5th of November, General Taylor received a letter from Commodore Conner, from which we make the following extract. It was dated, off Vera Cruz, October 24, 1845.

“I hasten to inform you that the Mexican government has

accepted the proposal made by that of our country, to arrange the existing difficulties by negotiation. I deem it advisable you should be thus early apprised of this change in the state of our relations."

This information, communicated by Commodore Conner, led General Taylor very properly to make what might be termed, *not* a modification, but a *suggestive modification*, of his advice, under date of October 4; that is, he submitted his views, to be qualified as circumstances might require. He was evidently of the opinion, however, that a *forward march movement* was the *true one*, as promising the best results; still, he was willing to wait, PROVIDED Mexico did not show a *disposition to protract negotiations unreasonably*. That he had but little confidence in negotiation, and that he was looking to the execution of future duties to Texas, may be inferred from the whole language of his modification, and from the fact which he reports in the same letter, "*that reconnoissances are almost constantly in the field*," and, as he says in his previous letter, (October 4,) in the direction of the Rio Grande.

The good sense of General Taylor with regard to position was in perfect harmony with the views of his government. Our rights were to be protected with firmness, but with all possible delicacy towards a weaker Republic. General Taylor was not only in favor of prompt action, but he advised and expected it. In the letter which we are noticing, (November 7,) he says, "On the hypothesis of an early adjustment of the boundary, and the consequent establishment of permanent frontier posts, I cannot urge too strongly upon the government the necessity of occupying those posts before the warm weather shall set in."

The modification of his letter of October 4, is given in the following extract: —

"The intelligence from Mexico, however, tends to modify, in some degree, the views expressed in that communication. The position now occupied by the troops may, perhaps, be the best while negotiations are pending, or, at any rate, until a



disposition shall be manifested by Mexico to protract them unreasonably. Under the supposition that such may be the view of the department, I shall make no movement from this point, except for the purpose of examining the country, until further instructions are received."

Frequent allusions have been made to these letters for party purposes, as if harmony was an evidence of discord. Coincidence of opinion, not of contrariety, is evidence of good judgment. It must be gratifying both to General Taylor and to the government, that, in a policy which has been so much questioned from party motives, there was unanimity of opinion and harmony of action. Both acted from similar motives, and both were right.

DISCRETIONARY POWER GIVEN TO GENERAL TAYLOR BY HIS  
GOVERNMENT.

*Secretary of War to General Taylor, October 16, 1845.*

"The information which we have here renders it probable that no serious attempts will at present be made by Mexico to invade Texas, although she continues to threaten incursions. Previous instructions will have put you in possession of the views of the government of the United States, not only as to the extent of its territorial claims, but of its determination to assert them. In carrying out these instructions, you will be left very much to your own judgment, by reason of your superior knowledge of localities, and the earlier notice you may receive of the probable views of Mexico and the movement of her troops."

The letter of Mr. Slidell, of December 17, to Mr. Buchanan, was received at the state department on the 12th of January. This letter furnished so much evidence of a disposition to trifle, on the part of Mexico, and, taken in connection with views previously adopted and the advice of General Taylor, determined the government of the United States upon decisive measures, and the following order was given.



## GENERAL TAYLOR ORDERED TO ADVANCE TO THE RIO GRANDE.

*Secretary of War to General Taylor, January 13, 1846.*

"I am directed by the president to instruct you to advance and occupy, with the troops under your command, positions on or near the east bank of the Rio del Norte, as soon as it can be conveniently done with reference to the season and the routes by which your movements must be made.

"It is not designed, in our present relation with Mexico, that you should treat her as an enemy."

Nothing but the spirit of peace and of courtesy prevented this movement before. Without any regard to boundary questions, our government was very reluctant to sanction any military movements, not absolutely necessary, which might excite Mexico to commit further acts of imprudence. In the letter of the secretary of state to Mr. Slidell, under date of January 20, this order is alluded to, and its necessity explained. We recommend to the reader a perusal of the entire letter. Mr. Buchanan says, —

"In the mean time, the president, in anticipation of the final refusal of the Mexican government to receive you, has ordered the army of Texas to advance and take position on the left bank of the Rio Grande; and has directed that a strong fleet shall be immediately assembled in the Gulf of Mexico. He will thus be prepared to act with vigor and promptitude the moment that Congress shall give him the authority."

OPINION OF GENERAL TAYLOR, COMMENDING THE ORDER OF  
JANUARY 13.

In regard to this order, under date of February 4, 1846, General Taylor says, —

"Our advance to the Rio Grande will itself produce a powerful effect, and it may be that the common navigation of the river will not be disputed. It is very important to us, and will

be indispensable when posts are established higher up, *as must ultimately be the case.*"

OPINION OF MR. SLIDELL, COMMENDING THE ORDER OF  
JANUARY 13.

In a letter to the secretary of state, dated February 17, 1846, Mr. Slidell says, —

"The advance of General Taylor's force to the left bank of the Rio del Norte, and the strengthening of our force in the Gulf, are wise measures, which may exercise a salutary influence upon the course of this government."

It would be presumption in us formally to sanction an act which needs no defence not to be found in its own history. This order was originated in no new policy ; it had been long deferred, and it was now considered judicious and necessary by all who had the best means of knowing the exact relations between the two countries.

GENERAL TAYLOR ANTICIPATES NO RESISTANCE IN HIS  
ADVANCE.

*General Taylor to Adjutant-General Jones, Feb. 16, 1846.*

"From the best information I am able to obtain, and which I deem as authentic as any, I do not believe that our advance to the banks of the Rio Grande will be resisted. The army, however, will go fully prepared for a state of hostilities, should they unfortunately be provoked by the Mexicans."

RIO GRANDE NOT TO BE CROSSED BY AMERICAN TROOPS UNLESS  
ATTACKED.

*Gen. Taylor to Adjutant-General Jones, Corpus Christi, Feb. 26, 1846.*

"I have taken occasion to represent to some citizens of Matamoras, who were here with a large number of mules for sale, and who are represented to have considerable influence at home, that the United States government, in occupying the Rio Grande, has no motive of hostility towards Mexico,

and that the army will, in no case, go beyond the river, unless hostilities should be commenced by the Mexicans themselves," &c.

#### DECIDED HOSTILITY ON THE PART OF THE MEXICANS.

*Gen. Taylor to Adjutant-General Jones, Point Isabel, March 25, 1846.*

In this despatch, General Taylor says, that there were no incidents in the march of the army to Point Isabel worthy of notice, unless the following examples may be regarded as the first evidence of open hostility. He says,—

“ While on my way hither, our column was approached by a party on its right flank, bearing a white flag. It proved to be a civil deputation from Matamoras, desiring an interview with me. I informed them that I would halt at the first suitable place on the road, and afford them the desired interview. It was, however, found necessary, from the want of water, to continue the route to this place. The deputation halted while some miles from Point Isabel, declining to come further, and sent me a formal protest of the prefect of the northern district of Tamaulipas, against our occupation of the country, which I enclose herewith. At this moment, it was discovered that the buildings at Point Isabel were in flames. I then informed the bearer of the protest that I would answer it when opposite Matamoras, and dismissed the deputation. I considered the conflagration before my eyes as a decided evidence of hostility, and was not willing to be trifled with any longer, particularly as I had reason to believe that the prefect, in making this protest, was but a tool of the military authorities at Matamoras.”

#### OCCUPATION OF THE LEFT BANK OF THE RIO GRANDE.

*General Taylor to Adjutant-General Jones, March 29, 1846.*

“ I have the honor to report, that I arrived at this camp yesterday, with forces under my command, no resistance having been offered to my advance to the banks of the river, nor

act of hostility committed by the Mexicans, except the capture of two of our dragoons, sent forward from the advanced guard.\* \* \* \*

"Our approach seems to have created much excitement in Matamoras, and a great deal of activity has been displayed since our arrival in the preparation of batteries. The left bank is now under reconnoissance of our engineer officers, and I shall lose no time in strengthening our position by such defensive works as may be necessary, employing for that purpose a portion of the heavy guns brought round by sea.

"The attitude of the Mexicans is so far decidedly hostile. An interview has been held, by my direction, with the military authorities of Matamoras, but with no satisfactory result."

HOSTILE ATTITUDE OF THE MEXICANS — BATTERY ERECTED  
BY GENERAL TAYLOR.

*General Taylor to Adjutant-General Jones, April 6, 1846.*

"The Mexicans still retain a hostile attitude, and have thrown up some works, evidently designed to prevent us from crossing the river. \* \* \*

"On our side, a battery for four 18-pounders will be completed, and the guns placed in battery to-day. These guns bear directly upon the public square of Matamoras, and within good range for demolishing the town. Their object cannot be mistaken, and will, I think, effectually restrain him from any enterprise upon our side of the river. A bastioned field-fort, for a garrison of five hundred men, has been laid out by engineers in rear of the battery, and will be commenced immediately.

"I respectfully enclose the minutes of an interview held on the day of our arrival, between General Worth and General De la Vega, the second in command in Matamoras.† I deemed it proper and respectful to announce formally the purpose of our advance to the Rio Grande, and afford an opportunity to establish friendly relations if practicable."

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\* These dragoons were subsequently returned, on application of General Taylor.

† See Appendix U.

GENERAL TAYLOR SUMMONED BY AMPUDIA TO WITHDRAW  
BEYOND THE NUECES.

*General Taylor to Adjutant-General Jones, April 15, 1846.*

"I have to report that on the 11th instant, General Ampudia arrived at Matamoras with two hundred cavalry, the remainder of his force, variously estimated from two thousand to three thousand men, being some distance in rear on route from Monterey. Immediately after assuming the chief command, General Ampudia ordered all Americans to leave Matamoras within twenty-four hours, and repair to Victoria, a town in the interior of Tamaulipas. He had taken the same severe measure at Reinosá, on his way hither. On the 12th, I received from General Ampudia a despatch, summoning me to withdraw my force within twenty-four hours, and to fall back beyond the river Nueces. To his communication I replied, on the 12th, saying that I should not retrograde from my position. Copies of this correspondence are enclosed herewith.\* I considered the letter of General Ampudia sufficient to warrant me in blocking up the Rio Grande, and stopping all supplies for Matamoras; orders for which have been given to the naval commander at Brasos Santiago."

## COMMENCEMENT OF HOSTILITIES BY MEXICO.

*General Taylor to Adjutant-General Jones, April 26, 1846.*

"I regret to report that a party of dragoons, sent out by me on the 24th instant, to watch the course of the river above on this bank, became engaged with a very large force of the enemy, and, after a short affair, in which some sixteen were killed and wounded, appear to have been surrounded and compelled to surrender. Not one of the party has returned, except a wounded man sent in this morning by the Mexican commander, so that I cannot report with confidence the par-

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\* See Appendix V.



ticulars of the engagement, or the fate of the officers, except that Captain Hardee was known to be a prisoner, and unhurt. The party was sixty-three strong.

"Hostilities may now be considered as commenced, and I have this day deemed it necessary to call upon the government of Texas for four regiments of volunteers, two to be mounted and two to serve on foot. As some delay must occur in collecting these troops, I have also desired the governor of Louisiana to send out four regiments of infantry as soon as practicable. This will constitute an auxiliary force of nearly five thousand men, which will be required to prosecute the war with energy, and carry it, as it SHOULD BE into the enemy's country."

Thus we have seen that the course of our government with respect to the boundary question has been consistent from the period of the annexation of Texas, even to the time of the first act of hostility on the part of Mexico, of which Congress was immediately notified by the president of the United States. In a special message, May 11, 1846, he says, —

"As war exists, and, notwithstanding our efforts to avoid it, exists by the act of Mexico herself, we are called upon by every consideration of duty and patriotism, to vindicate with decision, the honor, the rights, and the interests of our country."\*

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\* When the sum of \$10,000,000, and an army of 50,000 men, were authorized by almost an unanimous vote of Congress, (only 14 voting in the negative,) not a word was said about the march to the Rio Grande. The question was one *of fact* with regard to the commencement of hostilities. The objections to that bill were confined to the preamble — which declared that *war existed by the act of Mexico*. In a speech delivered in the U. S. Senate, February, 1848, by Mr. Turney, he says, "A motion was made to strike out the preamble, and reasons were assigned for striking it out, *but no such reason* as that we had invaded the Mexican territory. Far from it, as I will be able to show, conclusively, from the documents. The reason assigned was, the uncertainty as to the fact whether war did, in point of fact, exist."

The objections to the preamble were singular and extraordinary.

Both nations professed peace and protested against all motives leading to hostility. Let facts determine which was sincere in its professions. We have seen with what justice the boundary to the Rio Grande was claimed by Texas, and that no alternative was left to the United States but to defend that boundary. Mexico refused to negotiate. Although she claimed title to ALL TEXAS, she was committed to acts of hostility, and was ready to commence war, in relation to a *question of boundary*! She claimed the whole, but she preferred war to negotiation, to settle her title even to a part.

We should do the public injustice, if we were to give our views upon this portion of the subject to the exclusion of those of General Taylor, in his able communication, in reply to General Ampudia, which we insert in the Appendix.\* In this, the true merits of both parties are clearly and briefly stated. The spirit of hostility on the part of Mexico is contrasted with the pacific measures of the United States. The assertion of the president, that "war exists by the act of Mexico," is a truth so fully confirmed by history that he who doubts is doomed to a record that time can never redeem. It is not that this act was the cause of the war, but that Mexico, having made war necessary by her acts, was left to be consistent

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If objections had been made to the whole bill, members, urging them, might have found a defence in their consciences. But their position, as opposed to the preamble, is truly a most awkward one. It was equivalent to a confession that they were more willing to vote means for prosecuting a war against Mexico, without any positive declaration of basis, than admit the statement of General Taylor *to be a fact*. Their love for history was greater than their love for justice. If they believed the war commenced by the president of the United States, they also professed to believe that he had commenced it "*unconstitutionally*," and this renders their case still worse. They were ready to vote for an "unconstitutional war," in preference to adopting the fact, as given by General Taylor, that the war was commenced by the act of Mexico! We cannot well avoid thinking of the gnat and camel, as spoken of in the gospel of St. Matthew.†

\* See Appendix.

† Chap. xxiii. 24.

in her career of folly and crime — and to strike the first blow. She commenced what proved to be her own chastisement, by the hand of another power. She was the sole cause, and, in the hands of Providence, the sole subject of the war, and the United States government was the agent for its merited infliction.

## PROSECUTION OF THE WAR.

### MILITARY POWER.

THE military power of a country is generally estimated according to the number of soldiers that makes up its standing army. This number varies, as the supposed interests of a nation require, and is large or small, according to the confidence which a government has in itself. A large army always implies doubt in the government as to its hold upon the affections of the people, and of its ability to control them. Armies increase as governments become selfish or unjust, and though the decrease is not always in the same ratio with governments of an opposite character, still, the diminution is seen to take place as the result of liberal measures. Much must be allowed to the conservative principle of government anciently termed "*the divine right of kings*," and to those countless habits and prejudices which become associated with all the joys of a people, as well as with their hardships and sufferings. The people are slow to change. It is not in their nature to change suddenly, and remain permanent. They become attached even to a form of government that may deny them liberty of thought and of speech ; but, if that government yields to a small proportion of their requisitions, they remain loyal, grateful, and content. A monarch may hold his power if he will but keep in advance of his subjects in measures of reform. To refuse reforms, and hope to be secure in a standing army, is a great error. That this may be true for a limited period, no one will deny. When we speak of success in a nation, we refer to its generations. We measure the progress

of man, as an individual, by his years or generations; the progress of a nation, by its periods of great causative events, or by its centuries.

The recent events of France illustrate the actual power of a standing army in a country where intelligence and education are beginning to reach the people, and where love of freedom has only been defeated for the want of knowledge.\* First comes the desire for change, and then the ability. The French have been in a transition state for a long period of time. Every revolution shows an advance, and the period is not far distant when we shall see her strength equal to the glory of a republic. The newly-fledged eagle falls from branch to branch in its first attempts to fly, and every fall is marked by a period of rest. But the parent birds encourage its efforts by example, while its instinct unceasingly tempts it forward in its flights, and from the humble distances of the forest-cluster of its home, it soon is able to sweep its circles in the regions of the sky.

It is thus with nations, destined to life and change. Change is but another word for growth or progress. Every change is a step forward, and every step gives new strength. We mean the progress of condition, of capacity, of power. A monarchy may become a republic, and the republic may not succeed, and the monarchy may be restored. This is merely the conventional process. Every attempt is a preparation, every revolution a step. In the breaking up of power, the monarchy may seize a temporary defence, but the ultimate republic is inevitable.

Louis Phillippe was too slow for his people. Guizot was too precise in his scale of advance. The former had confidence in the latter, and the latter had confidence in science. Both seemed to lose sight of the fact, that while they were watching

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\* The *Mexicans* "say, that they are obliged to have a standing army, and that they can only enforce their laws by the grace of God and gunpowder." — *Hon. P. Thompson*.



for changes in the people, they did not count upon changes in the army. Armies are made up of men; and though they are excluded in some degree from the benefits of an advancing society, and may be slow to appreciate their rights as citizens, still they have begun to think.\* Thought is the great source of power, and in this we may find the power of the United States — in the capacity of the people to think. Right thinking is knowledge, and knowledge is power. But where is the

#### MILITARY POWER OF THE UNITED STATES ?

If a stranger were to visit this country, he would be at a loss to find, *in form*, its military power. He would see no castles of defiance, no towns encircled by turretted walls; he would see no palaces, with their lords and dependent tenantry. He would see no display of royalty, with its *cortége* of counsellors, outriders, and guard. He would find no army, with its trappings, to admire; no national parade of strength, to awe. But, in our great cities he would see industry without embarrassment, activity without disorder, excitement without riot, and security without fear; and all without an army near, or a soldier's guard.

If he were to go to the capital, he would there see the representatives of the people, of every profession, boldly defending the right and denouncing the wrong, in the business of legislation. He would see the chief magistrate of the nation

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\* In speaking of the Plymouth rock, De Tocqueville makes the following beautiful reflection : —

“ This rock is become an object of veneration in the United States. I have seen bits of it carefully preserved in several towns of the Union. Does not this sufficiently show how entirely all human power and greatness is in the soul of man? Here is a stone, which the feet of a few outcasts pressed for an instant, and this stone becomes famous; it is treasured by a great nation; its very dust is shared as a relic; and what is become of the gateways of a thousand palaces? ”



in the plainest garb of the humble citizen, and his advisers, unattended, mingling with the crowd, courteous to all, and indifferent to none. But he would see no army near, and at the doors and gates of the public buildings would find no sentinels. He would hear of our government, but he could not see its vast machinery. He would hear of our great power, but he could not understand its form, unless he should visit the people at their homes and firesides. He would find nothing wanting to protection, to liberty, or to life, and yet he would find no army.

The army of the United States, in times of peace, does not often exceed 7,000 men.\* These men, scattered over a vast territory, are hardly to be perceived by the traveller, or noticed by our citizens. And yet, when required to act in their country's defence, they make the nucleus of an army of any extent, and of the greatest power.

With a military academy, directed by the ablest professors, and liberally sustained by government, the country secures a class of officers of the highest attainments in science, and of the greatest skill in practice. In time of war, around these officers the assembled people of the country become the army of the nation — the nation's defence. When peace returns, they scatter to their homes, and resume their accustomed labors, and the soldier again becomes the citizen.

The military power of the United States is as broad as the continent to which it belongs, and its basis is in the hearts of the people. It is not physical, but moral power. It is not for the defence of a government, but of a people. It is not for the few, but for all. It is not for others, but for ourselves. It is not for conquest, but for justice. It is not for ambition, but for protection, that the military power of the United States is organized and exerted.

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\* The constitution provides that Congress has no power to make any appropriation of money for the support of armies for a longer term than two years. The strength of the army at the commencement of hostilities with the Republic of Mexico was, (April, 1846,) 7,244.

The profession of arms becomes ennobled when we see our military men among our best citizens, and our best citizens ready to become soldiers. A standing army has been thought indispensably necessary for a nation's defence. The recent events of Europe, however, have tended to show that they are now deemed sources rather of danger than of protection.

The volunteer system, adopted by this country, is in harmony with its institutions. There is a freedom and a dignity in it worthy of a people who are willing and ready to defend their own rights.\*

When this war was commenced by Mexico, our troops on the frontier of Texas numbered, present and absent, only 3554 men, of which 131 were sick. Fifty thousand volunteers were called for, and nearly half a million offered their services from all parts of the Union.

The volunteer has all the strength of motive that gives to the citizen the spirit of duty, and all the love of home and country that gives the soldier courage. He goes to the war, not as the agent of destruction, but as the defender of right and justice. His motto is, *Verité sans peur*.

We have no sympathy with those who decry the military of their country, and would avail themselves of the blessings which are gained by its power and protected by its presence. Have they no reverence for the memory of Washington, and his noble band of patriots! Have they no gratitude for the results of their achievements — the achievements of the sword! We admire their love of peace, but we cannot adopt their judgment. Their views are in advance of their condition. We would not lessen their efforts in the great cause of humanity, but we could wish that, while they are disposed to act for the good of their country, they would endeavor to devote their energies to prevent the causes of war, rather than oppose the stern and inexorable rule of justice among nations, after war has been commenced.

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\* See the excellent speech of Mr. Douglas, of Illinois, delivered in the U. S. Senate, February, 1848.

## ACHIEVEMENTS OF THE ARMY.

The nature and limits of the present volume do not enable us to give the details of the brilliant achievements of our army in Mexico. These belong to a different and a more extended work, which is in preparation. The heroism and the enduring activity and skill of the officer and soldier, have been the subject of wonder and admiration. All dangers, fatigues, and difficulties were encountered and surmounted with cheerfulness and promptitude. Our government would consent to nothing but an honorable peace; our army consented to nothing but victory. The names of Scott, Taylor, Butler, Worth, Twiggs, Wool, Smith, Pillow, Quitman, Childs, Pierce, Hamer, Lane, Shields, — and a host of others might be enumerated, — will live upon the pages of their country's history so long as merit shall be respected and duty honored.

Our gallant navy, though circumscribed in action, was true to the glory which belongs to patriotism, skill, and courage. The reputation of its officers and the efficiency of its men are too well known to require service to entitle them to our acknowledgments of respect.

In the prosecution of this war we find a singular combination of forces. The destructive engines of death were sent forward, accompanied by commissioners of peace; and the hand that was raised to take life from the enemy, was the bearer of the olive branch. After every victory, a pause was made for peace.\*

The government at home, three thousand miles from the scenes of action, deliberately matured its measures and executed its plans. It gave its orders amid an approving party on the one hand, and an opposing one on the other. Friends were prompt, opponents were reluctant. But few would stop the war if they could, and many condemned it with their voice, while they

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\* See Appendix X.

sustained it by their votes. None denied its justice, though some denied its expediency. Many gave their countenance to the enemy, though they had too much self-respect to deny the folly and stupidity of the Mexicans.

The House of Representatives voted, by a small majority, that the war "was unnecessarily and unconstitutionally begun by the president of the United States," and yet the same body refused to stop it.\* Articles of impeachment were threatened against the president by the whigs, but they were not brought forward, because there was a democratic majority in the senate; as if the senators of the democracy could not be true to their oaths of office! States passed their resolutions of approval and of protest, peace societies remonstrated, clergymen admonished, and citizens denounced. The government was disowned at home and abused abroad, for the unholy war, as it was called, against a weak and distracted people. Party in its bitterness, zeal in its ignorance, and prejudice in its blindness, all conspired to render the acts of the government unsuccessful in their objects, and odious to the people. But the people were true to their country and to its government. Duty was too plain to be mistaken, too great to be neglected. They asked no advice but facts, and raised no standard but conscience. The government compromised no right, and neglected no duty. It was prompt in its action, and humane in its policy. It was true to the country, true to Mexico, true to the world, and true to itself.

In the eloquent language of General Cass, we give a brief review of what was accomplished by our government and army during the short period of twenty-two months. He says, —

"The act recognizing war was passed on the 13th of May, 1846, twenty-two months ago. At that time we had an army,

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\* The "ten regiment bill" was passed by the House, by a vote of 170 to 35. See speeches of Mr. Cobb and Mr. Stanton, delivered in February and March, 1848.



whose total of rank and file consisted of 7523 men. They occupied thirty-seven forts and positions in the interior of the United States, and upon our inland and seaboard frontier, comprehending a space almost equal to half of Europe; and the portion of this force under General Taylor, upon the Nueces, amounted to 3001 men. This was our preparation for meeting the war. All else had to be collected or created. Recollect, sir, that our situation is far different from that of the martial powers of Europe. War is there both a trade and science, and its governments are always prepared to meet contingencies, which cannot, indeed, be foreseen, but which, if not provided for, bring ruin and disorder in their train. At one time, the people of France were a great army, the country a vast camp, the cities and towns, arsenals and magazines, and the fields, sources of supply for the immense living machine, whose movements were always so tremendous, and often so irresistible. Well, sir, we had nothing of all this. We had no army, for our little force scarcely deserved the name. We had no conscription by which to increase it. All *materiel* necessary for the subsistence and transportation and operations of our troops had to be collected through the country, and conveyed to a distant scene of operations. This scene is three thousand miles off; and little did the government or country know of the condition of Mexico, of its fortresses, or their state of preparation; of its armies, or their state of efficiency or discipline; of the roads, bridges, the means of transportation and subsistence, and the thousand other points, essential to military operations, and which, in the various countries of Europe, are studied and known.

“Now, sir, in the face of these obstacles, what have we done? We have sent our troops to the shores of the Pacific, by the routes across the continent, and around Cape Horn; we have subdued Upper and Lower California and New Mexico; we have taken possession of the rich and populous districts upon the Rio Grande; we have carried the war into the heart of the Republic, after attacking and reducing the



renowned fortress, which commands its principal maritime entrance, the capture of which alone was glory enough for France ; we have taken its capital, dispersed its armies, made its government, and reduced to subjection a large portion of its population ; we have fought at least fourteen important actions, of which eight were pitched battles, and in every one there was a disparity of force against us, and in many an inequality, which carries us back for similar examples of desperate struggles, to the early ages of the world, — to the combats of the Greeks and Persians, — which they resemble, rather than the conflicts, which the severe truth of modern history judges and records. We have captured a score of great cities, some of them fortified and defended, and capable of strong resistance. Time would fail me to tell all we have done, nor can it be necessary ; for is it not already written in imperishable letters upon the records of history, and in burning and shining characters upon the heart of every American ! ”

This language was not spoken by the distinguished senator in a spirit of boasting, but in reply to an honorable member who had spoken lightly of the efficiency of our government and of the achievements of our army.

It has been urged by some, that if we had invaded Mexico with a large army, her chance of success would have been deemed a hopeless one by her own government, and that negotiation and peace would have been the immediate results. Perhaps so. It is easy to say this when another and more moderate course was adopted. If a powerful and overwhelming movement had been made by the administration, against that feeble and miserable people, OPPRESSION *and* CRUELTY would have been the cry every where. Mexico would have had no chance to expose her weakness, and her strength would have been over-estimated. As it now stands, in every battle, her numerical force was greatly superior to ours, — and it cannot be said, that she had no opportunity to test the bravery of her troops by battle, or to vindicate her honor by victory.

Much has been said by the opponents of the war with regard to the return of Santa Anna to Mexico. Of the means sanctioned or provided we have no remark to make. This subject was conclusively disposed of by the president in his answer to Congress. We allude to it only for the purpose of expressing our undisguised astonishment that any one, under any circumstances, should deny to Mexico the service of her sons! Supposing permission had been asked to allow his return, who would have refused it? What was Santa Anna that we should fear him? Why should he be continued in banishment by us? Was he our prisoner? And if he were considered by Mexico her ablest general, his absence would have been deemed as the cause of defeat, and false hopes would have continued to blind her people. Of what avail has his return been to Mexico!

Our country owes her army a debt of gratitude which nothing but duty to her own great interests can ever pay. Our soldiers were our fellow-citizens. They bravely fought the battles of justice, and won victories that shall tend to lessen wrong and establish peace in all coming time. They made sacrifices for others' good, and, if they suffered, time will prove that for every pain shall come a thousand blessings to the future race.\*

While we greet with smiles and joyous acclamations the hardy soldier's return from the war, let us pause to drop a tear for

#### THE FALLEN THAT DO NOT COME.

The desolated home of the departed soldier should be relieved by our charities, and soothed by our sympathies.

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\* It was estimated that 70,000 victims were sacrificed at the coronation of Montezuma. The ordinary number of sacrifices, annually, was very large before the conquest of Mexico by Cortes. The total loss of both nations, in the late war, does not exceed 12,000. This estimate does not embrace the deaths from disease. A complete report is not yet made. The saving of life was great, in consequence of the conquest of ancient Mexico, and it will be great during the next century, in consequence of the war just closed. See Appendix Y.

The death of a soldier is an event of the nation, and fraught with a nation's consequence. It is not a loss, but a public gain; not an alternative of chance, but of duty. It is the death of the body, that the soul of man may live in still greater freedom. It is not without good reason that the death of a soldier in the service of his country has always been regarded as an event of honorable notice. His acts have helped a nation's progress, and his lot has made more precious a nation's rights.

It is a thoughtless and cruel sympathy that would raise no stone to mark the soldier's grave, or to seek to deck its mound with nought but withered flowers; to be willing to forget the form that perished at the post of duty, and to sadden the hearts of those who clung to it in affection while in life, by the irreverent reflections that a soldier's death has no place in the great book of Providence! that it is wrong, a meaningless event of sin, a loss, a blank, forbidden by God, and sanctioned by no good man. We can see in this no light of wisdom, no act of piety. It is a cheerless view of man to look only on the objects of life, without regarding the painful sacrifices which lead to their attainment; to seem to be ignorant of the truth that death is a law of our nature,—a condition of progress.

THEN LET THE SOLDIER'S GRAVE BE HONORED!

Let his deeds be cherished. It is not for the selfish looker-on, surrounded by all his comforts and studying no good but his own, to measure the glory of those who give up home and all that is near and dear, to serve their country on the field of danger. The former dies in his cot, and his end is from disease. The latter dies on the field, and his end is a sacrifice on the altar of patriotism.

## THE JUSTICE OF THE WAR, AND ITS RESULTS.

JUSTICE is the standard of right. Whatever is just, is right. Whatever is right, must be just. Justice is a principle that gives moral condition to existence. It is an element that seeks equality in all the relations of life, and is the law of harmony in the moral being. It saves the individual from the hardships of transgression, and preserves the nation from decay and downfall. It is the result of a world's integrity. It is the condition of continued existence.

It is not a matter of chance. It is not to be perverted or avoided. It is self-protective. It can neither be tempted or bribed. Neither can it be impaired or destroyed. It is an attribute of Deity, — an indestructible element of all created being. It is true to its source, and yields not to power, nor to the events of time or eternity. Without justice, man would cease to be a moral being ; and without justice, nations would cease to exist upon the face of the earth, and truth would be at war with itself.

Properly to discuss, therefore, the justice of the war, we are led to inquire into the principles of national existence. These principles involve national duties. The duties of a nation are of a two-fold character.

1st. Self-preservation, in the most enlarged sense of the term ; and,

2d. A just regard for the rights of all men and of all nations. Or, in other words, justice to itself and justice to others.

The duties of self-preservation are those to be found in a just and comprehensive legislation ; in the impartial administration of the laws ; in the strict observance of treaties ; in the means of education and improvement ; in the protection of life, liberty, and property of all the citizens of a nation throughout the world.

The second class of duties are embraced in this, that, in



what we claim for ourselves as necessary to our protection, we will not deny as necessary to all others placed in the same responsible relations of national existence.

We have seen what the relations have been between the United States and Mexico during an entire generation. On the one hand, a series of aggressions on life, liberty, and property have been committed, without manifesting any disposition to lessen the causes of wrong in future, or to give redress for wrongs of the past. To these have been added the petty acts of arrogance, and bold assumptions, having no truth to redeem them. On the other hand, a nation of greater power, the subject of these wrongs, has resorted to no measures of retaliation, to no decisive means of redress, but has exhausted all the sources of favor and forbearance.

The weakness of Mexico has been the condition of her exemption from a just accountability. This has been her misfortune ; and if the government of the United States has any error to redeem, it is that of indulgence to Mexico, permitting the acts of outrage and wrong, without insisting upon prompt reparation. The weakness of a nation furnishes no good reason why she should be excused for the violation and neglect of sacred duties. All will agree that it is a reason for an opposite course. National strength cannot come from neglect ; national prosperity cannot come from indolence ; national glory cannot come from national wrongs. All these elements of national existence can come only from conscience and from duty.

Not content to be left to herself to reform during the seasons of indulgence, she adds new insults to the wrongs of the past, and, in the utter folly of her condition, commences a war with the United States ; thus inviting the infliction of those accumulated penalties, which a Providence may suspend, but never remit.\*

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\* We find the following paragraph in one of the public journals, embraced in a letter from St. Petersburg, with regard to the cholera now prevailing in that city :

“During the week, and particularly on Sunday last, processions



War is, indeed, a temporary calamity ; but without war, national wrongs would become permanent evils. Without war, moral blessings would be made subservient to the animal passions. Ultimate victory is ever on the side of right.\*

In what way could the evils of Mexico be reached, unless by the strong hand of war ? How could she be made to feel that Providence exempted no nation from the penalties of its crimes, except by war ? How could we reach her cities, her

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with images, consecrated burners, &c., have perambulated all the streets and squares of the city to propitiate the divine Being, and to avert the direful calamity with which this city is visited."

There are certain diseases of the body which may be termed *cumulative diseases*, whose causes are both near and remote. The *cholera* may be said to be one of them. The causes are to be found in man's ignorance of his physical laws, and in the consequent abuse of them. What is not made manifest in *the individual*, is visited upon the race. What is not seen as an effect in *a day*, will be made apparent in a generation, or in a century. The same may be said with regard to national evils.

Instead of addressing prayers to Deity how to escape from the cholera, let the Russians, and all others, pray to be saved from the causes which produce it, and which may come upon their descendants. Let them pray for knowledge of themselves, and of the conditions of health. To pray to be saved from the consequences of causes already existing or past, is equivalent to asking to be exempted from the protection of God's providence.

\* Civilization finds war, like all other elements of humanity, necessarily existing. It does not create the principle, but it controls and modifies its action. Horror after horror is swept away ; the captive ceases to be sent to the stake or the caldron ; slavery becomes an improvement substituted for murder ; the enslaved captives are treated with more and more kindness, until servitude ceases altogether, and prisoners of war are recognized as men and brothers. The onward course of civilization is at least, in this respect, distinctly marked ; we can see the direction of its progress ; an intelligent and moral public opinion is steadily establishing its empire instead of brute force, and forming a tribunal to decide the disputes of nations, as peacefully as those of individuals. — *Taylor's Natural History of Society.*

people, and that army\* of settled impostors, that has preyed upon her very vitals during her existence as a Republic, except by war? How could her miserable population be educated and elevated to the privileges of freedom and justice, and be protected from the rule of tyrants and wicked men, except by war? †

Could we send them missionaries to teach them religion,—who would tolerate them, who would hear them? Could we send teachers to instruct their children, and the ignorant,—what parent in that country would give his assent, what priest would yield to such a power? Could we send books, and tracts, giving knowledge and inculcating duty,—they would be rejected as dangerous where ignorance is safety. Could

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\* “That which is in all respects the greatest nuisance, and the most insuperable barrier to the prosperity and progress of Mexico, is the army. They will tell you there, that it amounts to 40,000 men; but they have never had half that number. I have no doubt that the accounts at the department of war exhibit nearly the number stated, but a large proportion of them are men of straw, fictitious names fraudulently inserted for the benefit of the officers who pay them.

“They have more than two hundred generals, most of them without commands.” — *Thompson's Recollections*.

The manner of collecting an army, in Mexico, is thus stated by the same able author.

“The soldiers of the Mexican army are generally collected by sending out *recruiting* detachments into the mountains, where they hunt the Indians in their dens and caverns, and bring them in chains to Mexico. There is scarcely a day that droves of these miserable and more than half naked wretches are not seen thus chained together and marching through the streets to the barracks, where they are scoured and then dressed in a uniform made of linen cloth or of serge, and are occasionally drilled, which drilling consists mainly in teaching them to march in column through the streets.”

† “The clergy and the army cannot be tried for crime, or be made to pay a debt by the common courts of the country; but the former are tried by the ecclesiastical, and the latter by a military court.”—*See Speech of Hon. Mr. Ficklin, delivered in the House of Representatives, March, 1843.*

we protect the traveller in that country from murder and robbery, by a government passport? Could we defend the rights of our citizens by a recital of our treaty stipulations? Could we avenge national insults by national protests? Could we redress national wrongs by national remonstrance?

The crimes of men are visited upon their heads. Society demands it, and the laws provide the way and the means. The criminals can be found and taken. They can be subjected to trial, to sentence, and to punishment. All this is practicable. But it is not so with nations. A nation cannot be summoned to court. A nation cannot be sent for by the police. It cannot be imprisoned for safety. It cannot be tried by a jury, sentenced by a court, and punished according to law. *A nation cannot be called to an account for its wickedness, or be subjected to punishment, except by war.* And in this terrible calamity, it is made to suffer, and to render justice.

Its false pride is rebuked; its trusts are reduced; its neglected engagements are detailed for redemption; its outrages are made the subject of notoriety throughout all nations,—as examples to be detested and shunned; its own government becomes the subject of public admonition before the civilized world.

If the calamities of war are terrible to be borne, it must be considered that they are remedies for evils, which, if continued, would destroy society, and that they are but the lessons which nations teach nations, of a nation's good, of a nation's shame, or of a nation's glory.

The remedies of Providence are directed by fundamental laws. They are made in magnitude and character to correspond with the nature and extent of the evils which they are designed to correct.

Who shall complain that the tempest is too great! that the whirlwind is too rapid! that the earthquake is too terrible! that the volcano is too fearful! that the lightning is too dangerous, and the thunder too startling! or that pestilence and famine are too destructive!

Why should men look for great effects from small causes?

Why should men look for great reforms, without regard to means adapted to the nature and extent of the work to be done? Governments are surrounded by impenetrable walls of national error, pride, and prejudice,—more durable than granite, less yielding than steel, and no power can reach them or their people until these walls are broken, and no power can break them but war.

As individuals are made responsible to the laws of society, in which they live, so nations are held responsible to nations for a just observance of those great laws, which, for a common good, all civilized nations acknowledge.\* As a people improve a country, so nations cover the earth to improve and subdue it. They are either faithful or false to their trusts. If faithful, they prosper; and their prosperity is an element in the progress of the world. If false, adversity is their lot, and their evils are extended to every nation. In some degree, the interests of one nation become the interests of all nations. All have a common interest, and this all are ready to protect.

As sovereignties acknowledge no superior, each nation claims to judge of its own rights. As these rights are respected, intercourse becomes useful and profitable. As they are disregarded or violated, they become the subjects of negotiation, or causes of war. When negotiation fails, war becomes the alternative. In this position, Mexico placed herself in relation to the United States. It became the right of this country to insist upon that measure of justice which she is ever ready to accord to others, and which all nations, just to themselves, are bound to observe. War was not the choice of our government, it became the alternative. It will be remembered that Mexico barely escaped a war with us in 1837. In a message to Congress of that year, President Jackson used the following language:—

“Having in vain urged upon the government of Mexico the justice of those claims, and my indispensable obligation to

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\* See Appendix Z.



insist that there should be no further delay in the acknowledgment, if not in the redress, of the injuries complained of, my duty requires that the whole subject should be presented, as it now is, for the action of Congress, whose exclusive right it is to decide on the further measures to be employed. The length of time since some of these injuries have been committed, the repeated and unavailing applications for redress, the wanton character of some of the outrages upon the property and persons of our citizens, upon the officers and flag of the United States, independent of the recent insult to this government and people by the late extraordinary Mexican minister, WOULD JUSTIFY, IN THE EYES OF ALL NATIONS, IMMEDIATE WAR. That remedy, however, should not be used by just and generous nations, confiding in their strength, for injuries committed, if it can be honorably avoided ; and it has occurred to me, that, considering the present embarrassed condition of that country, we should act with both wisdom and moderation, by giving Mexico *one* more opportunity to atone for the past, before we take redress into our own hands. To avoid all misconception on the part of Mexico, as well as to protect our own national character from reproach, this opportunity should be given *with the avowed design and full preparation to take immediate satisfaction, if it should not be obtained on a repetition of a demand for it.* To this end, I recommend that an act be passed, authorizing *reprisals*, and the use of the naval force of the United States, by the executive, against Mexico, to enforce them, in the event of a refusal of the Mexican government to come to an amicable adjustment of the matters in controversy between us, upon another demand thereof, made from on board one of our vessels of war on the coast of Mexico."

This message was sent to Congress on the 8th February, 1837, and on the 19th day of February, the committee on foreign relations in the Senate, of which Mr. Clay was one, made — unanimously — a report, which was accepted unani-



mously by the Senate, repeating and approving entirely, the views and suggestions of President Jackson.

The report of the House on the same subject, was made on the 24th February, fully concurring with the views of the president, and with those of the Senate committee.

On the 27th of May, 1837, Mr. Forsyth, then secretary of state, in a letter written to the Mexican minister of foreign affairs, says,—

“ These wrongs are of a character which cannot be tolerated by any government indued with a just self-respect, with a proper regard for the opinion of other nations, or with an enlightened concern for the permanent welfare of those portions of its people who may be interested in foreign commerce. Treasure belonging to the citizens of the United States has been seized by Mexican officers, in its transit from the capital to the coast ; vessels of the United States have been captured, detained, and condemned, upon the most frivolous pretexts ; duties have been exacted from others, notoriously against law, or without law ; others have been employed—and in some instances ruined—in the Mexican service, without compensation to the owners. Citizens of the United States have been imprisoned for long periods of time, without being informed of the offences with which they were charged. Others have been murdered and robbed by Mexican officers, on the high seas, without any attempt to bring the guilty to justice.”

This was in 1837. In 1839 a commission was appointed by the two governments to determine the amount of the claims due to our citizens. This commission, being limited as to time, only a portion of the business was accomplished. The amount reported to be paid was \$2,026,139 68 ; and this sum Mexico stipulated to pay by instalments. It was divided into twenty instalments, and but three were ever paid. It has been remarked, “ that the damages received by our citizens, from 1839 to 1845, inclusive, exceeded the amount of those three instalments ; *for while Mexico was paying these small amounts,*

*comparatively, on one hand, she was committing depredations on the other."* \*

The position of our government, in 1845, was, indeed, a painful one. It had no right to relieve Mexico from her obligations; it could not consistently, with its own dignity, submit to new insult; it could not force her to negotiate, nor could it determine upon war, where the disparity of power and condition would give to success no glory, and to victory no indemnity.

As our government assumed, with all humility, the initiative in reëstablishing diplomatic relations between the two countries after they had been interrupted by the act of Mexico, Mexico reciprocated by assuming the initiative in commencing hostilities.

Perhaps our government was too reluctant to take upon itself the responsibility of a war against a sister Republic, in which its motives might be assailed, and its objects misunderstood or misrepresented. War makes no part of the policy of our country. Our people are lovers of peace. It cannot be otherwise. War does not help our commerce or protect our industry. It injures both; and our citizens are slow to sanction what will lessen their interests. When war, however, becomes a duty that cannot be avoided with honor and integrity, it is met with a spirit of patriotism and firmness that need only to be directed to command results which will tend to establish more firmly the blessings of peace.†

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\* See speech of Hon. Mr. Jameson, January, 1848.

† It is remarked with great truth by Macaulay, in his review of Hallam's Constitutional History, that,

“If there is any truth established by the universal experience of nations, it is this, that to carry the spirit of peace into war, is a weak and cruel policy. The time of negotiation is the time of deliberation and delay. But when an extreme case calls for that remedy, which is in its own nature most violent, and which in such cases is a remedy only because it is violent, it is idle to think of mitigating and diluting. Languid war can do nothing which negotiation or submission will not do better; and to act on any other principle is not to *save blood and money, but to squander them.*”

In this war with Mexico, our government had a national duty to perform. The time had arrived when justice must be done to Mexico. It was required by the interests of this country; it was demanded by the interests of all nations; and, — more important than to all others, — it was due to Mexico herself. Her commercial, domestic, and moral condition made the duty an imperative one, that she might be saved from her own acts. Her crisis had come. She had done nothing well, nothing promptly. Both England and France long since were compelled to threaten her, to secure their rights. And if this country had not been involved in the business of chastisement, the duty would soon have fallen to other powers.

Fortunately for Mexico that her destiny was placed in our keeping. Fortunately for us, that such was the event; for had it been otherwise, the calamities of war would doubtless have been multiplied.\* Other powers would not have been permitted by the United States to secure by conquest any permanent interest on this continent, more than they now hold. And doubly fortunate for Mexico; for if she has within her limits sufficient energies to lead her onward to success, she has only to avail herself of the aid which the United States are abundantly able to give, and she may yet succeed as a nation. The great lesson for her to study is the history of herself, — the causes of her misfortunes, of her adverses, and the justice of the penalties which have been inflicted upon her.

It is supposed by some that Mexico loses by the war.† That she parts with her treasures as indemnity for its expenses. That she has lessened her means of national prosperity, and impoverished her people, in making concessions which were

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\* The U. S. flag was raised in California. If this had been delayed a single day, the British flag would have waved over that territory.

† See Appendix A A. We give the treaty without comment. Our limits do not permit us to speak either of its terms or of the manner of its execution. This we may do in a more extended work.

stipulated by the treaty of peace. This is a mistake. She has, indeed, lost a degree of her national importance. Her pride has been humbled, her vanity has been rebuked, her false position has been exposed and realized, and some of her people have fallen in battle; in these mortifications and visitations, her sufferings have been great. It is right that they should be great. It is natural. It is just. Wrong doing is corrected by pain and suffering. Great benefits are guarded by severe penalties, whenever and wherever violated or abused.

The changes to which Mexico has been subjected, are for her good, her gain. She has ceded a portion of that territory to which she has proved false. Like the steward in the parable, she hid the talent that was given her to be improved, and made no interest. It was a territory that gave her no income, and to which she could afford no protection. She had proved her incapacity to develop the treasures of her soils, her forests, and her mines. She rested upon that beautiful region of the earth an incumbrance.\* She was idle, where all nature invited to industry; † she was poor, where riches abounded on

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\* It is no exaggeration to say that it is impossible for one who has not been on the table-lands of Mexico to conceive of a climate so Elysian. There is not a day, and scarcely an hour, in the year when one could say, I wish it were a little warmer or a little cooler. No spot on earth will be more desirable than this for a residence whenever it is in possession of our race, with the government and laws they carry with them wherever they go. — *Thompson's Recollections.*

† Although the whole road from the city of Vera Cruz to the city of Mexico passes through a country inexpressively picturesque and beautiful, yet the ignorant, idle, and degraded population, the total absence of cultivation and improvement, and a general appearance of wildness and desolation, produced with me feelings partaking of gloom and melancholy. Neither in going nor returning did I see one human being, man, woman, or child, engaged at work of any sort. The great mass of population doze out their lives with no higher thoughts or purposes than the beasts which perish around them. — *Thompson's Recollections.*



every hand ; \* her highways were marked by the emblems of her religion, but instead of representing examples of goodness, of duty, of piety, they were made the sad index of outrage and murder. † In her domestic circles, her people were thoughtless, vain, and heartless. Without a permanent interest in the soil, their labors were selfish and temporary. ‡ They had but little to hope for, and they had but little encouragement in their incitements to duty. Their priests had the influence of friends, while their rule was more fatal than the maledictions of foes. Their pleasures were deemed paramount to duty. They could not comprehend the advantage of improvement ; they did not understand the power of knowledge, nor appreciate the blessings that come from toil, time, and system. Their time was counted from sun to sun, and what the morrow should bring forth was a matter having no place in their economy. Their entire domain was but the field of contest, civil war, and bloodshed ; faction displacing faction, anarchy passing for peace, and despotism for self-government.

That such a nation, such a people, were spared so long, is

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\* "One thing," says Gilliam, "I must not forget to mention, — which must excite the contempt of the American agriculturist, — the manure of a hacienda is never spread over the land, but in every instance is thrown out of the way in heaps, and when the winds and sun have sufficiently dried it, it is set on fire and suffered to consume. A gentleman once told me that he had seen a pile on fire for twelve months, the conflagration being very slow."

† When a traveller is murdered, it is customary to bury him on the highway, and erect a cross over his grave. Gilliam says that "he verily believes that there is not a mile on the thoroughfare, from Mexico to Vera Cruz, that has not flowed with the blood of plundered and murdered individuals ; and where you may behold upon either hand the sad and many emblems of the crucifix over fallen travellers."

‡ "There is no country in the world," says Gilliam, "from the best information I could obtain, where individual citizens hold as large bodies of land as in Mexico, and it is estimated that, from seven millions of inhabitants, in all probability, less than five hundred thousand are the owners of all the *terra firma* of that rich country."



an example of God's mercy, almost without a parallel. There was nothing that could save the nation but justice. The manner in which this justice has been administered by the government of the United States is an example worthy to be studied, and emulated by all the nations of the earth. Its effects upon other nations of great power, will more than compensate for all the sufferings of the war. They will be led to reconsider the rights of their dependents, and more fully to provide for their wants.

What Mexico may gain by the war, is nationality. If she improves her lessons of experience, they will yield her wisdom and give her strength. She has been paid a sum of money for that which has yielded her nothing in the past, and which promised her nothing in the future. If her people would hold her remaining territory, let them study the conditions by which alone they can hope to succeed; and, if they manifest a desire to do right, and persevere, they need have no fear of failure.\*

The gain to the government of the United States, is the preservation of its own integrity. It has been true to the great cause of liberty, justice, and humanity. It has been true to republican principles; true in the midst of temptation;—true to itself, wherein are centred the hopes, the strength of all republics throughout the world. It has taught the great lesson, in fearful letters of blood, that republics are not to be exempted

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\* "There is only one cure," says Macaulay, "for the evils which newly-acquired freedom produces, and that cure is *freedom*! When a prisoner leaves his cell, he cannot bear the light of day; he is unable to discriminate colors, or recognize faces; but the remedy is not to remand him into his dungeon, but to accustom him to the rays of the sun. The blaze of truth and liberty may at first dazzle and bewilder nations, which have become half blind in the house of bondage; but let them gaze on, and they will soon be able to bear it. In a few years men learn to reason; the extreme violence of opinion subsides; hostile theories correct each other; the scattered elements of truth cease to conflict, and begin to coalesce; at length, a system of justice and order is educed out of the chaos."

from national calamities, if they permit national evils and national wrongs ; that national greatness consists in national goodness ; that national strength is to be found in the virtue and intelligence of the people.

In the language of an eloquent senator,\* “ National character is national power ; and the purer, the more elevated, the more spotless the character, the greater the power. I trust, therefore, in God, that I am right in the opinion that this war is upon our part just and honorable.

“ Mexico is answerable for all these sad and sickening results. The war is just, because she commenced it. It does exist by her act ; and, so help me God, but for that conviction, as I reverence truth and detest falsehood, I would never have voted for the act of the thirteenth of May, 1846.”

By the stipulations of the treaty of peace, the gain to our country is gain to the cause of freedom.† Our government receives no treasure, our people receive no wealth. Not one man of our twenty millions of people has the individual benefit of a single farthing extorted from Mexico by the conquests when achieved.

It is true, the ceded territory will doubtless prove of great consequence to the future inhabitants of this country ; but the privileges secured are purely national, not individual, and they give power to a nation that is able and willing to protect them, and the universal cause of right in all coming time. The gain is not for the good of this country alone, it is a gain to humanity. It is not for the American, but for the race. This continent is to be the vast asylum of the world, for man to inhabit, in his weakness or strength, and to receive protection and encouragement.

The conquests of our army are not like those of the early ages of the world, where confiscation of property, and where liberty, were the forfeitures of defeat. We sought power that justice might be done, and protection given. Our government asks nothing from its people, but faithfulness to themselves, to

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\* Hon. Reverdy Johnson.

† See Appendix B B.

their rights, and to their institutions. Their moral condition characterizes their institutions ; it gives them birth, it gives them being. The people are made their own protectors, their own guides, their own masters. The government of the United States is but a manifestation of their wishes, an imbodiment of their power.

It is asked, with apparent sincerity, by some, " What right have we to invade Mexico ? What right have we to reduce a nation already too feeble to support itself, already too miserable for existence, and to dictate terms for settlement of expenditures which have given us the power to lay her prostrate at our feet ? "

By what right have we the power to do any thing ? By what right is the soil of our land divided among its people ? By what right does the citizen ask to be protected from wrong ? By what right do freemen claim liberty of thought and conscience ? By what right do we ask to be protected in our comforts, pleasures, and homes ? By what right do we demand institutions of freedom and of knowledge ?

BY THE RIGHTS OF JUSTICE AND HUMANITY. By the rights developed in God's providence, and which may be extended to all people, when all people shall know the laws and understand them, by which men, and governments, and nations may live, flourish, and be happy.

If man will but study the destiny of man and of nations, he will see a harmony of constitution pervading the circles of society, and extending from a family to a nation, and from a nation to the world. There is a cause which would lift up the individual to the performance of the duties of social life ; there is another that would elevate the citizen for the good of his country ; there is another that seeks to give strength and character to a nation, and still another that gives compacts and laws to nations, the greatest, the widest cause of all. The rights of nations are to be exercised for the good of nations. The universal good of nations consists in justice and integrity. *In the name of this sacred cause, the cause of God, the prog-*

*ress of man, the freedom of mind and body throughout the whole earth, this war was prosecuted by the government of the United States, in its wisdom, as an act of JUSTICE.*

It is a passage of great truth, in one of the speeches of Governor Cass, that "All wars are to be deprecated, as well by the statesman as by the philanthropist. They are great evils, but there are greater evils than these, and submission to injustice is among them. The nation which should refuse to defend its rights and its honor, would soon have neither to defend."

## PARTY VIEWS AND PARTY PRINCIPLES.

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THE present condition of political parties in this country, is a subject of singular interest to the citizen and to the observer. The elements which constitute the causes of difference, and the difference of principle, of profession and of action, are so diversified and opposite in character, that it is a matter of no small difficulty for the candid mind to decide what course of influence is safest and best ; to discriminate between the transient and permanent, to draw a just line of distinction between the honest and dishonest pretensions of political leaders.

In no country, perhaps, are the rights of the citizen, and the nature of government, so much discussed as in this, not only by the well-informed, but by the ignorant ; and yet there seems to be but little practical knowledge developed and systematized.

There is, indeed, a diffusive expression of opinion, and an apparent maturity of judgment, but a little attention to the views of many of those who claim to be the light of the people, must convince any one that they are not only selfish, but that they really have no philosophical basis of their own.

The modern politician is too superficial to be a discerning leader, and too much the creature of circumstance to be a safe adviser. This is true, in some degree, of all parties. He sees but a part of the whole, and judges the whole without regard to the parts. He appeals too much to local interests and prejudices ; and if he cannot gain his ends by an open and frank avowal of his principles, he is too ready to employ indirect and unworthy means for their accomplishment. His



policy is a transient one ; and, instead of anticipating and providing for the distant evils of favorite measures, he sees nothing but the present good.

This view is no fiction, but a reality. We can exempt no State from the application ; it is due to all, and all seem to be involved in difficulties incident to selfishness. New expedients receive attention to the neglect of settled principles, and the policy of the moment is in favor, at the expense of what should make the policy of a generation. Most parties speak much truth, in opposition to one another ; all parties commit their errors upon different subjects, at different periods.

In this state of things, in this confusion of profession, of principle, of practice and malpractice, it requires an extraordinary degree of moral courage to stand above the temptations of designing men.

It becomes the natural inquiry of the citizen how he is to distinguish the right from the wrong ; and, without more error than falls to the lot of humanity, to do his duty to himself and to his country. What make the standards of party ? Which standard is right, and how are others wrong ?

We deem this a profitable subject of inquiry. It is not a new one. It may not be an interesting one. All will agree in its importance. If we do not enlighten our readers, they will admit, we doubt not, that it is some service to remind them of what they know and to render familiar the fundamental principles of our institutions, which should ever be present with a party that trusts to be permanent.

Parties are either *permanent* or *transient* ; the former recognizing fundamental principles, which forever remain true ; the latter, organizing and reorganizing according to incidental circumstances, local interests, special interests, or special reforms. The former raises its standard, declares its principles, and through them reach the various causes of reform, and adopts all practicable measures that promise to conduce to the prosperity of the country. The latter is either conservative, or ultra, or special, or local. It carries the standard of a day ; it

avows but one principle of a thousand. It is partial, and looks to a single interest, severed from its connection with more important ones. It seeks to increase the power of the few, without regarding that the expense is to the many. It is conservative in the great party, it is intolerant in the small. It existed yesterday, and to-day it is not. The influence of these parties is not continued and concentrated within themselves; but whatever they mature of right soon reaches and is made to help and elevate the dominant party.

We would not denounce such parties. We would not denounce any party. We claim to prove a party in the right; and if a party be in the wrong, it may be shown by our standard, or it may be proved so by its own measures. We do not mean that we would extend to such parties our favor, for this would be a compromise of principle. We do not mean that we would spare them from attack, for this would be a compromise of duty. We mean, that we will not denounce a party because we are not counted one of its members; but we would subject it to the severest scrutiny, to the severest test known to science, or demanded by principle. We would try it by its own standard, and by that which we deemed to be permanent. We would prove it to be in the wrong, or admit it to be in the right. We would be firm without dogmatism, and bold without arrogance.

We can see much good in the conflicts of party. Parties are not voluntary associations, made up of men who choose their part without reference to convictions. We have a higher respect for the people than to suppose that their faith is the result of their interest or their will. We do not deny exceptions. Men act from the evidence that is in them, and around them, and before them. Their opinions are spontaneous, their motives rest in conscience, and their acts should appear in conformity to these. They are independent as individuals, and as individuals they act in parties. They have individual interests, and party interests. The individual seeks to bring the party to himself, but as all cannot be exemplars, all yield minor views, and unite on certain great and fundamental prin-

ciples. What cannot be gained at once, must come by degrees. What cannot be understood at once, must be taught by degrees. What is not practicable now, must be studied as a future measure. Party zeal may outstrip party prudence ; but party prudence should yield nothing to cowardice at the expense of principle. While it is admitted that zeal may save us from lethargy, it must be borne in mind that judgment may save us from the errors of careless or hasty thinking.

The deep lines of party distinction represent frequently great and important interests. Men are influenced by what they have, or by what they want. They design to be true, but they are frequently blinded by their interest. They design to be just, but they err in not respecting the motives of their opponents. They intend to be charitable, but they mistake the objects of charity for the subjects of censure.\*

The existence of parties constitutes the means of political progress. Parties may be violent, they may agitate a whole nation, and threaten its peace ; but without this exercise no nation can have maturity, no nation can have strength or acquire glory. What exercise is to the physical system, it is to the nation. It develops its means of strength. The conflict of opinion is the exercise of mind ; the conflict of party make that of a nation. We would not encourage division unless made subservient to a well-tried standard, nor would we lament it if dictated by honest motives.

In this country there are two great parties ; the democratic, or republican party, and the conservative, or whig party.

The democratic party has its standard of principle and its rule of action. It seeks to reach the whole people, and to secure equal rights to all, without unjust sacrifice to any. It stands upon the basis of the Constitution, and yields none of its safeguards to construction. It sustains the humblest citizen in all his rights, and the States in their prerogatives of sovereignty. It favors simplicity of life, the elevation of the

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\* See Appendix C C.

people, and rigid economy in the administration of government. It acts from itself outwardly, and seeks to extend the greatest good to the whole people. The declarations of the party, adopted years ago, still remain the standard. As new measures are acted upon and determined, they cease to continue subjects of party discussion. Omitting these, the resolutions adopted by the Baltimore convention, in 1844, were readopted by the convention of 1848. We copy them in our Appendix, as embodying fundamental views.\*

The history of the democratic party shows that, when its measures have been tested, they have proved true to their objects. Having been the dominant party of the country, our prosperity as a nation is justly attributable to its prudent measures. In the operations of government, it has been prudent in its expenditures and faithful to its trusts. We have inserted in the Appendix, tables exhibiting the receipts and expenditures of government from 1789 to 1846-7,† and the losses of government from 1789 to 1837.‡ The losses since 1844, have been very small, — indeed, we have no account of any.

These tables exhibit a degree of economy in the government of a nation which must be highly gratifying to all parties. It is a proper subject of national congratulation at home, and it affords an example of most fearful import to other powers abroad.

In noticing the conservative, or whig party, we speak of it as such, without wishing to be considered discourteous to the many estimable citizens who rank themselves as members of it. We invite them to an impartial examination of principles. If they would characterize the measures of government by their talents and influence, their proper course, let us respectfully suggest, is to join the dominant party.

The conservative party places its standard in particular measures. When those measures are lost, its standard is gone. It is in opposition to the dominant party. It is the veto party to the rights of the people.

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\* See Appendix DD. † See Appendix EE. ‡ See Appendix FF.



It opposed the war of Madison, in 1812. It opposed the war with Mexico, in 1846-7.\* It opposed the free-trade tariff of 1846. It opposed the sub-treasury of 1840, and repealed it in 1841. It opposed the constitutional treasury of 1846.† It resorted to extraordinary exertions to sustain the United States Bank, and to renew its charter. In all these examples their opposition was against their government, against the views of a large majority of the people ; and time will prove that in no instance, on great questions, has the party been in the right.

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\* "Every measure of policy to which the democratic party were pledged by the resolutions of the Baltimore convention, in May, 1844, have been established, and the country is now in the enjoyment of their full fruition." \* \* \* "Thus it is apparent that the whig party before this time would have ceased to exist, but for their opposition to the war." — *Mr. Inge's speech, House of Representatives, March, 1848.*

This is true, in some degree, but not without qualification. The whigs will always continue as a party, though they may not be true to any particular standard. Conservative influence is as important in politics as it is in science. Although it may oppose new measures of progress, it must be admitted that it furnishes new motives to exertion, and opens new sources of proof and illustration to sustain truth, and to render more obvious the positions of error. The whig party is favored by great wealth, and its interests will ever incite its members to activity. Its ranks are honored by men of splendid talents and extensive attainments ; and to deny the importance of their exercise and use to the country and to the world, would be an act of reckless folly and injustice. Their opposition to error will help to make it appear in its true light, and their opposition to truth, should their interests seem to require it, will tend to render its benefits more manifest. The party is strengthened and dignified by such men as Webster and Clay ; but it cannot be true to them unless their principles and measure of influence happen to coincide with its temporary interests and fluctuating notions of availability. Therefore, most of the sacrifices and mortifications of the party fall upon its leaders. This arises from the fact that, generally, the lovers of money are not lovers of science. Opinions are made subservient to interests.

† The final vote of the house was 123 to 67. The vote of the senate was 28 to 24 — strictly a party vote.



It is a party that hopes to succeed by the supposed errors of their opponents, without reference to any fundamental principles of their own. It favors the interests of the rich, the power of corporations, the influence of the few at the expense of the many. It claims for government a conservative action, it claims for office an advisory privilege, and for its members a superiority of position.

The great questions which have marked its acts having been settled, the party is now without a standard. They have been proved to be in the wrong by the success of widely different measures, upon the same subjects, of the dominant party. They are still in the opposition, and without a standard. They ask for power on any conditions. They are willing to join any other party, if, by combination, they can defeat the democracy, provided the victory, if gained, may be called their victory.

There is too much truth in the remark of Matthew Carey, addressed by that writer, in the Olive Branch, to the federal party, in 1814, as applicable to the whig party of the present day: "Your party rises as your country sinks; it sinks as your country rises."

When General Jackson was elevated to the presidency, they knew no precedent so dangerous as to elect a "military chieftain" to that high office. Now they have deserted their own great leaders because without prospect of success, and have confirmed the nomination of an independent candidate who acknowledges no party, and who is distinguished only as a military chieftain. He was one of the principal heroes of the Mexican war. They opposed the war, not because they deemed it unjust; not because they were friendly to Mexico, — for while they were busy in their opposition, they voted supplies for the army and abused the Mexicans, — but because they *had* been opposed to the government of the people; and, to be consistent, their opposition must be still continued. When it was found that the hero of Buena Vista was an available candidate, they came forward to sustain him as *their* candidate, not because they approved his views, or that he was

pledged to sustain theirs, but because he was placed in opposition to the candidate of the people. They had, in Massachusetts, refused to vote him thanks for faithfully serving his country ; not because they deemed him unworthy, but because they were opposed to the administration that enabled him to become distinguished. Now that the war is finished, they participate in its glory, and are ready to make him president of the United States, not because he is conversant with the great principles of government, and has had experience in the administration of its affairs, but because he was successful in killing the Mexicans ; and yet, but a few months ago, they declared it the enormity of sins that they were killed at all. But it may be said, that “ *this was done under orders !* ”

This is infinitely worse. They are even willing to sustain General Taylor, as their candidate, at the expense of his honor and integrity,—to make it appear that he considered himself a mere *hireling*, and was ready to fight in an *unjust war* for a salary ! \*

If General Taylor be what many suppose him, — a man of sound sense, of firmness, of patriotism, of honor, and integrity ; a gentleman of wealth, and wanting the aid of no man, of no government ; a man, indeed, fitted by nature and education to honor the highest office of this country, — how shall we speak of a deliberate opinion, that such a person, a citizen soldier, should plan the destruction of an innocent people, the people of an injured nation !

Having a high respect for that distinguished officer, we doubt much whether he will consider such views either as creditable to their authors or complimentary to himself. If he should prove to be the choice of the people, and if we are correct with respect to the peculiar features of his character, this party, we are inclined to believe, will have but little reason to congratulate themselves upon that influence which they covet,

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\* Our army is made up of citizens ; its officers are citizens ; and if any deem a war unjust, the way is open for resignation.

or upon that harmony of views, of which they speak so much, and know so little.

Upon the subject of slavery, this party is disposed to take both sides of the question. It opposes Governor Cass because he is against the Wilmot Proviso. It opposes the Wilmot Proviso, because General Taylor is not in favor of it. It opposes Governor Cass, because he upholds the South in their constitutional rights in regard to slavery. It favors General Taylor, although they know him to be pledged, as a citizen and slaveholder, to sustain those interests which include his own.

We point out these peculiar inconsistencies to illustrate our views, rather than to enjoy any satisfaction which such an analysis yields. We candidly confess there is no pleasure to be derived from facts which seem to indicate so little self-respect, so little regard for party integrity, and so little faith in their own supposed great principles.

A review of the democratic party of this country would exhibit results highly gratifying, but our limits preclude it in this place. It has had its share of error, unquestionably, but of its permanency, its triumphant success, no one can doubt. Its measures have become a part of history. Its views have made the nation's policy, and its principles the nation's glory.

In this connection it is but an act of justice, due alike to the present administration, and to the people, to notice two great measures which have already proved the profound sagacity of their projectors, and have added strength and glory to the democratic party. We allude to the "constitutional treasury," and the tariff of 1846.

## THE CONSTITUTIONAL TREASURY.

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THE question of the currency is one of the most important, the most difficult, that can claim the action of government or the attention of the people.

Without a good system of currency, enterprise loses its inducements, business becomes confused, and industry fails to receive its just reward.

In the currency of a country every man's interest is involved, and as it is regulated by government, as a question it is frequently made an engine of political influence. Its peculiar power is well understood by politicians. If times are prosperous, credit is given to the government for judicious management, even though government has done nothing to make them so. If times are adverse or disastrous, then the government is made responsible for the folly of the people, or their institutions; and many are ready to unite in opposition to all its measures, though the subject of the currency may not be involved in any one of them.

A good system may be badly managed, or a bad system may be well managed, and both appear equally successful. A good system may be perverted, or subjected to extraneous influences. It becomes, therefore, a matter of great importance that a system should be as free as possible from all these contingent relations. That it should be independent in its operations of those circumstances of interest, excess of transaction, or adverse results of trade, of which this country has no



occasion to be advised. That its safeguards should be within itself, standing as a whole, in relation to the people.

As yet such a system has not been reached. The different States have different banking systems, and with what success they have managed their affairs may be inferred from the fact that in fifty years—from 1789 to 1841—395 banks failed, involving a total loss to the country of nearly \$400,000,000.\*

These systems in the different States have diversity of merit; but the greatest source of difficulty in all failures of banks, has been found to be in their mismanagement. There is one feature, however, which is common to them all. They admit a specie basis of silver and gold. This, then, is the only true standard known to, or that can be recognized by, our general government.

It is true, at one period there was an United States Bank, an institution which appeared to accommodate the whole country. It was chartered, however, with no peculiar provisions not adopted by the State banks. It had a large capital, and it had its branches. Its basis, and its mode of doing business were nearly the same as those of the State institutions. It was

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\* In 1841, the secretary of the treasury, the Hon. Levi Woodbury, made an able report on "the losses by the general government, and by the people of the United States, from the use of banks and bank paper," from which we take the following

SUMMARY.

Losses by bank failures, - - - - -	\$108,882,721
Losses by suspension of specie payments by banks ;	
consequent depreciation on their notes, - - - - -	95,000,000
Losses by destruction of bank notes by accident, - - -	7,121,332
Losses by counterfeit bank notes, beyond losses by coin, - - -	4,444,444
Losses by fluctuations in bank currency affecting prices,	
extravagance in living, sacrifices of property, and by	
only a part of the other incidents to the banking sys-	
tem, not computed above, at least, - - - - -	150,000,000
Aggregate, computed, - - - - -	\$365,451,497



exposed to the same errors, to the same dangers, to the same temptations. It had no vital conservative principle of its own. It was in the hands of men to be managed for safety and for interest. These two conditions are not always compatible with each other. The conditions of safety may not always conduce to our interests, and it is certain that our supposed interests do not always lead to safety. The system of discount is a system of credit. It is the assumption of risk, for an interest, and therefore subject to the contingencies of trade. It is more than this; the prevailing system of discount is a powerful stimulant to trade, and perhaps to this source more than to any other, are attributable the great evils of over-trading and speculation of the present day. The trader is induced to sell on credit, and to obtain discounts on all his transactions. In this way he makes a large capital out of his sales, although his real capital may be a small one. He trusts a customer a certain amount for a commission, and on a certain term of time, but he instantly parts with the bill of his customer to a bank, and pays interest, realizing ready money for a new transaction. This, often repeated, is called "good business." The debts are transferred to the banks, and they become parties to the sales and risks, for interest.

The objection to this system of discount is, that it tempts men to speculate beyond their means. What tempts one, tempts all; and the aggregate of transactions soon exceeds the capacity of the currency of the country, and failures become inevitable. If it were required that every man should give direct security for loans, as such, and if every trader who gave credit were required to wait for payments from his customers, business would become more permanent. Sales would be less, but profits would be more. Risks would be lessened, and failures could seldom happen.

But this is not the present condition of things. The banks are involved in the business of the country. They are subject not only to the disasters of mismanagement, but to the frauds, errors, and follies of the whole trading and speculating com-

munity. They part with a portion of their power of self-protection whenever they assume a risk. They may exercise their best judgment, their nicest prudence, but neither good judgment or prudence will prevent the errors of others.

At one time, there was no man in the country more respected for his sound judgment and financial skill, than Nicholas Biddle, president of the United States Bank, chartered by the State of Pennsylvania. That he had as much ability to manage a bank well, as any other man, we have no doubt. His operations were great, because his means were great; and though similar mistakes in less degree had been committed by others, thousands of times, his errors were called great errors because connected with great sums. He was made to believe that he possessed more power than he really did possess; and it is easy to see, that after this step was gained, it led to another and a more fatal one. He was asked to give more aid than he was able to give. Others were made to believe that he had the power, and he adopted the error, and attempted to execute *financial impossibilities*. In the end, he alone was unjustly held responsible. The results are before the world. The bank committed its errors, and lost its power. It failed. The government of the bank, doubtless, had its share of error in its operations; but the actual causes of its failure were with those who subjected the institution to transactions that were inevitably ruinous in their nature. It is true, the bank had the power to negative a proposition, but it must be remembered that even this is often mastered by superior influence, or superior interests. This bank differed from other banks only in the extent of its capital. It was no safer because it was large. If it had more means it was subjected to more risks, and in no way was it exempted from the penalties of error, fraud, or mismanagement.

It was an extraordinary foresight in President Jackson, that the former Bank of the United States, by his firmness and influence, failed to obtain a renewal of its charter. But for his firmness and unexampled integrity it would have been

continued, perhaps, even to this day. He saw in it elements not warranted by the Constitution, and such as were dangerous to the best interests of the country. It was liable to great abuses ; it became the agent of political power, and in the end it even attempted to master the government itself. Its friends were indignant at its fall, but that indignation gave way to calm reflection, and, after a ruinous experiment to establish a similar one under a State charter, they have become persuaded that the people can prosper in the absence of a United States Bank.

When the charter of this bank expired, our government was compelled to rely upon the State banks as places of deposit of the public funds. This was a necessity rather than a choice. The consequences were bad for government and fatal to some of the banks. It could not well be otherwise, in the nature of things. New transactions, risks, and temptations were multiplied beyond the wants of the communities in which the banks were located, and losses followed. The experiment furnished another striking example, tending to prove that the government ought not to rely for the safety of its funds upon banks.

It soon became a leading question with government, what system should be adopted for the collection, disbursement, and safe keeping of the public moneys.

In 1840, a sub-treasury was established, but it was repealed by the whigs in 1841.

The present constitutional treasury was established in 1846, and it commenced its operations in January, 1847.

It takes the standard of all the banks, and receives and pays nothing but specie.\* It is made strictly the agent of the gov-

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\* "If Congress were to pass forty statutes on the subject," said Mr. Webster, in 1816, "they could not make the law more imperative than it now is, that nothing should be received in payment of duties to the government but specie. The whole strength of the government, I am of opinion, should be put forth to compel the payment of the duties and taxes to the government in the legal currency of the country."

ernment for the people. It loans no money, incurs no risks. Its business is simply to receive, to keep safely, and to pay out according to the requisitions of law.

The effects of the constitutional treasury upon the banks have proved in the highest degree beneficial. Its reserve of specie is a check upon their discounts. It is not counted as a part of their means, and therefore cannot make a part of their loans. (See Appendix G G. and H H.)

A community is not made richer by having unlimited access to money under the conditions of discount. Far from it. It is made poorer. The spirit of industry which seeks the use of money is generally a safe one. But the motive which offers money to industry is generally a selfish or a speculative one. Money being the ultimate object of trade, as controlling all classes of property, each person aims at increasing his share, without sufficiently thinking that the success of the few is at the expense of the many.

FREE TRADE. TARIFF OF 1846.

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TRADE is the exchange of commodity. The basis of trade is industry. Industry produces, and it is the function of trade to exchange.\* How far trade should be controlled and industry protected by law, have been the great and exciting *tariff questions* of the country.

To understand this subject, we reduce it to its elements. To do it justice would require a treatise, and our brief allusion to it is for the purpose of asking attention to the results of the tariff of 1846.

As all nations must have sources of revenue, means to pay the expenses of government, it becomes an important question how far home industry may be protected by an assessment of duties on articles of foreign production or manufacture, which are imported to displace similar articles of our own?

All taxes for government purposes are apt to be regarded as evils, and it becomes the study of the political economist, how these supposed evils may be balanced by a system of compensation. No direct taxes, for example, are assessed upon the people by the general government. But duties are imposed upon foreign articles; merchants pay the duties, and the peo-

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\* "Man," says Archbishop Whately, "might be defined as an animal that makes exchanges; no other, even of those animals which make the nearest approach to rationality, having to all appearance the least notion of bartering, or in any way exchanging one thing for another." — *Political Economy*, Lecture I.



ple pay the merchants. After all, the tax is upon the people, but so indirectly, that they hardly perceive it in their ordinary purchases at the shops.

It may be remarked that the operative is chiefly confined in his purchases to home products, — his means not being sufficient to indulge in foreign luxuries, or the more costly fabrics.\* By this exemption of necessity, he gains a partial protection on his labor, and the tax falls more upon his employer, or upon those whose means do not limit them to articles of home production.

How far this system may be carried with undoubted advantage, is a question in the process of solution. Various experiments in this country, however, show conclusively, in our humble opinion, that it is a system of taxation that should be confined to the mere wants of government. To this extent, even, it is an evil. Perhaps this form of taxation is as little obnoxious to objection as any other, but its inequality is obvious, while its ultimate results are doubtful. Besides, it must be considered that this inequality is not confined to classes of citizens. It is to be found in the local or sectional interests of the country. The South may be called upon to pay the taxes of the North, and *vice versa*. Whoever prefers foreign products to his own, is called upon to pay for his preference.

If we consider the subject of trade, we are led to inquire into the conditions of industry. Whatever favors the latter cannot injure the former, but tends to promote it.

Industry is the employment of the human faculties in the great objects of life. It is moral, or physical : the moral, embracing whatever relates to man as a being of accountability and improvement ; and the physical, embracing whatever relates to man as a being of labor or skill for the means of subsistence.

The great problem for solution, is, how man as a being of

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\* It should be stated, however, that the operatives purchase many foreign imports, which are the necessities of life, such as sugar, different kinds of iron, &c. &c.

labor and skill may best succeed. As the objects of industry are essentially controlled by nations, this becomes a national question, to be decided by each nation for itself.

Man is both the being of production and consumption, the subject of want and the agent of supply. This mutual arrangement of dependence is in harmony with the great laws of progress, and leads to those changing modes of activity which develop man and nature.

With a proper idea of the great ends of industry, we may better understand the conditions most conducive to success.

It is the business of one man to sow and harvest the wheat ; of another to bolt it ; of another to find a market for the flour. This division of labor is applied to every thing, and leads to trade, commerce, and navigation. Man becomes the competitor of man throughout the world. All the products of the earth are placed within the reach of every people, and the industry of one nation is made to stimulate and to promote the industry of all nations.

Inventive genius is in requisition to reach new objects, to increase power, and to lessen labor. Skill is demanded to compete with skill, and men are transferred by interest from country to country, to extend their knowledge, and to exert their peculiar powers. Railroads have made the citizens of a country neighbors at home, and steamships have made them neighbors abroad. Diversity of character leads to diversity of wants, and wants lead to interests. New products are discovered, new combinations and applications are developed, new wants are created, and new sources of comforts realized. Without these new resources, constantly springing up on the great highway of time, industry would be checked by the increase of population, or by the increased power of production, and man would become indolent and corrupt, and nations would suffer and decay. *But with these resources, what but freedom of thought, of action, of labor, of trade, of enterprise, will subserve the great interests of man? How else can*

*we be true to the laws which are written by the hand of Providence upon the broad face of nature ? \**

There is no condition exempt from labor, it is the common lot of humanity. The idle suffer, and their suffering is more than labor. The life of an idle man is short. The same is true of nations. Labor is the condition of success, industry of comfort, integrity of happiness. Whatever promotes these promotes the good of a country. Whatever competition is to the individual, industry is to the nation.

It is a wise law of Providence, that the business of man shall subserve his moral being, and that his business success is made to depend, in a great measure, on his moral integrity. Men and nations are brought together by their wants and interests. Examples of failure serve to illustrate causes of success. Competition invites to improvement and progress. Men learn the conditions of prosperity, and the penalties of error and sin.

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\* "The introduction of the principles of free trade removes many of the causes of sectional jealousies, and diminishes the subjects of necessary legislation. If the extension of our people increases the difficulties of free government, the march of mind develops new resources for overcoming them. That there are limits to this capacity is not to be denied ; but it is equal, I believe, to the accomplishment of the mission upon which we were sent. Can a more magnificent destiny be conceived than the realization of such hopes ?—to fill a continent of space with all the elements of light, life, and civilization, in their purest forms and highest combination ; to wring from the reluctant grasp of earth the fruits which she yields only to human skill and industry, and to discover resources in the boundless stores of nature for every new or increasing want which a progressive civilization may develop ; to acquire a moral influence more extensive and enduring than any power of the sword, and which enforces homage, not from the lips, but the heart of every human being who can feel the force of beneficent example. Happy ourselves, and the cause of happiness in others, what higher tribute could we offer to Him who has endowed us with unparalleled advantages, than the spectacle of such a power guided by the spirit of justice and moderation, and directed to virtuous ends ?"—*Speech of the Hon. Mr. Hunter, U. S. Senate, Feb. 1848.*

They are self-moved to avoid the one and to observe the other.

With a knowledge of these laws, it is easy to see that the greater the freedom given to the industry and trade of a nation, the greater are the inducements to activity.\* If its people are ambitious to excel, they have before them the encouragements of a world.

If nations would prosper and live, their only hope is to be found in their intelligence, industry, and faithfulness. The subject of *free trade* is not one merely of pecuniary relations, — these afford only the means of advance. It is a subject of moral interest, and one of deep concern to posterity.

If the prohibitory system were right for one nation, it would be right for all nations, — and commerce would cease. This course is not adopted because it is opposed to the interests and experience of all — as already ascertained.

The protective policy, as such, has its domestic evils. Its encouragements lead to excesses, and to instability.† Its inducements to enterprise fluctuate and become neutralized by home competition. It diverts labor from its accustomed channels to temporary objects, at a loss to the poor. It gives rise to corporations with power of capital detached from the conditions of industry, which tend to prostrate individual enterprise. It builds up factories and takes the young from their

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\* See Appendix I I.

† “In 1828, the manufacturers, as a body, failed. It was much easier to tell who had survived the shock than to enumerate all that had fallen. A tariff was passed to save them, and they failed the faster after it was passed, besides the commercial failures which followed, not of people who had been insolvent for years, but of those who a year before were worth their tens of thousands, not to say their hundreds of thousands of dollars, and who had managed their business with ability and prudence. During most of the year 1829, the pressure continued till factory stock could hardly be given away, and shares which cost a thousand dollars, in some cases were sold for a five dollar bill, and in others would not bring that price.” — *From a Speech delivered in Salem, March, 1834, by Hon. Robert Rantoul, Jr.*



schools, and from the moral atmosphere of their homes.\* It gives birth to cities, made up of people linked with mere machinery, without adequate means of moral and intellectual culture. We do not speak of examples, but of tendency. This country has not age enough to see the results of such a policy, and we are rejoiced to know that we have men of sufficient wisdom to establish a system that promises permanency and prosperity.

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\* It is scarcely possible to speak of the vast accumulation of masses of human beings in the manufacturing districts — “*the crowded hives*,” as they have been called, — without something like anxiety and apprehension.”

“The employment of infant labor is very generally urged as the worst feature in the factory system, but it is generally recognized that this is a result of a greater evil, and in many cases an alleviation of it, arising from the disturbance of the parental and filial relations in manufacturing districts. The operatives are absent from home all day, and in many cases, from the crowded state of the lodging-houses, have no opportunity for conversation or social union with their families at night. Hence there is a want of those domestic feelings, reciprocally fostered by domestic intercourse — a want which, to the operatives themselves, is ‘a craving void,’ scarcely suspected by those who are not intimate with their condition. Mothers remain at the mill during the period of their pregnancy to the very last hour of physical endurance, and they return to work at the earliest possible moment after their recovery. Hence there is a sad waste of infant life during the periods of lactation and teething, and when this critical time is past, there is an absence of parental care and superintendence, which exposes children to forming habits of vagrancy and idleness.”

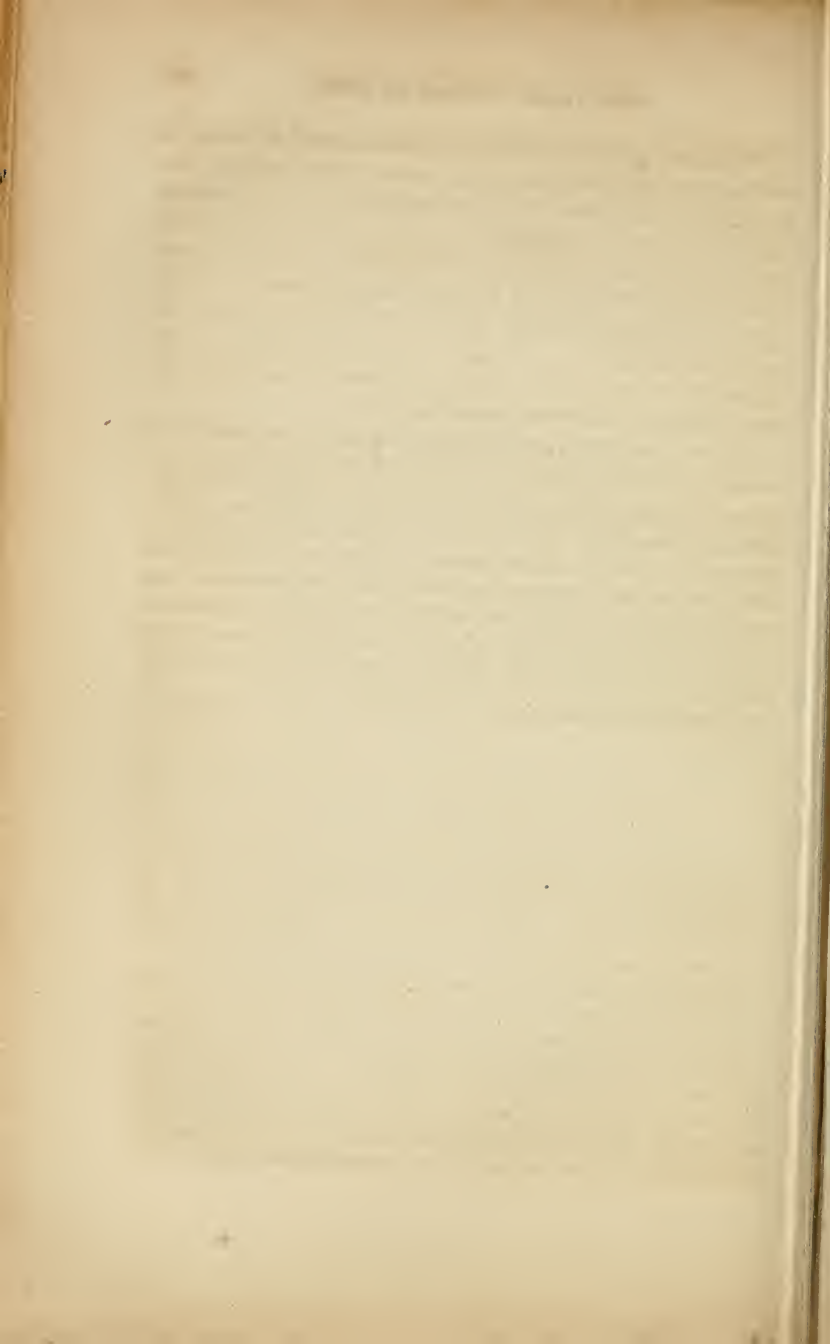
“To destroy the factory system is not practicable if it were desirable, nor quite desirable if practicable. But though we cannot destroy, we may use and regulate; we may so mould the course of its development as to render it the source of increased morality, increased prosperity, and increased social happiness to the British empire, and to every individual that empire contains.” — *Taylor's Natural History of Society*.

The people of the United States should be admonished by the experience of Great Britain.



We should regret to have our views construed as hostile to the manufacturing interests of this country. Far from it. We would favor them, foster them, encourage them. Not by false hopes, or deceptive measures of protection, but by extending their markets and improving their fabrics. We would commend to them a business of prudence, in preference to one of risk ; a permanent business, instead of a fluctuating one ; an individual interest in preference to a company interest ; and moderate dividends, that shall be uniform, in preference to large dividends, which are occasional.

To no citizen is our country more indebted for enlightened and practical views upon the tariff question than to the present able secretary of the treasury, the Hon. Robert J. Walker. His thoughts have become acts, and his experiments have become the policy of the nation. When we consider with what ability his opponents were arrayed against him, with what influences of rank and wealth they sought to establish an opposite system, we cannot but regard his victory as one of the greatest moral triumphs of the age. What Cobden has done for England, he has done for America. (See Appendix J J.)



# APPENDIX.

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## A.

### DECLARATION OF RIGHTS

OF THE CONTINENTAL CONGRESS, OCTOBER 14, 1774.

“WHEREAS, since the close of the last war, the British Parliament, claiming a power of right to bind the people of America by statutes in all cases whatsoever, hath in some acts expressly imposed taxes on them, and in others, under various pretences, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in these colonies, established a board of commissioners, with unconstitutional powers, and extended the jurisdiction of Courts of Admiralty, not only for collecting the said duties, but for the trial of causes merely arising within the body of a county :

“And whereas, in consequence of other statutes, judges, who before held only estates at will in their offices, have been made dependent on the crown alone for their salaries, and standing armies kept in times of peace ; and whereas it has lately been resolved in Parliament, that by force of a statute, made in the thirty-fifth year of the reign of King Henry the Eighth, colonists may be transported to England, and tried there, upon accusations for treasons and misprisions, or concealments, of treasons committed in the colonies, and by a late statute, such trials have been directed in cases therein mentioned :

“And whereas, in the last session of Parliament, three statutes were made ; one entitled ‘ An Act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading, or shipping of goods, wares, and merchandise, at the town and within the harbor of Boston, in the Province of Massachusetts Bay, in North America ;’ another entitled ‘ An Act for the better regulating the government of the Province of Massachusetts Bay, in New England ;’ and another entitled ‘ An Act for

the impartial administration of justice, in the cases of persons questioned for any act done by them in the execution of the law, or for the suppression of riots and tumults, in the Province of the Massachusetts Bay, in New England:’ And another statute was then made, ‘for making more effectual provision for the government of the Province of Quebec,’ &c. All which statutes are impolitic, unjust, and cruel, as well as unconstitutional, and most dangerous and destructive of American rights :

“And whereas, assemblies have been frequently dissolved, contrary to the rights of the people, when they attempted to deliberate on grievances ; and their dutiful, humble, loyal, and reasonable, petitions to the crown for redress have been repeatedly treated with contempt, by his majesty’s ministers of state :

“The good people of the several colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Newcastle, Kent, and Sussex, on Delaware, Maryland, Virginia, North Carolina, and South Carolina, justly alarmed at these arbitrary proceedings of Parliament and administration, have severally elected, constituted, and appointed Deputies to meet and sit in General Congress, in the city of Philadelphia, in order to obtain such establishment, as that their religion, laws, and liberties may not be subverted ; whereupon the deputies so appointed being now assembled, in a full and free representation of these colonies, taking into their most serious consideration the best means of attaining the ends aforesaid, do, in the first place, as Englishmen their ancestors in like cases have usually done, for asserting and vindicating their rights and liberties, DECLARE,

“That the inhabitants of the English colonies in North America, by the immutable laws of nature, the principles of the English Constitution, and the several charters or compacts, have the following RIGHTS :—

“*Resolved*, N. C. D.\* 1. That they are entitled to life, liberty, and property ; and they have never ceded to any sovereign power whatever a right to dispose of either, without their consent.

“*Resolved*, N. C. D. 2. That our ancestors, who first settled these colonies, were, at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities, of free and natural-born subjects, within the realm of England.

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\* *Nemine contradicente*, no person opposing, or disagreeing.

"*Resolved*, N. C. D. 3. That by such emigration, they by no means forfeited, surrendered, or lost, any of those rights, but that they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them as their local and other circumstances enable them to exercise and enjoy.

"*Resolved*, 4. That the foundation of English liberty, and of all free government, is, a right in the people to participate in their legislative council; and as the English colonists are not represented, and, from their local and other circumstances, cannot properly be represented, in the British Parliament, they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal polity, subject only to the negative of their sovereign, in such manner as has been heretofore used and accustomed; but, from the necessity of the case and a regard to the mutual interests of both countries, we cheerfully consent to the operation of such acts of the British Parliament, as are, *bona fide*, restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members; excluding every idea of taxation, internal or external, for raising a revenue on the subjects in America, without their consent.

"*Resolved*, N. C. D. 5. That the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of that law.

"*Resolved*, 6. That they are entitled to the benefit of such of the English statutes as existed at the time of their colonization; and which they have, by experience, respectively found to be applicable to their several local and other circumstances.

"*Resolved*, N. C. D. 7. That these, his majesty's colonies, are likewise entitled to all the immunities and privileges granted and confirmed to them by royal charters, or secured by their several codes of provincial laws.

"*Resolved*, N. C. D. 8. That they have a right peaceably to assemble, consider of their grievances, and petition the king; and that all prosecutions, prohibitory proclamations, and commitments for the same, are illegal.

"*Resolved*, N. C. D. 9. That the keeping a standing army in



these colonies, in times of peace, without the consent of the legislature of that colony in which such army is kept, is against law.

“*Resolved*, N. C. D. 10. It is indispensably necessary to good government, and rendered essential by the English Constitution, that the constituent branches of the legislature be independent of each other; that, therefore, the exercise of legislative power, in several colonies, by a council appointed, during pleasure, by the crown, is unconstitutional, dangerous, and destructive to the freedom of American legislation.

“All and each of which, the aforesaid deputies, in behalf of themselves and their constituents, do claim, demand, and insist on, as their indubitable rights and liberties; which cannot be legally taken from them, altered, or abridged, by any power whatever, without their own consent, by their representatives, in their several provincial legislatures.”

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## B.

### *The Press, Railroads, and the Magnetic Telegraph.*

“Intelligence is diffused with unparalleled universality; a free press teems with the choicest productions of all nations and ages. There are more daily journals in the United States than in the world beside. A public document of general interest is, within a month, reproduced in at least a million of copies, and is brought within the reach of every freeman in the country.” — *Bancroft's Hist. U. S.*

This was true in 1834; and since that time improvements of every kind have been multiplied to a degree truly astonishing. Steamships arrive from Great Britain, either at Boston or New York, every week; and we have an extent of railroads in the United States of more than 6000 miles; an extent of the magnetic telegraph conductor, completed at the present time of more than 5000 miles, and projected, and advancing rapidly towards completion, about 11,000 miles. Some of the companies are extending a second line between the principal cities. These are embraced in the above estimate.

The following beautiful passage occurs in the speech of Governor Cass, delivered in the U. S. Senate, February 10, 1847, on the *Three Million Bill* :—

“The senator from South Carolina has presented some views of

our augmenting population as true as they are striking. At the commencement of his life and of mine, this country contained three millions of inhabitants, giving a rate of increase which doubles our numbers every twenty-two years. There are those yet living who will live to see our confederacy numbering a population equal to the Chinese empire. This stupendous progress outstrips the imagination. The mind cannot keep up with the fact. *It toils after it in vain*; and as we increase in numbers and extend in space, our power of communication is still more augmented. The telegraph has come with its wonderful process to bind still closer the portions of this empire, as these recede from its capital. It is the most admirable invention of modern days. We can now answer the sublime interrogatory put to Job: 'Canst thou send lightnings, that they may go, and say unto thee, Here we are!' Yes, the coruscations of heaven man has reduced to obedience, and they say unto him, Here we are. It is yet in its infancy — an experiment, rather than an arrangement. Who can tell where future improvements may conduct it, or what sway it may hereafter exercise over the social and political condition of the world? what people it may bring together and keep together by the power of instantaneous communication? or how the events of distant nations, told almost to the other side of the globe, the very moment of their occurrence, may affect the future destiny of mankind?"

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C.

*From the Speech of Hon. H. V. Johnson, U. S. Senate, delivered February, 1848.*

"In the progress of the discussions on the topics connected with the war, a good deal has been said in ridicule of what is called 'manifest destiny.' Now, sir, I am a believer in this doctrine; but I would not employ precisely these words to express my opinion. I would say, that I believe it to be the manifest design of Providence, either that the whole of North America should be embraced within our Republic, or that, through the influence of our institutions, it is to become the theatre of the highest civilization and freedom. Yet, sir, I am no propagandist. I would not force the adoption of our form of government upon any people by the sword. But if war is forced upon us, as this has been, and the increase of

our territory, and consequently the extension of the area of human liberty and happiness, shall be one of the incidents of such a contest, I believe we should be recreant to our noble mission, if we refused acquiescence in the high purposes of a wise Providence. War has its evils. In all ages it has been the minister of wholesale death and appalling desolation; but, however inscrutable to us, it has also been made, by the all-wise Dispenser of events, the instrumentality of accomplishing the great end of human elevation and human happiness. Civilization, like her heaven-born pioneer mother, Christianity, has been compelled to force on her steady march, for more than eighteen hundred years, amidst the revolutions of empires, which have stained with blood her robe of whiteness. But, converting every obstacle to her progress into a weapon of victory, she shall encincture the globe with her girdle of light. It is in this view that I subscribe to the doctrine of 'manifest destiny.' It is in this view that I believe the whole of North America is consecrated to freedom. Neither legislation nor treaties can set bounds to the triumphant spirit of the age, which threatens thrones and dynasties, and augurs an entire remodelling and renovation of the social and political condition of the world. The results of war and the developments of science are but the echoes of the voice of Prophecy. The one opens the door for civilization, and the other sends its ministers by the power of steam, and speeds them upon the wing of the 'seraphic lightning.'"

*From the Speech of Hon. Mr. Hunter, U. S. Senate, 1848.*

"If my imagination were tasked to select the highest blessing for my countrymen, I should say, May they be true to themselves and faithful to their mission. I can conceive of nothing which it is possible for human effort to attain, greater than the destiny which we may reasonably hope to fulfil. If war has its dreams, dazzling in splendid pageantry, peace also has its visions of a more enduring form, of a higher and purer beauty. To solve by practical demonstration the grand problem of increasing social power consistently with personal freedom—to increase the efficiency of the human agent by enlarging individual liberty—to triumph over, not only the physical, but, more difficult still, the moral difficulties which lie in the path of man's progress, and to adorn that path with all that is rare and useful in art, and whatever is highest in civilization, are, in my opinion, the noblest achievements of which a nation is capable. These are the ends to which our ambition should be directed."

**D.**

*From the Speech of the Hon. R. Johnson, U. S. Senate, Jan. 10, 11, 1848.*

"Sir, I am not to be driven into a different course by being told that it would leave us a pecuniary loss. With me, Mr. President, loss of money is nothing to loss of character. With me the boundless wealth of the world would be as nothing, compared with what I should esteem the incalculable loss attending the destruction of our national character. But, sir, it is not true that a peace accomplished on the terms to which I have referred would leave us without indemnity. Sir, we have indemnity in the history of this war. It is to be found in the many glorious battle-fields which it has presented to an astonished world. It is to be found in the delight which electrified every American heart at the result of every conflict. It is to be found in the security which it furnishes against the disturbers of our peace hereafter. A few hundreds of millions, (even if it should go to hundreds,) that may be expended, will be forgotten even while spoken of, while the glory and renown which it has heaped upon the American character will be remembered as long as time itself shall endure. I am not, therefore, to be told that peace on such terms would leave us losers, in the true, high, and moral sense of the term."

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**E.**

## PLAN OF IGUALA.

"ART. 1. The Mexican nation is independent of the Spanish nation, and of every other, even on its own continent.

"ART. 2. Its religion shall be the Catholic, which all its inhabitants profess.

"ART. 3. They shall be united, without any distinction between Americans and Europeans.

"ART. 4. The government shall be a constitutional monarchy.

"ART. 5. A junta shall be named, consisting of individuals who enjoy the highest reputation in the different parties which have shown themselves.

"ART. 6. This junta shall be under the presidency of his excellency the Count del Venadito, the present viceroy of Mexico.



"ART. 7. It shall govern in the name of the nation, according to the laws now in force, and its principal business shall be to convoke, according to such rules as it shall deem expedient, a Congress for the formation of a constitution more suitable to the country.

"ART. 8. His majesty Ferdinand VII. shall be invited to the throne of the empire, and in case of his refusal, the Infantes Don Carlos and Don Francisco de Paula.

"ART. 9. Should his majesty Ferdinand VII. and his august brothers decline the invitation, the nation is at liberty to invite to the imperial throne any member of reigning families whom it may select.

"ART. 10. The formation of the constitution by the Congress, and the oath of the emperor to observe it, must precede his entry into the country.

"ART. 11. The distinction of castes is abolished, which was made by the Spanish law, excluding them from the rights of citizenship. All the inhabitants of the country are citizens and equal, and the door of advancement is open to virtue and merit.

"ART. 12. An army shall be formed for the support of religion, independence, and union, guarantying these three principles, and therefore shall be called the army of the three guaranties.

"ART. 13. It shall solemnly swear to defend the fundamental bases of this plan.

"ART. 14. It shall strictly observe the military ordinances now in force.

"ART. 15. There shall be no other promotions than those that are due to seniority, or which shall be necessary to the good of the service.

"ART. 16. This army shall be considered as of the line.

"ART. 17. The old partisans of independence, who shall immediately adhere to this plan, shall be considered as individuals of this army.

"ART. 18. The patriots and peasants who shall adhere to it hereafter, shall be considered as provincial militia men.

"ART. 19. The secular and regular priests shall be continued in the state in which they now are.

"ART. 20. All the public functionaries, — civil, ecclesiastical, political, and military, — who adhere to the cause of independence, shall be continued in their offices, without any distinction between Americans and Europeans.

"ART. 21. Those functionaries, of whatever degree and condition,



who dissent from the cause of independence, shall be divested of their offices, and shall quit the territory of the empire, taking with them their families and their effects.

“ART. 22. The military commandants shall regulate according to the general instructions in conformity with this Plan, which shall be transmitted to them.

“ART. 23. No accused person shall be condemned capitally by the military commandants. Those accused of treason against the nation, which is the next greatest crime after that of treason to the divine Ruler, shall be conveyed to the fortress of Barrabas, where they shall remain until the Congress shall resolve on the punishment which ought to be inflicted on them.

“ART. 24. It being indispensable to the country that this Plan should be carried into effect, inasmuch as the welfare of that country is its object, every individual of the army shall maintain it to the shedding, if it be necessary, of the last drop of his blood.

“TOWN OF IGUALA, }  
24th February, 1821.” }

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## F.

### MEXICAN AGGRESSIONS.

We think it may not prove uninteresting to the reader to know the nature of the claims of our citizens upon Mexico. We give a list of a portion of them, compiled by the Hon. Edmund Burke, in 1846, remarking merely, by way of introduction, that they are all taken from documents now on file in the department of state in Washington. Most of those occurring prior to Dec. 2, 1837, will be found in a letter of the Hon. John Forsyth, secretary of state, to the president, and published with the annual message of that year, in House Doc. 3, 2d Sess. 25th Congress.

*Abstract of a Statement marked A, accompanying Mr. Forsyth's Report upon Mexican Relations, dated Dec. 2, 1837, and addressed to the President.*

#### “CLAIMS ON MEXICO.

“No. 1. *A. P. Cheuteau and J. DeMun.*—These persons, who were chiefs of a hunting expedition, were, with their companions,

arrested by authorities of Mexico in 1817, carried to Sante Fe, where they were imprisoned and otherwise maltreated. The value of the property lost by them was represented to be \$30,380 74½.

“No. 2. *Brig Cossack*. — This vessel and her cargo were seized by the authorities of Mazatlan, in Mexico, in January, 1818, and condemned by a decree (of what authority is not stated) dated 21st July, 1819. Upon a reconsideration or appeal of the case, it was decreed, on the 27th of July, 1821, that the master and crew should be liberated, and that the money deposited in the national treasury on account of her sale and that of her cargo, should be paid over to the master. This decree was never executed.

“No. 3. *Cargo of the Ship Louisa, of Providence*. — The cargo of this ship, consisting of arms, cordage, and flour, with other provisions, was seized at the port of Acapulco, in 1821, by orders of Don Augustin de Iturbide, and appropriated to the use of the Mexican government. Feb. 1, that government decreed payment of damages to the owners, in the sum of \$48,363. Only \$14,418 has been paid.

“Nos. 4, 5, 6. — These claims are for the unlawful seizure and detention of specie belonging to American citizens, amounting in all to over \$25,000. It was taken by officers of the Mexican government, under orders of the emperor Iturbide, while on its way to Vera Cruz, in the year 1822.

“No. 7. *John K. West and others*. — The claim in this case is for a bill of exchange drawn by Don Jos. M. de Herrera, as agent of the Mexican government, and for supplies sent by his direction.

“No. 8. *Brig Liberty, Myric, Master*. — This vessel was seized by the Mexican government schooner Iguala, off Alvarado, on the 4th of May, 1824. The captain and crew were ill treated, and sent up to town. The claim in the case is for vessel and freight; the Atlantic Insurance Company, in New York, having insured the former at \$3500, and the latter at \$4000. The vessel sailed from Havana in March, 1824, and arrived at Pensacola on the 14th of April, where she paid about \$12,000 duties on her cargo. She sailed thence with a regular clearance for Alvarado. After her seizure there; a judicial tribunal directed the brig to be restored, but no freight was

paid. The vessel, however, had been so long detained, and so badly taken care of, that but sixty-four dollars were realized after paying expenses of sale. To the claim preferred by Mr. Poinsett for indemnification, the Mexican secretary of state replied, that *officers who make captures are liable to be sued in Mexican courts of justice, in case they proceed illegally.*

“No. 9. *Brig Cato.* — This vessel was boarded at Alvarado, on the 25th of August, 1824, by some twenty men, who rifled her of \$2701 in specie, and of numerous other articles. After threatening the life of the captain, and wounding two of the crew, they set the vessel adrift by cutting her chain cable, which, with the anchor, were lost. The claim in this case is for \$5544.

“No. 10. *Schooner Leda.* — In this case \$988 are claimed for the detention of this vessel some two and a half months at Tobasco, in 1824, and for the unlawful exaction of tonnage duties in August of that year.

“No. 11. *Borie & Laguerenne and others.* — This claim on the Mexican government is for a return of an overcharge of duties levied and collected contrary to prior usage, if not to law, on the importation of several parcels of American cotton, imported into Alvarado in November and December, 1824, and January, 1825, by merchants of Philadelphia and New York. The amount claimed is \$32,721, with interest from February, 1825.

“No. 12. *Schooner Felix, and Cargo.* — This vessel sailed from New Orleans, in August, 1825, and on the 7th of September, anchored in the Soto la Marina roads or harbor, where she was taken possession of on the same day by the Mexican vessel Tampic. She was condemned on the ground that she had articles on board of Spanish origin. Her insurance was \$30,000.

“No. 13. *Brig Delight, of Philadelphia.* A double Claim. — This vessel, in March, 1825, touched at San Blas, where the officers of the custom-house compelled the conveyance of her cargo over a mile to the custom-house stores, and its reshipment. The damage to the owners was estimated at \$3716 48. The same vessel entered the port of Sisal in September of the same year, where she was seized

by the collector with an armed force, part of her cargo forced on shore, her hatches broken open, and the cargo taken to the custom-house. Estimate of damages arising from the condemnation and sale of the cargo, &c., \$15,692 50. The Mexican secretary of the treasury had assured Mr. Poinsett that an order had been given to release the vessel and cargo. Mr. Poinsett pronounced this one of the most flagrant and unjustifiable violations of the property of American citizens on record.

“No. 14. *Schooner Fair American, of Baltimore.* — This vessel arrived at Refugio, January 4, 1826, was admitted to entry, landed her cargo under permit, and in part removed it to town, when the whole was seized by the Mexican authorities, and confiscated and sold. The Mexican consul at Baltimore afterwards requested of his government that the property might be restored, and the owner indemnified. Mr. Wilson’s claim for damages is \$50,225 21, the justice of which was understood to be acknowledged by the Mexican government. To the demand of the American minister for damages in this case, the Mexican government made evasive replies, and made no answer to his last note on the subject.

“No. 15. *Schooner Superior, of New York.* — This vessel was seized by a Mexican gun-boat in the port of Laguira, on the 23d of February, 1826, on a charge of smuggling. The American minister disproved this charge by the fact that the vessel, after trial, was not condemned. An authenticated account accompanies Mr. Poinsett’s letter, setting forth the unjustifiable manner of the seizure, the absence of all proof, and the wanton and shameful violence exercised towards the crew. The delay caused by the seizure of the vessel, and her abandonment on account of her becoming worm-eaten, are the grounds of this claim.

“No. 16. *Andrews’s Claim for Seizure of Wax at Alvarado.* — This claim arises from the seizure by the Mexican government of \$1631 25 worth of wax, on the pretence that it was of Spanish origin. This wax was originally shipped from St. Petersburg to New York, and from thence to Vera Cruz, when, not finding a ready sale after entry, the owners determined to reship it, but were prevented by the authorities.



"No. 17. *Ship Franklin and Brig Barrian, of Boston.*—These vessels formed an expedition, owned and fitted out by sundry persons of Boston and Salem, at an expense of \$90,175 02. In pursuance of their instructions, they traded at various places on the coast of California, paying the customary duties. On the 16th May, 1828, they were forbid further trading till the whole cargo was landed at St. Diego, and *all* duties paid to the *commanding general of California*. Declining to do this, they proceeded to the Island of St. Catalina, to land and cure hides. Concluding to return to St. Diego, they then, under a written agreement with the governor, landed all their cargo not left at the island, which was estimated at \$47,292, the duties of which were \$13,005 30. Eschandia, the governor, then gave them a written permission to continue their trade, and to remove the property left at St. Catalina. Subsequently, on asking for their ship's papers, they were refused, on the pretext that the *vessels had been to St. Catalina*, contrary to some regulation of which they knew nothing. Notwithstanding the charge of smuggling was proved false, the Mexicans put a guard on board the vessel, and commenced removing her cargo. The captain at length refusing to allow any more to go on shore, no condemnation of the vessel being shown, the Mexican officers and soldiers went ashore. The next day the vessels put to sea under a destructive fire from the fort. They left debts due from individuals and missions, to the amount of \$38,919 04, besides goods deposited as security for duties, which, with the packages taken from the ship, run up the whole claim for damages to \$53,657 54. The whole property was afterwards confiscated without judicial proceeding.

"No. 18. *Eli E. & J. S. Hammond* were jointly concerned in a trading expedition to Santa Fe in 1828. When within a few miles of that place, they hired a Mexican to carry a part of the goods with mules, on account of the roughness of the road. This man was arrested on a charge of smuggling, and the goods were confiscated, although the Mexican was liberated. He informed the authorities of the circumstances of the case, but the goods were not restored. Hammond claims \$7000 for his loss. Hammond also claims \$6000 damages for injuries to his business in 1830, by the conduct of Mexican authorities, whereby great expense was incurred, much time lost, and the sale of his goods to a profit destroyed.



"No. 19. *Brig William, of Newport, R. I.*—This vessel was forcibly detained and impressed into the Mexican service as a transport in 1829. The owners claim \$4999 33 damages.

"No. 20. *Brig Splendid, of New Haven.*—A similar case to the last, whereby the owners were injured in their business to the amount of \$2500.

"No. 21. *Brig Ursula, of Boston.*—This vessel was impressed in the same manner into the Mexican service, to the damage of the owners to the amount of \$2005.

"No. 22. *Pell & Brothers, of New York,* claim damages for the destruction of a press and type at Tampico, by the Spaniards.

"No. 23. *Captain Shaw, of the Schooner Galaxy,* claims damages for his detention and imprisonment at Tobasco, in 1829-'30, whereby great injury was done to his business. He was confined among banditti, and was refused any intercourse with the American consul. A vessel, with some 40 or 50 seamen from the United States naval service, was subsequently sent to procure his liberation and that of others, which was immediately effected.

"No. 24. *Schooners Rebecca Eliza and Alert.*—These vessels were seized at Tampico in 1829, soon after the capitulation of a Spanish force there. They were seized, and their cargoes confiscated, on the pretence that they came with the intention of selling provisions to the Spaniards, although they did not arrive until four days after the capitulation. The crews were badly treated.

"No. 25. \$8826 in damages are claimed by the owners of the *Brig General Morelos* for her seizure and detention at Vera Cruz in 1830, where she went from New Orleans to be fitted out as a privateer under Mexican authority. The Mexican courts afterward ordered the restoration of the vessel.

"No. 26. The *Eliza Jane, of New York,* put into Vera Cruz in a leaky condition, where she was condemned as unseaworthy and sold. Before transshipping the cargo, the captain was compelled to give bond for the payment of tonnage duty. This duty had before

been paid at the Mexican port from whence the Eliza Jane sailed. Her cargo consisted of logwood, obtained at Leguira, a Mexican port.

“No. 27. *John Baldwin*, an American citizen, complains of gross and outrageous treatment at the hands of the alcalde of Minotitlan in Guazcualco. He asserts that the alcalde was interested in a suit which was brought against him by one of his subordinates. Some altercation occurring at the proceedings before the alcalde, he was ordered to the stocks. He refused to submit, and in attempting to escape, was shot at, and severely injured by a fall. He was captured, made to stand in the stocks, and afterwards imprisoned. The Mexican government were informed subsequently that the U. S. government ‘would regard this a national question.’ The reply of the Mexican executive was, that it was a matter of judicial investigation, &c.

“No. 28. *Schooner Topaz*.—The master of this vessel contracted, in 1832, to transport 150 Mexican soldiers from Matamoras to Galveston. During the passage, the master and mate were killed by the Mexican officers, and the crew were forced to run the vessel into Anahuac. Here *they* were imprisoned on a charge of killing their captain and mate, and attempts were made by the officers above mentioned to make them confess to that crime. They were at last liberated on their agreement to be bound to the officers to serve them for three years. One of them subsequently escaped to the United States, and testified to the facts above stated. He states that the Mexican officers divided the captain’s money between them. He thinks he had 3000 or 4000 dollars.

“No. 29. The *Schooner Brazoria* was seized at the port of Brazoria in June, 1832, and used in an attack by the Mexicans upon Anahuac. She was so much injured that the owners abandoned her to the underwriters, who are the claimants in this case. The amount claimed is \$6800. The Mexican government afterwards expressed a willingness to allow only the proceeds of the sale of the vessel to the claimants.

“No. 30. *Aaron Leggett*, merchant of New York, claims several hundred thousand dollars in damages for the seizure and detention

of the steamer *Hidalgo* in the Tobasco River in June, 1832, and for damages arising therefrom. He had acquired the sole right, from the legislature of Tobasco, of navigating that river by steamboats for a period of ten years. In anticipation of the advantages that would arise from this privilege, he entered into very extensive contracts for the delivery of great quantities of logwood for several subsequent years, at different points, from whence it was to be carried down the river by lighters, towed by the steamer. Several vessels were employed by Mr. Leggett for the transportation of the logwood from Mexico. These vessels arrived at Tobasco; but as the steamer had been seized by the Mexicans for military purposes, no cargoes were ready for them, and they returned to the ports to which they belonged. The owners demanded the penalties of the charter parties, which the claimant has paid to the extent of his ability. Tobasco was, in 1832, the seat of military disturbances, whereby Mr. Leggett suffered great loss of property, besides the loss of the immense profits which it is reasonable to suppose he would have obtained from the enjoyment of the great privilege granted by the legislature of Tobasco. The Mexican government subsequently acknowledged the great losses and sacrifices of Mr. Leggett, but plead inability to satisfy his reasonable demands.

"No. 31. *Schooner Augustus*.—This vessel put into port at Brazos de Santiago, in a leaky condition, on the 18th June, 1833. On a mere suspicion of an intention to land the cargo clandestinely on the Mexican coast, the vessel and cargo were seized, and after a detention of ten months, the Mexican courts awarded restitution of the vessel and cargo, and payment of costs and damages. Meantime the vessel became worm-eaten, and it was abandoned. The claim in this case is for \$6030 09.

"No. 32. The *Schooner Wetree* was seized by the authorities of Tampico in July, 1833, when it was abandoned by its master and crew.

"No. 33. *Brig Industry*.—This vessel was detained at Tobasco, in March, 1834, on the pretence that her fore-scuttle was not sealed at the time of her arrival. The captain was imprisoned for thirteen days, and was obliged to pay \$160 to regain his liberty. The collector of the port at length gave the captain leave to proceed to sea, when the judge of the court ordered the vessel to be brought back,

declaring that she should not be allowed to depart until fifty ounces of gold were paid. The captain thereupon abandoned the vessel to the authorities, for whose benefit it was sold. \$11,060 68 are claimed as damages in this case. The Mexican government have promised full indemnity to the owner for all losses and damages.

“No. 34. The *Schooner Wm. A. Turner* put into Sisal in distress, on the 5th of May, 1834, when she and her cargo were seized. They were directed to be restored by the *district* judge; but in consequence of the pronunciamiento of 5th July, all communication with the lower court was cut off. The vessel was still detained on the 9th of August, 1834.

“No. 35. The *Brig Paragon* was fired upon by the Mexican armed schooner *Tampico*, in the summer of 1834. When this case was laid before the Mexican government by the American minister, it was replied, that the *Tampico* was then in a state of mutiny, and that measures had been taken to punish the offenders.

“No. 36. The captain of *Schooner Two Brothers* lost a bundle of papers, in 1834, while crossing the bar at *Tampico* in a boat, which was upset. Among the papers were the invoices of three boxes of merchandise, which were condemned for want of invoices. The cause of the want of invoices was explained to the collector and judge, and an offer was made to exhibit the original invoice of the cost, and letters to prove the property; but the offer was not accepted. The cost of the merchandise condemned was \$1000.

“No. 37. The *Schooner St. Croix* arrived at *Aransas Bay*, in *Texas*, on the 25th September, 1834. The master was imprisoned by order of the collector, and otherwise maltreated, for failing to pay his port charges and tonnage duties as promptly as the collector supposed he ought to have done. The vessel became unseaworthy in the mean time, and was abandoned. There does not appear to be any judicial proceedings in the case.

“No. 38. This claim is for the illegal exaction of double tonnage duties on the *Brig Weston*, at *Mazatlan*, whither she proceeded in ballast from *Guagmas*, her port of discharge. The amount exacted was \$352 75.



"No. 39. The *Schooner Martha* was seized at Brazoria, by the Mexican vessel of war *Montezuma*, in May, 1835, and condemned, it is presumed, on a charge that some of the articles of her cargo were not included in the manifest. This was made the subject of a strong representation from the president of the United States, which was followed by a promise from the Mexican government to institute an examination in the case.

"No. 40. The *Schooner Harriet Elizabeth* was stranded near Matagorda, in 1835. While in this situation, she was fired upon by a Mexican schooner, and her captain, crew, and passengers, carried to Matamoros and imprisoned. Reparation was demanded by Mr. Ellis, in 1836, but has never been given by the Mexican government.

"No. 41. The *Brig Ophia* arrived off Campeachy in 1835, and was condemned by the district court of that country, without allowing the captain any opportunity of defending himself, for no other reason than because he did not produce certain manifests, which a Mexican custom-house officer advised him to leave on board. Reparation has been demanded also in this case, but without effect.

"No. 42. The *Brig Jane* and four other vessels were detained at Matamoros, in 1836, contrary to express treaty stipulations, and when reparation was demanded, the excuse rendered for the outrage was, that certain hostile vessels were cruising in those waters, and that the orders by which the *Jane*, &c., were detained, were without authority from the supreme government. No reparation was, however, granted.

"No. 43. In 1836, the *Brig Eclipse* was seized at Tobasco, (on what ground does not appear,) her crew insulted and maltreated, and her captain imprisoned. Amount claimed for the seizure of this vessel, \$9157.

"No 44. Mr. Coleman, acting consul of the United States at Tobasco, was summoned before the authorities, in 1836, and publicly insulted and ill treated, because he refused to legalize certain documents, the result of which would be to defraud.



"No. 45. The *Schooner Aurora* was stranded on the coast of Mexico, in 1836. A part of the cargo was landed by the crew, when it was immediately taken possession of by an armed body of Mexicans. On the crew remonstrating against these proceedings, they were insulted, maltreated, and the mate seriously injured. Thereupon the crew proceeded to Tobasco and delivered the goods over to our consul at that place, who, on taking possession thereof, found that over one half had been plundered.

"No. 46. While the *Schooner Bethlehem* was proceeding toward Campeachy, she was boarded by a captain of the Mexican navy, and her officers and men sent on board the Mexican flag-ship, where they were detained — a part of them in chains. On the captain of the *Bethlehem* landing, he found that his vessel had been condemned, and himself banished, without a hearing, five years, from the trade.

No. 47. It was proposed to sell the *Brig Fourth of July* to the Mexican government; but while the negotiation was going on, she was taken possession of by the Mexican authorities, and the Mexican flag hoisted. Mr. Ellis, then our minister in Mexico, demanded the release of the vessel, to which demand no answer has been returned.

"No. 48. Eight men, under command of Midshipman Renshaw, from the U. S. sloop of war *Natchez*, landed on the mole in Vera Cruz, in 1836. During the absence of the commanding officer, the men got intoxicated, and one of them quarrelled with a fisherman. The fight soon became general, and the Mexicans were restrained from firing on the Americans only by the interference of the captain of the port. Midshipman R., on account of the intoxication of his men, was compelled to leave them on shore, in charge of a Mexican officer; and when he demanded them of the authorities, on the succeeding day, their release was refused. Several of the seamen were severely wounded, yet no investigation into the conduct of the Mexican guard appears to have been instituted.

"No. 49. In 1836, *William Hallett* and *Zalmon Hall*, citizens of the United States, were arrested in the streets of Matamoras by an armed force, who struck one of them on the face, and took both to

the principal barrack. Here they were confined, while a guard was placed at the door of the house of the American consul, to prevent his interference in the matter. The house was searched for the consul himself, and much of his property was stolen.

"No. 50. In 1836, the *Schooner Peter D. Vroom* was wrecked on the coast above Vera Cruz. Boves, the person to whom the cargo was consigned, renounced his agency in the matter, and the Mexican courts appointed Manuel de Vega to dispose of the cargo in his place. The claim is, that the Mexican authorities had no right to interfere, since the captain of the schooner to whom the agency reverted on the abandonment of Boves, had appointed the U. S. consul agent for the disposal of the goods.

"No. 51. The American citizens at Tampico having requested that a man-of-war might be sent for their protection, Lieutenant Osborne, with a boat's crew from the revenue cutter *Jefferson*, proceeded there, when he was arrested by the authorities, carried off and examined. On his return, he learned that his crew had also been arrested and held for a long time in confinement. Gomez, who committed these outrages, was removed therefor by the supreme government, but was subsequently appointed commandant at Vera Cruz.

"No. 52. The *Ship Robert Wilson* was seized and condemned at Vera Cruz, in 1833, on the alleged ground that she had imported false coin. In the suit which was instituted in the United States for the recovery of the insurance, the defence was, that the charge was true. It failed, however, because the Mexican government refused to furnish the proof, (if indeed it had any,) by which to substantiate the allegation. The amount paid by the insurance company, and for which the Mexican government is responsible, because it refused to furnish the proof, is \$12,313 26.

"No. 53. The *Schooner William A. Turner*, of which James O'Flaherty was master, was seized off Sisal, in 1834, by an armed Mexican force. The vessel was released after Captain O'Flaherty had given bonds for her value. In 1836, his vessel was again seized — himself confined, liberated, and after entering into bonds for \$1200, his vessel released. Soon after, the vessel was again

seized, and the captain confined in the cabin, from whence he was sent as a prisoner to Tobasco. From this place, where he had been confined in the public prison, he was conveyed, still as a prisoner, to Campeachy, and cast a second time into confinement.

"Captain O'Flaherty is entirely ignorant of the cause of these repeated indignities, and at no time has any charge been preferred against him.

"He claims, for the loss of property, \$18,000.

"No. 54. *A. de O. Santangelo*, a naturalized citizen of the United States, was the editor of a newspaper in Mexico. He also kept a school for the instruction of young ladies. Some editorial article gave offence to the Mexican government, whereupon he was ordered to quit the country, which order he affirms is contrary to the laws of Mexico, as to the treaty existing between the United States and Mexico. He claims \$100 as an indemnification for his sudden banishment.

"No. 55. *Mr. Gorastiza*, recently envoy extraordinary and minister plenipotentiary of the Mexican Republic to the United States, caused to be printed and distributed among the foreign ministers accredited to this government, a pamphlet defamatory of the government and people of the United States.

"No. 56. For all exactions which may have been made from citizens of the United States under laws of the Mexican Republic authorizing forced loans, ample indemnification will be demanded.

"No. 57. *Louisiana, Champion, Julius Caesar*. — These vessels were captured by the Mexican squadron in the Gulf of Mexico, in the spring of 1837, for an alleged violation of a pretended blockade of the ports of Texas.

"*A List of Claims on Mexico which arose prior to December, 1837, but which were not then brought to the Notice of the Department of State.*

"No. 58. *W. F. & E. D. Hyde & Co.* claim full indemnification for the alleged capture and condemnation of a quantity of dry goods shipped at New Orleans for Brazonia, in Texas, in the spring of 1835, amounting in value to about \$23,000.

"No. 59. *Thomas Toby & Brother, of New Orleans*, claim a restitution of \$30,000, for goods captured and condemned under the same circumstances as in No. 1.

"No. 60. *William Trean, of N. Y., the American Insurance Co., of N. Y., and the widow and executrix of Simon Cuculla, of New Orleans*, claim indemnification for the capture and condemnation, on a pretence altogether frivolous, of the schooner Isaac McKim, in September, 1825.

"No. 61. *I. W. Lacharie & Co., of New Orleans*. — The claims of this firm are for three vessels and their cargoes illegally captured and condemned, and for one wantonly destroyed, in 1822, 1824, and 1825, respectively.

"No. 62. *Mercantile Insurance Co., of N. Y.* — This claim originated in a contract made in 1826, by General Cortez, as agent of the Mexican government, with the late Henry Eckford, for the building of a vessel of war. The claim is for about \$20,000, and has never been disputed by the Mexican agents.

"No. 63. *Henry Dolliver* claims indemnification for the loss of all his property, consequent upon the seizure of his vessel and cargo, under the most aggravated circumstances. This illegal act was committed by Mexican authorities in 1829.

"No. 64. *William H. Brown and others, Owners of the Steamboat Planter*. — This claim is for the impressment and forcible employment of the above boat, at Tobasco, (date not given,) and for illegal duties exacted from them.

"No. 65. *Franklin Combs*. — This claim is for articles of which he was robbed when taken prisoner in the Texan Santa Fe expedition.

"No. 66. *Peter Hotz* claims of the Mexican government, as one of the shippers of the cargo of the schooner Arete Ellis, of which the said Hotz was owner and master, a proportion of the loss sustained by him from his vessel springing a leak, thereby compelling him to throw overboard several articles, in November, 1825.

"No. 67. *Mary Hughes, Widow of George Hughes, Master of the Brig John, of N. Y.* — The brig John, lying at anchor in the River Tobasco in 1832, was boarded and captured by an armed force, on a pretext altogether unfounded. Captain Hughes was knocked down, cruelly beaten with the butts of the muskets of the boarding party, carried off and imprisoned, and the cargo and stores of the vessel plundered. Captain Hughes subsequently died from the wounds received on this occasion.

"Mary Hughes claims reparation therefor.

"No. 68. *James Cochrane*, engineer of the steamer Hidalgo, was impressed into the Mexican service, together with the boat, in 1832, cruelly and ignominiously treated, and compelled to do duty as engineer for two months. He claims reparation for the breaking up of his business, and for false imprisonment.

"No. 69. *John Belden* has two claims against the Mexican government, one for \$4500, on account of damages sustained by him, and the other for a forced loan at San Luis Potosi.

*Claims against Mexico for Injuries committed since December 2, 1837.*

"No. 70. *Claim of Samuel Baldwin.* — Mr. B., a citizen of the U. S., settled in Mexico some years since, and had acquired considerable property. On the most frivolous pretext he was seized and thrown into the public prison with the vilest criminals. While there, additional charges were fabricated against him—he was loaded with irons, poison was given him in his coffee, and he endured the most unparalleled sufferings from the brutal treatment of one Gomez, his jailer. From Acayuacan, where these barbarities were committed, Mr. B. was sent to Vera Cruz, and cast into a wet and filthy jail in the Castle of San Juan de Ulloa. On his journey, which was performed on a jackass, he was compelled to support the heavy burden of his chains, from which resulted an incurable lameness. For these unparalleled outrages no redress has been received from the Mexican government.

"No. 71. *Claims of Henry B. Horton, Walter W. Adam, and Jas. Kelley.* — The claimants, seamen on board the American barque Roger Williams, having been paid off and discharged at Monterey, California, in 1840, were waiting for an opportunity to return home,



when they, together with other Americans, were seized and conducted to prison. They obtained their release, but were a second time arrested, robbed, and cast into jail, no cause for their commitment ever having been assigned.

"No. 72. *Claim of William Lord Etheridge Thompson.* — Thompson, an American seaman, was wrecked near San Blas, in 1838. In 1840, he was twice arrested and thrown into prison — no cause whatever being assigned for his detention in either case. After suffering the most cruel treatment, he was released; but found, on his return to the farm where he had labored since his shipwreck in 1838, that all his property had been taken from him. No redress has ever been granted by the Mexican government.

"No. 73. *Claim of Stephen Smith.* — Mr. Smith arrived at San Blas in May, 1845, from N. Y., on his way to Bondega in Upper California, where he had several lucrative establishments; among which were a store containing \$52,000 worth of goods, a flour mill calculated to grind thirty barrels of flour per day, and a distillery yielding two hundred gallons per day.

"At San Blas, he was arrested and imprisoned on a frivolous pretence, in consequence of which, the operations of his establishments were suspended.

"No. 74. *Claims of Isaac Graham, William Church, Joseph L. Majors, Charles Brown, and others.* — These Americans, with six others, were seized in California, where they were engaged in business, in April, 1840, by the Mexican authorities, without any just cause or provocation, and thrown into prison. From their memorial to the department of state, it appears that they received the most barbarous treatment. After being conveyed from one place to another in the lower hold of vessels and in chains, — six being confined to one bar of iron, — they were finally set at liberty in the city of Tepec, without any reason being assigned by the Mexican government for its outrageous proceeding against them. It also appears that at the time of his arrest, the house of Mr. Graham was surrounded, fired into, and \$36,000 in specie plundered therefrom.

"No. 75. *Claims of A. C. Bredall, of New Orleans.* — 1st. The Schooner Lodi, with a valuable cargo of lawful goods, both belonging

to Mr. Bredall, sailed from New Orleans in May, 1838, bound for Matamoras in Mexico. On her arrival there, without any allegation of offence committed or contemplated, she was seized, her cargo landed, exposed, and pillaged. After a long detention, the cargo and vessel were restored; but the latter was so much injured by worms, and her sails, rigging, and stores so much damaged, that she was obliged to be run on shore on her passage back to New Orleans, in order to save the lives of the passengers and crew. A total loss of the vessel and cargo was the consequence.

“2d. In 1843, Mr. Bredall arrived at Vera Cruz, with passports granted him by the Mexican consul at New Orleans. He presented them to the proper authorities, but was arrested and imprisoned on the charge of a design upon the life of General Santa Anna. During his detention, he suffered the most wanton, cruel, and humiliating indignities and privations; and upon his release, he reached New Orleans in a helpless and shattered condition—his constitution broken, his hearing destroyed, and sinking under a hopeless consumption. *It is proper to remark that the British minister demanded and obtained liberal damages on behalf of three British subjects who were imprisoned with Mr. Bredall.*

“No. 76. *Claim of J. Barber and William Brevan.*—The schooner Vigilant, owned by Barber & Brevan, the former also master, was captured by a Mexican man-of-war, about twenty eight-miles northward of Campeachy, in 1843, her papers taken from her, the captain and crew held in confinement, and the wife of Captain B. subjected to such shameful treatment that he deemed it unsafe for her to remain on board. Although the captain and crew were subsequently released, yet the schooner and cargo were kept by the captors.

“The pretext alleged for this outrage was one altogether unfounded.

“No. 77. *Claim of C. & H. Childs, of Conn.*—The schooner Cornelian, of which the Childs were owners, was seized at Matamoras in March, 1843, after her cargo had been landed by regular permit from the proper officers, and condemned, and the captain fined \$100. The reason assigned for this illegal seizure was, that two bales of cotton were found on the beach at Matamoras,

which the custom-house officers *supposed* came from the Cornelian. The cargo of the C. was composed of lumber; no cotton was on board.

"No. 78. *Claim of A. J. Atocha.* — Mr. Atocha, a naturalized citizen of the United States, resided for several years in Mexico, where he had established extensive commercial relations, and acquired considerable property. His claim is for large sums loaned the Mexican government, and reparation for being expelled from that country without just cause, during the revolution which resulted in the establishment of the government of Paredes, by which expulsion his business was entirely destroyed.

"No. 79. *Claim of Mrs. Anne Kelley.* — William H. Lee, son of the claimant, and an American citizen, carried on business in Matamoros. Without any allegation of offence, he was suddenly expelled from the country, in 1843, which, in addition to the breaking up of his establishment, caused a forced sale of his property, which resulted in a very heavy loss. Mr. Lee has since died, and Mrs. Kelley claims reparation as his heir.

"No. 80. *Claim of Dr. Charles W. Davis.* — This claim is for \$10,600, being the amount of a judgment rendered against George D. Penny, an English merchant trading in Mexico, for the violation of certain contracts made with Davis. Although the justice of Davis's claim had twice been acknowledged by inferior courts, Penny appealed to a higher tribunal, which refused to act because the salaries of the judges had not been paid by the Mexican government. Davis claims, therefore, that Mexico is responsible for the above sum.

"No. 81. *Claim of Captain Jonas P. Levy.* — 1st. In 1843, the store of the claimant, with all its contents, was forcibly taken possession of with the connivance of the public authorities, and never returned. Amount of property lost, \$6846 02. Reparation has been refused from the commission of the outrage to the present time.

"2d. This claim is for illegal duties extorted from Captain Levy by the collector of the port of Laguna, in 1843, under false pretences, amounting to \$513 89.

"3d. The third claim is for goods belonging to the claimant and

his brother, thrown overboard by the captain of the steamboat Petrita, amounting to \$7483 25, for which relief has been denied by the Mexican government.

"4th. Captain Levy also claims reparation for being imprisoned after the commencement of hostilities between the United States and Mexico, in direct violation of the treaty providing for the occurrence of such an event, and for being compelled to leave Mexico without time to arrange his business, also in violation of treaty stipulations.

"No. 82. *Claim of L. S. Hargous & Co.*—The claims of this firm against Mexico are for loans, advances, supplies furnished, and amounts due on contracts, &c., amounting, with interest due thereon, to \$1,095,498. They also claim damages for being expelled from Vera Cruz, by which their mercantile transactions were seriously injured.

"No. 83. *Claims of John Parrott, late U. S. Consul at Mazatlan.*—The claimant was forced, in 1845, by the Mexican authorities, to give bonds for the repayment of the duties on the cargo of a vessel belonging to his house, although he had in his possession (and showed them to the proper officers) passports certifying that the duties had already been paid. These bonds are still in the possession of the Mexican government, to be enforced against the sureties of the claimant.

"No. 84. *2d Claim of John Parrott & Co.*—The house of Parrott & Co. having refused to comply with a decree which had been annulled since 1837, a military force was despatched on the 18th April, 1845, by Canedo, the collector of the port of Mazatlan, which entered and took possession of their house, and placed property to the amount of \$44,000, and the archives of the consulate of the United States, under embargo. In this state they still remain.

"In the mean time, an English vessel, with a cargo valued in England at £35,000, consigned to the house of Parrott & Co., arrived off the port of Mazatlan; but deeming it unsafe, at that particular time, to land the goods, she was ordered to sea. On her passage to Monterey, she was cast away and lost, by which P. & Co lost the commission they would have obtained on selling the cargo.



"No. 85. *Claim of F. M. Dimond, late Consul of the United States at Vera Cruz.*—Mr. Dimond claims damages for being expelled from Vera Cruz, in contravention of the treaty existing between the United States and Mexico, by which his extensive business was entirely broken up.

"No. 86. *Claim of Elisha H. Saulnier.*—Claim similar to No. 36.

"No. 87. *Claim of Franklin and Ann Chase.*—This claim is for damages sustained in consequence of their summary expulsion from Tampico, in violation of the treaty.

"*List of Claims on Mexico which have arisen since 30th December, 1837, not included in the foregoing.*

"No. 88. *J. Roberts & Co., of New Orleans.*—This claim is for \$9000 advanced to Mr. Martinez, the Mexican minister in this country, on the faith of drafts on his government which were not paid.

"No. 89. *Parrott, Talbot, & Co.*—Claim \$2958 for a balance due on Mexican treasury warrants, payment of which was suspended by order of the government.

"No. 90. *Isaac D. Marks*—Claims damages for a breach of contract made by him with General Arista, for the importation of \$20,000 worth of prohibited goods at Matamoras. Powers for the purpose were vested in the general by his government, but were subsequently revoked.

"No. 91. *J. T. Laguerenne & Co., of New Orleans*—Claim indemnification for the seizure and condemnation of the brig George Washington, at Vera Cruz, in 1841.

"No. 92. *J. M. Castanos*—Consul of the United States at San Blas, advanced \$1150, for the transportation back to California, of certain citizens of the United States, who had been forcibly taken from that country, by Mexican authorities, in 1840.

"No. 93. — *Bensley*—Claims damages for being deprived by the governor of San Luis Potosi, of his apprentice boy.



"No. 94. *G. W. Stavorens* — Claims reparation for the confiscation of two thousand one hundred and twenty-five pounds of chewing tobacco, at Vera Cruz, in 1840.

"No. 95. *C. F. Driscoll* — Claims \$887 for alleged illegal discriminating tonnage and pilotage duties, and for a fine exacted on the brig A. E., at Tampico in 1839.

"In a letter written by Mr. Forsyth, secretary of state, to the Mexican minister of foreign affairs, under date of May 27, 1837, demanding redress for these outrages, he says, —

"These wrongs are of a character which cannot be tolerated by any government indued with a just self-respect, with a proper regard for the opinions of other nations, or with an enlightened concern for the permanent welfare of those portions of its people who may be interested in foreign commerce. Treasure belonging to citizens of the United States has been seized by Mexican officers, in its transit from the capital to the coast. Vessels of the United States have been captured, detained, and condemned, upon the most frivolous pretexts. Duties have been exacted from others, notoriously against law, or without law. Others have been employed, and in some instances ruined, in the Mexican service, without compensation to the owners. *Citizens of the United States have been imprisoned for long periods of time, without being informed of the offences with which they were charged.* OTHERS HAVE BEEN MURDERED AND ROBBED BY MEXICAN OFFICERS, ON THE HIGH SEAS, WITHOUT ANY ATTEMPT TO BRING THE GUILTY TO JUSTICE.'

"Yet, in consequence of the forbearance of our government, the Mexican authorities and people continued their outrages upon us, down even to the very last year, 1845, and extending through a period of nearly twenty years."

## G.

## TREATY BETWEEN TEXAS AND SANTA ANNA.

*"Articles of Agreement and solemn Compact, made and adopted by David G. Burnet, President of the Republic of Texas, and the undersigned Members of the Cabinet thereof, on the one part, and Don Antonio Lopez de Santa Anna, President of the Republic of Mexico, and Don Vincente Filisola, General of Divisions, Don Jose Urea, Don Joachin Ramires y Sesma, and Don Antonio Gaona, Generals of Brigades, of the Armies of Mexico.*

"Whereas, the President Santa Anna, with divers officers of his late army, is a prisoner of war in charge of the army of Texas, and is desirous of terminating the contest now existing between the government of Texas, and that of Mexico; in which desire, the generals above named do fully concur; and

"Whereas, the president of the Republic of Texas, and the cabinet, are also willing to stay the further effusion of blood, and to see the two neighboring Republics placed in relations of friendship on terms of reciprocal advantage;

"Therefore, it is agreed by the President Santa Anna, and the Generals Don Vincente Filisola, Don Jose Urea, Don Joachin Ramires y Sesma, and Don Antonio Gaona,

"1st. That the armies of Mexico shall, with all practicable expedition, evacuate the territory of Texas, and retire to Monterey, beyond the Rio Grande.

"2d. That the armies, in their retreat, shall abstain from all pillage and devastation, and shall not molest any of the citizens of Texas, and shall not carry with them any cattle, or other stock, more than may be absolutely necessary for their subsistence, for which a just price shall be paid. That all private property that may have been captured by either detachment of the army, shall be deposited at the first convenient point of their march, and left under a sufficient guard, until the proper authorities of Texas shall have possession thereof.

"3d. That the army of Texas are to march westwardly, and to occupy such posts as the commanding general may think proper, on the east side of the Rio Grande, or Rio Bravo del Norte.

"4th. That the President Santa Anna, in his official character as chief of the Mexican nation, and the Generals Don Vincente

Filisola, Don Jose Urea, Don Joachin Ramires y Sesma, and Don Antonio Gaona, as chiefs of armies, do solemnly acknowledge, sanction, and ratify, the full, entire, and perfect independence of the Republic of Texas, with such boundaries as are hereafter set forth and agreed upon for the same. And they do solemnly and respectfully pledge themselves, with all their personal and official attributes, to procure without delay, the final and complete ratification and confirmation of this agreement, and all the parts thereof, by the proper and legitimate government of Mexico, by the incorporation of the same into a solemn and perpetual treaty of amity and commerce, to be negotiated with that government, at the city of Mexico, by ministers plenipotentiary, to be deputed by the government of Texas for this high purpose.

“5th. That the following be, and the same are hereby established and made the lines of demarkation between the two Republics of Mexico and Texas, to wit: The line shall commence at the estuary or mouth of the Rio Grande, on the western bank thereof, and shall pursue the same bank up the said river, to the point where the river assumes the name of the Rio Bravo del Norte, from which point it shall proceed on the said western bank to the head waters, or source of said river, it being understood that the terms Rio Grande and Rio Bravo del Norte, apply to and designate one and the same stream. From the source of said river, the principal head branch being taken to ascertain that source, a due north line shall be run until it shall intersect the boundary line established and described in the treaty negotiated by and between the government of Spain and the government of the United States of the north; which line was subsequently transferred to and adopted in the treaty of limits made between the government of Mexico and that of the United States; and, from this point of intersection, the line shall be the same as was made and established in and by the several treaties above mentioned, to continue to the mouth or outlet of the Sabine river, and from thence to the gulf of Mexico.

“6th. That all prisoners taken by the forces of Mexico be forthwith released, and be furnished with free passports to return to their homes; their clothing and small arms to be restored to them.

“7th. That all the fortresses of Texas be forthwith restored without dilapidation, and with all the artillery and munitions of war belonging to them respectively.

“8th. The president and cabinet of the Republic of Texas,

exercising the high powers confided to them by the people of Texas, do, for and in consideration of the foregoing stipulation, solemnly engage to refrain from taking the life of the President Santa Anna, and of the several officers of his late army, whom the events of war have made prisoners in their hands, and to liberate the President Santa Anna, with his private secretary, and cause him to be conveyed in one of the national vessels of Texas to Vera Cruz, in order that he may more promptly and effectually obtain the ratification of this compact, and the negotiations of the definitive treaty herein contemplated by the government of Mexico with the government of Texas.

"9th. The release of the President Santa Anna, shall be made immediately on receiving the signatures of the Generals Don Vincente Filisola, Don Jose Urea, Don Joachin Ramires y Sesma, and Don Antonio Gaona, to this agreement, and his conveyance to Vera Cruz as soon afterwards as may be convenient.

"10th. The President Santa Anna, and the Generals Don Vincente Filisola, Don Jose Urea, Don Joachin Ramires y Sesma, and Don Antonio Gaona, do, by this act of subscribing this instrument, severally and solemnly pledge themselves on their inviolable parole of honor, that in the event the Mexican government shall refuse or omit to execute, ratify, confirm, and perfect this agreement, they will not, on any occasion whatever, take up arms against the people of Texas, or any portion of them, but will consider themselves bound, by every sacred obligation, to abstain from all hostility towards Texas or its citizens.

"11th. That the other Mexican officers, prisoners with the government of Texas, shall remain in custody, as hostages, for the faithful performance of this agreement, and shall be treated with humanity, and the respect due their rank and condition, until the final disposition of the Mexican government be ascertained, and a treaty, to be predicated upon the above stipulations, shall be made or rejected by that government. In the event of a refusal to enter into and ratify such a treaty, on the part of the Mexican government, the government of Texas reserves to itself the right to dispose of them as they may think proper and equitable, relative to the conduct of the Mexican forces towards the volunteers and soldiers of Texas, who have heretofore fallen into their hands.

"12th. The high contracting parties mutually agree to refer the treaty intended to be executed and solemnized by the two govern-



ments of Texas and of Mexico, on the basis established in this compact, to the government of the United States of the north, and to solicit the guaranty of that government for the fulfilment, by the contracting parties respectively, of their several engagements; the said parties pledging themselves, in case of any disagreement or defalcation, to submit all matters in controversy to the final decision and adjustment of that government. For this purpose the contracting parties shall, as soon as practicable after the ratification of said treaty, depute one or more commissioners to the court of Washington, invested with plenary powers to perfect the object of this stipulation.

“13th. Any act of hostility on the part of the retreating Mexican troops, or any depredation upon public or private property committed by those troops, or any impediment presented to the occupation of any part of the territory of Texas, by the forces thereof, on the part of the Mexican troops, shall be considered a violation of this agreement.”

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## H.

### TEXAS ONCE A PART OF THE UNION.

In his letter of 1844, Mr. Walker says:—

“Texas, as Mr. Jefferson declared, was as clearly embraced in the purchase by us of Louisiana, as New Orleans itself; and that it was a part of that region, is demonstrated by the discovery, by the great Lasalle, of the source and mouth of the Mississippi, and his occupancy for France west of the Colorado. Our right to Texas as a part of Louisiana, was asserted and demonstrated by Presidents Jefferson, Madison, Monroe, and John Quincy Adams. No one of our presidents has ever doubted our title; and Mr. Clay has ever maintained it as clear and unquestionable. Louisiana was acquired by a treaty with France, in 1803, by Mr. Jefferson; and in the letter of Mr. Madison, the secretary of state, dated March 31, 1804, he says, expressing his own views and those of Mr. Jefferson, that Louisiana ‘extended westwardly to the Rio Bravo, otherwise called Rio del Norte. Orders were accordingly obtained from the *Spanish* authorities for the delivery of *all* the posts on the west side of the Mississippi.’ And in his letter of the 31st January, 1804, Mr. Mad-



ison declares that Mr. Laussat, the French commissioner who *delivered the possession of Louisiana to us*, announced the 'Del Norte as its true boundary.' Here, then, in the delivery of the possession of Louisiana by Spain to France, and France to us, Texas is included. In the letter of Mr. Madison of the 8th July, 1804, he declares the opposition of Mr. Jefferson to the '*relinquishment of any territory whatever, eastward of the Rio Bravo.*' In the letter of James Monroe, of the 8th November, 1803, he encloses documents, which he says, '*prove incontestably,*' that the boundary of Louisiana is 'the Rio Bravo to the west,' and Mr. Pinckney unites with him in a similar declaration. In a subsequent letter — not to a foreign government, but to Mr. Madison — of the 20th April, 1805, they assert our title as unquestionable. In Mr. Monroe's letters, as secretary of state, dated January 19, 1816, and June 10, 1816, he says none could question our 'title to Texas;' and he expresses his concurrence in opinion with Jefferson and Madison, 'that our title to the Del Norte was as clear as to the island of New Orleans.' In his letter, as secretary of state, to Don Onís, of the 12th March, 1818, John Quincy Adams says, 'the claim of France always did extend westward to the Rio Bravo;' '*she always* claimed the territory which you call Texas, as being within the limits, and forming a part, of Louisiana.' After demonstrating our title to Texas in this letter, Mr. Adams says, 'Well might Messrs. Pinckney and Monroe write to M. Cevallos, in 1805, that the claim of the United States to the boundary of the Rio Bravo, was as clear as their right to the island of New Orleans.' Again, in his letter of the 31st October, 1818, Mr. Adams says our title to Texas is 'established beyond the power of further controversy.'

"Here, then, by the discovery and occupation of Texas, as a part of Louisiana, by Lasalle, for France, in 1685; by the delivery of possession to us, in 1803, by Spain and France; by the action of our government from the date of the treaty of acquisition to the date of the treaty of surrender, (avowedly so, on its face;) by the opinion of all our presidents and ministers connected in any way with the acquisition, our title to Texas was undoubted. It was surrendered to Spain by the treaty of 1819; but Mr. Clay maintained, in his speech of the 3d April, 1820, that territory *could not be alienated* merely by a treaty; and consequently, that, notwithstanding the treaty, Texas was *still our own*. In the cession of a portion of Maine, it was asserted, in legislative resolutions by Massachusetts and

Maine, and conceded by this government, that no portion of Maine could be ceded by treaty without the consent of Maine. Did Texas assent to this treaty, or can we cede part of a Territory, but not of a State? These are grave questions; they raise the point whether Texas is not now a part of our territory, and whether her people may not now rightfully claim the protection of our government and laws. Recollect this was not a question of settlement under the powers of this government of a disputed boundary. The treaty declares, as respects Texas, that we '*cede to his Catholic majesty.*' Commenting on this, in his speech before referred to, Mr. Clay says it was not a question of the power in case of dispute 'of fixing a boundary previously existing.' 'It was, on the contrary, the case of an avowed cession of territory from the United States to Spain.' Although, then, the government may be competent to fix a disputed boundary, by ascertaining as near as practicable where it is; although also, a State, with the consent of this government, as in the case of Maine, may cede a portion of her territory; yet, it by no means follows that this government, by treaty, could cede a Territory of the Union. Could we by treaty cede Florida to Spain, especially without consulting the people of Florida? and if not, the treaty by which Texas was surrendered, was, as Mr. Clay contended, *inoperative*.

"By the treaty of 1803, by which, we have seen, Texas was acquired by us from France, we pledged our faith to *France*, and to the *people of Texas*, never to surrender that territory. The third article of that treaty declares, 'the inhabitants of the ceded territory *shall be* incorporated in 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, advantages, and immunities, of *citizens of the United States*; and in the *mean time* they shall be protected in the free enjoyment of their liberty, property, and the religion which they profess.' Such was our pledge to *France* and to the *people of Texas* by the treaty of purchase; and if our subsequent treaty of cession to Spain was not unconstitutional and invalid, it was a gross infraction of a previous treaty, and of one of the fundamental conditions under which Texas was acquired.

"Here, then, are many grave questions of constitutional power. Could the solemn guaranty to France, and to the people of Texas, be rescinded by a treaty with Spain? Can this government, by its own mere power, surrender any portion of its territory? Can it cut off a territory without the consent of its people, and surrender them

and the territory to a foreign power? Can it expatriate and expel from the Union its own citizens, who occupy that territory, and change an American citizen into a citizen of Spain or Mexico? These are momentous questions, which it is not necessary now to determine, and in regard to which I advance at this time, no opinion. Certain, however, it is, that with the consent of the people of Texas, Congress can carry out the solemn pledges of the treaty of 1803, and admit one or more States from Texas into the Union.

“EFFORTS OF ADAMS AND CLAY, AND OF JACKSON AND VAN BUREN, TO REANNEX TEXAS TO THE UNION, IN 1825, 1827, 1829, 1833, AND 1835.

“The question as to Texas, is, in any aspect, a question of the reëstablishment of our ancient boundaries, and the repossession of a territory most reluctantly surrendered. The surrender of territory, even if constitutional, is almost universally inexpedient and unwise, and, in any event, when circumstances may seem to demand such a surrender, the territory thus abandoned, should always be reacquired, whenever it may be done with justice and propriety. Independent of these views, we have the recorded opinion of John Quincy Adams as president, and Henry Clay as secretary of state, and also of Gen. Andrew Jackson as president, and Martin Van Buren as secretary of state, that Texas ought to be reannexed to the Union. On the 26th of March, 1825, Mr. Clay, in conformity with his own views, and the *express directions of Mr. Adams*, as president, directed a letter to Mr. Poinsett, our minister at Mexico, instructing him to endeavor to procure from Mexico a transfer to us of Texas to the Del Norte. In this letter, Mr. Clay says, ‘the president wishes you to effect that object.’ Mr. Clay adds, ‘the line of the Sabine approaches our great western mart nearer than could be wished. Perhaps the Mexican government may not be unwilling to establish that of the Rio Brassos de Dios, or the Rio Colorado, or the Snow mountains, or the Rio del Norte, in lieu of it.’ Mr. Clay urges, also, the importance of having entirely within our limits, ‘the Red river and Arkansas, and their respective tributary streams.’

“On the 15th of March, 1827, Mr. Clay again renewed the effort to procure the cession of Texas. In his letter of instruction of that date, to our minister at Mexico, he says, ‘the *president* has

thought the present might be an auspicious period for urging a negotiation at Mexico, to settle the boundary of the two Republics.' 'If we could obtain such a boundary as we desire, the government of the United States might be disposed to pay a reasonable pecuniary compensation. The boundary we prefer is that, which beginning at the mouth of the Rio del Norte in the sea, shall ascend that river to the mouth of the Rio Puerco, thence ascending this river to its source, and from its source by a line due north to strike the Arkansas, thence, following the southern bank of the Arkansas to its source, in latitude  $42^{\circ}$  north; and thence by that parallel of latitude to the South sea.' And he adds, the treaty may provide 'for the incorporation of the inhabitants into the Union.'

"Mr. Van Buren, in his letter, as secretary of state, to our minister at Mexico, dated August 25, 1829, says, 'It is the wish of the president that you should, without delay, open a negotiation with the Mexican government, for the purchase of so much of the province of Texas, as is hereinafter described.' 'He is induced by a *deep* conviction of the *real necessity* of the proposed acquisition, not only as a *guard* for our western frontier, and the *protection* of *New Orleans*, but also to secure forever to the inhabitants of the valley of the Mississippi, the undisputed and undisturbed possession of the navigation of that river.' 'The territory, of which a cession is desired by the United States, is all that part of the province of Texas which lies east of a line beginning at the Gulf of Mexico, in the centre of the desert, or grand prairie, which lies west of the Rio Nueces.' And Mr. Van Buren adds, the treaty may provide 'for the incorporation of the inhabitants into the Union.' And he then enters into a long and powerful argument of his own, in favor of the reacquisition of Texas.

"On the 20th of March, 1833, Gen. Jackson, through Mr. Livingston, as secretary of state, renews to our minister at Mexico, the former 'instructions on the subject of the proposed cession.' On the 2d of July, 1835, General Jackson, through Mr. Forsyth, as secretary of state, renews the instructions to obtain the cession of Texas, and expresses 'an anxious desire to secure the very desirable alteration in our boundary with Mexico.' On the 6th of August, 1835, General Jackson, through Mr. Forsyth, as secretary of state, directs our minister at Mexico to endeavor to procure for us, from that government, the following boundary, 'beginning at the Gulf of Mexico, proceeding along the eastern bank of the river Rio Bravo del



Norte, to the 37th parallel of latitude, and thence along that parallel to the Pacific.' This noble and glorious proposition of General Jackson would have secured to us not only the whole of Texas, but also the largest and most valuable portion of upper California, together with the bay and harbor of San Francisco, the best on the western coast of America, and equal to any in the world. If, then, it was deemed, as it is clearly proved, most desirable to obtain the reannexation of Texas, down to a period as late as August, 1835, is it less important at this period?"

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## I.

### TWENTY-EIGHTH CONGRESS, SECOND SESSION,

*Begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of December, eighteen hundred and forty-four.*

#### JOINT RESOLUTION FOR ANNEXING TEXAS TO THE UNITED STATES.

*"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress doth consent that the territory properly included within, and rightfully belonging to, the republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said republic, by deputies in convention assembled, with the consent of the existing government, in order that the same may be admitted as one of the States of this Union.*

*"2. And be it further resolved, That the foregoing consent of Congress is given upon the following conditions, and with the following guaranties, to wit: First. Said State to be formed, subject to the adjustment by this government of all questions of boundary that may arise with other governments; and the constitution thereof, with the proper evidence of its adoption by the people of said republic of Texas, shall be transmitted to the president of the United States, to be laid before Congress for its final action on or before the first day of January, one thousand eight hundred and forty-six. Second. Said State, when admitted into the Union, after*



ceding to the United States all public edifices, fortifications, barracks, ports and harbors, navy and navy-yards, docks, magazines, arms, armaments, and all other property and means pertaining to the public defence belonging to said republic of Texas, shall retain all the public funds, debts, taxes, and dues of every kind, which may belong to or be due and owing said republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said republic of Texas, and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct; but in no event are said debts and liabilities to become a charge upon the government of the United States. Third. New States, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the federal constitution. And such States as may be formed out of that portion of said territory lying south of thirty-six degrees thirty minutes north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union, with or without slavery, as the people of each State asking admission may desire. And in such State or States as shall be formed out of said territory, north of said Missouri compromise line, slavery or involuntary servitude, (except for crime,) shall be prohibited.

"3. *And be it further resolved*, That if the president of the United States shall, in his judgment and discretion, deem it most advisable, instead of proceeding to submit the foregoing resolution to the republic of Texas, as an overture on the part of the United States for admission, to negotiate with that republic — then, *Be it resolved*, That a State, to be formed out of the present republic of Texas, with suitable extent and boundaries, and with two representatives in Congress, until the next apportionment of representation, shall be admitted into the Union, by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such admission, and the cession of the remaining Texan territory to the United States, shall be agreed upon by the governments of Texas and the United States; and that the sum of one hundred thousand dollars be, and the same is hereby, appropriated to defray the expenses of missions and negotiations, to agree upon the terms of said admission and cession, either by treaty to be

submitted to the senate, or by articles to be submitted to the two houses of Congress, as the president may direct.

“J. W. JONES,

*“Speaker of the House of Representatives.*

“WILLIE P. MANGUM,

*“President pro tempore of the Senate.*

“Approved, March 1, 1845.

JOHN TYLER.”

### JOINT RESOLUTION,

*Giving the Consent of the existing Government to the Annexation of Texas to the United States.*

“Whereas, the government of the United States hath proposed the following terms, guaranties, and conditions on which the people and territory of the republic of Texas may be erected into a new State, to be called the State of Texas, and admitted as one of the States of the American Union, to wit:

[Here follow the two first sections of the joint resolution of the Congress of the United States.]

“And whereas, by said terms, the consent of the existing government of Texas is required; therefore,

*“Be it resolved by the Senate and House of Representatives of the Republic of Texas in Congress assembled, That the government of Texas doth consent that the people and territory of the republic of Texas may be erected into a new State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said republic by deputies in convention assembled, in order that the same may be admitted as one of the States of the American Union; and said consent is given on the terms, guaranties, and conditions set forth in the preamble to this joint resolution.*

“SECT. 2. *Be it further resolved, That the proclamation of the president of the republic of Texas, bearing date May fifth, eighteen hundred and forty-five, and the election of deputies to sit in convention at Austin on the fourth day of July next, for the adoption of a constitution for the State of Texas, had in accordance therewith, hereby receives the consent of the existing government of Texas.*

“SECT. 3. *Be it further resolved, That the president of Texas is hereby requested immediately to furnish the government of the United States, through their accredited minister near this govern-*

ment, with a copy of this joint resolution ; also to furnish the convention to assemble at Austin on the 4th of July next a copy of the same ; and the same shall take effect from and after its passage.

“JOHN M. LEWIS,

*“Speaker of the House of Representatives.*

“K. L. ANDERSON,

*“President of the Senate.*

“Approved, June 23, 1845.

“ANSON JONES.”

“DEPARTMENT OF STATE, June 23, 1845.

“The undersigned, secretary of state of the republic of Texas, hereby certifies that the foregoing is a copy of the original joint resolutions on file in the archives of this office.

“[L. S.] In testimony whereof, the official seal of the department is hereunto affixed.

“EBEN’R ALLEN.”

#### AN ORDINANCE.

“Whereas, the Congress of the United States of America has passed resolutions providing for the annexation of Texas to that Union, which resolutions were approved by the president of the United States on the first day of March, one thousand eight hundred and forty-five ; and whereas the president of the United States has submitted to Texas the first and second sections of the said resolution, as the basis upon which Texas may be admitted as one of the States of the said Union ; and whereas the existing government of the republic of Texas has assented to the proposals thus made, the terms and conditions of which are as follows :—

[The two first sections of the joint resolution of the Congress of the United States are here quoted.]

“Now, in order to manifest the assent of the people of this republic, as required in the above recited portions of the said resolutions, we, the deputies of the people of Texas, in convention assembled, in their name, and by their authority, do ordain and declare, that we assent to and accept the proposals, conditions, and guaranties contained in the first and second sections of the resolution of the Congress of the United States aforesaid.

“THOMAS J. RUSK, *President.*

“Phil. M. Curry, H. G. Runnels, Robert M. Forbes, Sam. Lusk, Jno. Caldwell, Jose Antonio Navarra, Geo. M. Brown, Gustavus A.

Everts, Lemuel Dale Evans, J. B. Miller, R. E. B. Baylor, J. S. Mayfield, R. Bache, James Love, Wm. L. Hunter, John D. Anderson, Isaac Parker, P. O. Lumpkin, Francis Moore, Jr., Isaac W. Brashear, Alexander McGowan, Isaac Van Zandt, S. Holland, Edward Clark, Geo. W. Smyth, James Armstrong, Francis W. White, James Davis, George T. Wood, G. W. Wright, H. R. Latimer, John M. Lewis, James Scott, Archibald McNeill, A. C. Horton, Israel Standifer, Jos. L. Hogg, Chas. S. Taylor, David Gage, Henry S. Jewett, Cavitt Armstrong, James Bower, Albert H. Latimer, Wm. C. Young, J. Pinckney Henderson, Nicholas H. Darnell, Emery Rains, A. W. O. Hicks, James M. Burroughs, H. L. Kinney, William L. Cazenau, A. S. Cunningham, Abner S. Lipscomb, John Hemphill, Van. R. Irion.

"Adopted, July 4, 1845.

"Attest:

"JAMES H. RAYMOND,

"*Secretary of the Convention.*"

"CITY OF AUSTIN, REPUBLIC OF TEXAS, }  
"July 5, 1845. }

"I certify the foregoing is a correct copy of the ordinance as adopted and signed by the members of the convention on yesterday, July 4, 1845.

"JAMES H. RAYMOND,

"*Secretary of the Convention.*"

*Mr. Donelson to Mr. Buchanan.*

[No. 34.]

"LEGATION OF THE UNITED STATES, }  
"AUSTIN, July 7, 1845. }

"SIR: Since my note of yesterday, the enclosed resolution of the convention has been handed to me. It is but a repetition of the application heretofore made by the existing government of Texas, for the occupation of her frontier with our troops.

"I am, very respectfully, your obedient servant,

"A. J. DONELSON.

"Hon. JAMES BUCHANAN,

"*Secretary of State of the United States, &c. &c.*"

*Mr. Rusk to Mr. Donelson.*

"CONVENTION ROOM, }  
"AUSTIN, Texas, July 7, 1845. }

"SIR: By order of the convention, I have the honor herewith to

transmit to your excellency the enclosed copy of a resolution adopted by the honorable convention this day.

"Very respectfully, your excellency's most obedient servant,  
"TH. J. RUSK, *President*.

"His Excellency A. J. DONELSON,  
" *Chargé d'Affaires of the United States, &c. &c.*"

## RESOLUTION

*Relative to the Introduction of the United States Forces into Texas.*

"Be it resolved by the Deputies of the People in Convention assembled, That the president of the United States of America is hereby authorized and requested to occupy and establish posts, without delay, upon the frontier and exposed positions of this republic; and to introduce for such purpose, and defence of the territory and people of Texas, such forces as may be necessary and advisable for the same.

"Adopted in convention, at the city of Austin, Republic of Texas, July 7, 1845.

"THO. J. RUSK, *President*.

"Attest :

"JAS. H. RAYMOND,   
" *Secretary of the Convention.*"

## J.

## CORRESPONDENCE, &c.

"EXECUTIVE DEPARTMENT, }  
WASHINGTON, June 18, 1845. }

"To the honorable the Senate :

"The executive herewith respectfully transmits to your honorable body, for its constitutional advice and action, the 'conditions preliminary to a treaty of peace between Mexico and Texas,' signed on the part of the former at the city of Mexico, on the 19th of May ultimo, together with an additional declaration made by the government of Mexico of the same date, in connection with those conditions.

"The correspondence connected with the above is also transmitted for the information of the senate.



"The executive requests the senate to return the *original* papers so soon as they shall have received its examination and action.

"ANSON JONES."

[Translation.]

"LEGATION OF FRANCE IN MEXICO, }  
MEXICO, May 20, 1845. }

"MR. PRESIDENT: I am happy to be able to announce to your excellency that the Mexican government, after having obtained the authorization of the two chambers of Congress, has acceded to the four preliminary articles which the secretary of state of Texas had remitted to the *chargés d'affaires* of France and England near your government, and which these last had transmitted to me and to the minister of her Britannic majesty, to be presented to the executive power of Mexico.

"The act of acceptance, clothed with the necessary forms, will be handed by Mr. Elliott to the secretary of state of the Texan government, and your excellency will thence find yourself in a situation to name commissioners to negotiate with Mexico the definitive treaty between Mexico and Texas.

"The success which has crowned our efforts has only been obtained by much management of susceptibilities. But I should say that the dispositions of the executive power have never appeared doubtful to me, and that they give me the hope of a solution proper to satisfy the two parties, and to assure their reciprocal well being.

"If, in the course which must be given to this affair, I can contribute to the wise views and sound policy which animate your excellency, I shall lend myself to it with so much the more zeal, that it relates to the accomplishment of a work useful to humanity; and if the result answers to our hopes, I shall consider the part which I have taken in it as one of the deeds for which I may most applaud myself in my diplomatic career.

"Receive, Mr. President, the assurances of the high consideration with which I am your excellency's very humble and most obedient servant,

"BARON ALLEYE DE CYPREY.

"His Excellency Mr. ANSON JONES,

"*President of the Republic of Texas, &c.*

"The foregoing is a correct translation of the original.

"STEPHEN Z. HOYLE, *Translator.*"

*Conditions preliminary to a Treaty of Peace between Mexico and Texas.*

"1. Mexico consents to acknowledge the independence of Texas.

"2. Texas engages that she will stipulate in the treaty not to annex herself or become subject to any country whatever.

"3. Limits and other conditions to be matter of arrangement in the final treaty.

"4. Texas will be willing to remit disputed points respecting territory and other matters to the arbitration of umpires.

"Done at Washington, (on the Brazos,) the 29th March, 1845.

"ASHBEL SMITH,

"*Secretary of State.*" [L. s.]

[Translation.]

"MEXICO, May 20, 1845.

"The undersigned, envoy extraordinary and minister plenipotentiary of his majesty the king of the French, and minister plenipotentiary of her Britannic majesty, certify that the above copy conforms with the original which has been presented to them by Mr. Elliott, her Britannic majesty's chargé d'affaires to Texas.

"BARON ALLEYE DE CYPREY. [L. s.]

"CHARLES BANKHEAD. [L. s.]

"The above is a correct translation of the original.

"S. Z. HOYLE, *Translator.*"

[Translation.]

"The minister of foreign affairs and government of the Mexican Republic has received the preliminary propositions of Texas for an arrangement or definitive treaty between Mexico and Texas, which are of the following tenor: —

"*Conditions preliminary to a Treaty of Peace between Mexico and Texas.*

"1st. Mexico consents to acknowledge the independence of Texas.

"2d. Texas engages that she will stipulate in the treaty not to annex herself or become subject to any country whatever.

"3d. Limits and other conditions to be matter of arrangement in the final treaty.

“4th. Texas will be willing to remit disputed points respecting territory, and other matters, to the arbitration of umpires.

“Done at Washington, (on the Brazos,) the 29th of March, 1845.

“ASHBEL SMITH, [L. s.]

“*Secretary of State.*”

“The government of the republic has asked, in consequence, of the national Congress, the authority which it has granted, and which is of the following tenor:—

“The government is authorized to hear the propositions which Texas has made, and to proceed to the arrangement or celebration of the treaty, that may be fit and honorable to the republic, giving an account to Congress for its examination and approval.”

“In consequence of the preceding authority of the Congress of the Mexican republic, the undersigned, minister of foreign affairs and government, declares: That the supreme government receives the four articles above mentioned as the preliminaries of a formal and definitive treaty; and further, that it is disposed to commence the negotiation as Texas may desire, and to receive the commissioners which she may name for this purpose.

“LUIS G. CUEVAS. [L. s.]

“MEXICO, May 19, 1845.

“The above is a correct translation of the original.

“STEPHEN Z. HOYLE, *Translator.*”

[Translation.]

#### ADDITIONAL DECLARATION.

“It is understood that besides the four preliminary articles proposed by Texas, there are other essential and important points which ought also to be included in the negotiation, and that if this negotiation is not realized on account of circumstances, or because Texas, influenced by the law passed in the United States on annexation, should consent thereto, either directly or indirectly, then the answer which under this date is given to Texas, by the undersigned, minister for foreign affairs, shall be considered as null and void.

“LUIS G. CUEVAS. [L. s.]

“MEXICO, May 19, 1845.

“The above is a correct translation of the original.

“STEPHEN Z. HOYLE, *Translator.*”

“EXECUTIVE DEPARTMENT,  
WASHINGTON, TEXAS, *June 6, 1845.* }

“SIR: I have the honor to acknowledge the receipt of your excellency's letter of the 20th ultimo, which, together with the the official documents referred to in it, and by which Mexico has given her assent to the preliminaries of peace with Texas, upon the basis of an acknowledgment of the independence of the latter, were handed me by Mr. Elliott, chargé d'affaires of her Britannic majesty near this government, on the 2d instant.

“For your kindness and courtesy in transmitting these interesting and important papers, as well as for your valuable services in producing the result which they announce to me, and the offer of a continuance of the same good offices whenever they can be useful, I beg you to accept my best thanks. Should the result be the establishment of a good understanding and a lasting peace between the governments of Texas and Mexico, with the concurrence of their people, the cause of humanity will assuredly be greatly indebted to your efforts in its behalf.

“I have the honor to transmit to you herewith, for such disposition as you may think proper to make of them, certified copies of the proclamation issued by me on the 4th instant, announcing to the people the agreement of Mexico to the preliminaries of peace, and the consequent cessation of hostilities between the two countries.

“The Congress of Texas will assemble on the 16th of the present month, and a convention on the 4th of July proximo. These bodies have been convoked to consider the propositions made by the government of the United States on the subject of annexation. The subject of our relations with Mexico will also be presented to them, their decisions will necessarily govern my future action in reference to the same.

“Accept, sir, the assurances of high consideration and respect with which I remain your excellency's most obedient humble servant,

“ANSON JONES.

“His Excellency the BARON ALLEYE DE CYPREY, &c. &c.”

## K.

## MEXICAN CIRCULARS.

“OFFICE OF WAR AND MARINE, }  
Section of Operations. }

“The United States have consummated the perfidy against Mexico by sanctioning the decree which declares the annexation of the department of Texas to that republic. The injustice of that usurpation is apparent, and Mexico cannot tolerate such a grave injury without making an effort to prove to the United States the possibility of her ability to cause her rights to be respected. With this object, the supreme government has resolved upon a declaration of war against that power, seeing that our forbearance, instead of being received as a proof of our friendly disposition, has been interpreted into an acknowledged impossibility on our part to carry on a successful war.

“Such an error, on the part of the United States, will be advantageous to Mexico, because, suddenly abandoning its pacific attitude, it will to-morrow communicate to Congress the declaration of war, and excite the patriotism of its citizens to sustain the dignity of the nation, and the integrity of its territory, now treacherously attacked, in utter disregard of all guaranties recognized in this enlightened age.

“You will readily appreciate the importance of this subject, and the necessity of preparing the troops under your command to march towards any point which may require protection against these most unjust aggressions. I am directed by the provisional president to enjoin you, as general-in-chief of your division, and as a citizen of this republic, to hold yourself in readiness to repel those who seek the ruin of Mexico. The government is occupied in covering the deficient points on the frontiers, and in collecting the necessary means, so that nothing may be wanting to those whose glory it will be to defend the sacred rights of their country.

“I have the honor to communicate for your intelligence, and to direct your conduct.

“God and liberty.

GARCIE CONDE.

“MEXICO, July 12, 1845.”



*This Circular to the Authorities subordinate to this Office.*

"MOST EXCELLENT SENOR: As my notes of the 30th of March and 7th of April of this year, concerning the deserters and recruits for the army, have not produced effects which his excellency the president *ad interim* desired, as the governors have not been able to gather a number of men by any means adequate to the wants of the army, his excellency has ordered your excellency to provide the material to enable the different departments to furnish their quota, and complete the contingent of troops required by the decrees of the 29th of December, 1843, and 2d July, 1844; for although the supreme government has not exacted with punctuality, the complement from the departments, she now sees herself under the necessity of doing so, for the war which she wages against the United States, the perfidy and treachery of which power put her in possession of a part of this Republic.

"His excellency, the president *ad interim*, requires that your excellency inform the governors of the necessity which exists of detailing the number of men, so highly necessary to fill the ranks of the army, and to excite the zeal and patriotism of the authorities, that their preparations shall be so effectual as to fulfil the desires of the government, and prevent the dignity of the nation from being in any measure compromised.

"I have the honor to communicate to your excellency the following, to be used as occasion may require.

"God and liberty.

GARCIA CONDE.

"July 16, 1845."

*Most excellent Senor, Minister of Foreign Relations and of Police.  
Transmit to the Authorities depending upon your Department.*

"MOST EXCELLENT SENOR: It being necessary that the troops of the line should cover the frontiers of the republic, and march towards Texas, to conquer that department, now usurped by the United States, his excellency the president *ad interim* has commanded me to transmit you this note, to excite the zeal and patriotism of the governors, that they place under arms, in their respective districts, all the force which can be collected in defence of the law, to be ready to serve as a safeguard of the respective departments, according to the decree of the 4th of June of this year, and the regulation of the 7th instant.

"Your excellency will communicate to the governors this supreme resolution, and will inform them of the obligations under which the citizens are to contribute to the defence of their country, and to sustain rights violated by a nation which refuses to acknowledge them, and obliges Mexico to maintain them by force—which it most undoubtedly will, or fall in the struggle. She will not consent to give up one half of her territory, from the base fear of losing the other. Hoping your excellency will furnish me with information as to the number of men which can be devoted to this important object, your excellency will please to accept my most high consideration.

"God and liberty.

GARCIA CONDE.

"MEXICO, *July* 16, 1845.

"To the most excellent Senor, minister of foreign relations and police."

## L.

MR. SLIDELL'S LETTER OF CREDENCE.

"JAMES K. POLK,

"PRESIDENT OF THE UNITED STATES OF AMERICA.

"GREAT AND GOOD FRIEND: I have made choice of John Slidell, one of our distinguished citizens, to reside near the government of the Mexican republic, in the quality of envoy extraordinary and minister plenipotentiary of the United States of America. He is well informed of the relative interests of the two countries, and of our sincere desire to restore, cultivate, and strengthen friendship and good correspondence between us; and from a knowledge of his fidelity and good conduct, I have entire confidence that he will render himself acceptable to the Mexican government, by his constant endeavors to preserve and advance the interest and happiness of both nations. I therefore request your excellency to receive him favorably, and to give full credence to whatever he shall say on the part of the United States. And I pray God to have you in his safe and holy keeping.

"Written at the city of Washington, the tenth day of November.

in the year of our Lord one thousand eight hundred and forty-five, and of the independence of the United States the seventieth.

"Your good friend,

"JAMES K. POLK.

"By the President :

"JAMES BUCHANAN,

"*Secretary of State.*

"To his Excellency DON JOSE JOAQUIM HERRERA,

"*President of the Mexican Republic.*"

## M.

### LETTER.

*Mr. Peña y Peña to Mr. Slidell.*

"PALACE OF THE NATIONAL GOVERNMENT, }  
MEXICO, *December 16, 1845.* }

"The undersigned, minister of foreign relations, in answer to the letter which his excellency Mr. John Slidell, was pleased to address to him yesterday, has the honor to inform him that the delay in his reception, to which he alludes, and the consequent delay in answering his preceding note, making known his arrival in this capital, and accompanying a copy of his credentials, have arisen solely from certain difficulties, occasioned by the nature of those credentials, as compared with the proposition made by the United States, through their consul, to treat peacefully upon the affairs of Texas, with the person who should be appointed to that effect; for which reason it has been found necessary to submit the said credentials to the council of government, for its opinion with regard to them.

"The undersigned will communicate the result to his excellency without loss of time; assuring him meanwhile that the government of Mexico is ready to proceed agreeably to what it proposed in its answer on the subject.

"The undersigned avails himself of this opportunity to offer to his excellency Mr. Slidell, the assurances of his very distinguished consideration.

"MANUEL DE LA PENA Y PENA.

"His Excellency JOHN SLIDELL, &c. &c."

## N.

## LETTER.

*Mr. Slidell to Mr. Peña y Peña.*

“MEXICO, December 24, 1845.

“The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, had the honor to receive, on the evening of Sunday the 21st instant, the communication of Mr. Peña y Peña, dated on the preceding day. The undersigned will abstain from the full expression of the feelings of astonishment and dissatisfaction which its perusal has so naturally excited, fearful that, if he did not do so, he might overstep the bounds which courtesy and the usages of diplomatic intercourse prescribe, in addressing a person occupying the distinguished position of Mr. Peña y Peña; but he should be recreant alike to the character, dignity, and interests of the government which he has the honor to represent, were he not to point out to your excellency, and through him to the people of the United States and of Mexico, the misstatements, (and he begs to be understood that he uses this word in no invidious sense,) which the communication of your excellency contains of the correspondence which induced the appointment of the undersigned, refute the reasoning by which Mr. Peña y Peña attempts to sustain the refusal of the Mexican government to receive him, and apprise him of the very grave consequences to which a persistence in that refusal will probably lead.

“In performing this ungrateful duty, the undersigned will sedulously endeavor to avoid every expression that could, by possibility, offend the just sensibilities of the Mexican government; but this feeling, sincerely entertained, would degenerate into culpable weakness, were he to withhold any fact or suppress any argument necessary to the faithful discharge of the task which has been imposed upon him,—that of vindicating the strict correctness of the course pursued by his government, and demonstrating the glaring impropriety of that which the Mexican government seems determined to pursue.

“For this purpose, it will be necessary to make a brief reference to the difficulties which existed between the two countries, when, at the instance of your excellency, the consul of the United States, acting by authority of his government, addressed to your excellen-

cy, on the 13th of October last, a letter, the substance of which had been communicated orally to your excellency in a confidential interview two days previously. Diplomatic relations had been suspended by the recall of General Almonte, the Mexican minister at Washington, in March last, and the subsequent withdrawal of the minister of the United States from Mexico.

“Mexico considered herself aggrieved by the course which the United States had pursued in relation to Texas, and this feeling, it is true, was the immediate cause of the abrupt termination of all diplomatic relations; but the United States, on their part, had causes of complaint, better founded and more serious, arising out of the claims of its citizens on Mexico.

“It is not the purpose of the undersigned to trace the history of these claims, and the outrages from which they sprung. The annals of no civilized nation present, in so short a period of time, so many wanton attacks upon the rights of persons and property as have been endured by citizens of the United States from the Mexican authorities — attacks that would never have been tolerated from any other nation than a neighboring and sister republic. They were the subject of earnest, repeated, and unavailing remonstrance, during a long series of years, until at last, on the 11th of April, 1839, a convention was concluded for their adjustment. As, by the provisions of that convention, the board of commissioners organized for the liquidation of the claims was obliged to terminate its duties within eighteen months, and as much of that time was lost in preliminary discussions, it only acted finally upon a small portion of the claims, the amount awarded upon which amounted to \$2,026,139, (two millions twenty-six thousand one hundred and thirty-nine dollars;) claims were examined and awarded by the American commissioners, amounting to \$928,627, (nine hundred and twenty-eight thousand six hundred and twenty-seven dollars,) upon which the umpire refused to decide, alleging that his authority had expired, while others, to the amount of \$3,336,837, (three millions three hundred and thirty-six thousand eight hundred and thirty-seven dollars,) remained altogether unacted upon, because they had been submitted too late for the decision of the board. In relation to the claims which had been submitted to the board of commissioners, but were not acted on for want of time, amounting to \$4,265,464, (four millions two hundred and sixty-five thousand four hundred and sixty-four dollars,) a convention was signed in this



capital on the 20th of November, 1843, by Mr. Waddy Thompson, on the part of the United States, and Messrs. Bocanegra and Trigueros, on that of Mexico, which was ratified by the senate of the United States, with two amendments manifestly reasonable and necessary. Upon a reference of these amendments to the government of Mexico, it interposed evasions, difficulties, and delays of every kind, and has never yet decided whether it would accede to them or not, although the subject has been repeatedly pressed by the ministers of the United States. Subsequently, additional claims have been presented to the department of state, exceeding in amount \$2,200,000, (two millions two hundred thousand dollars,) showing in all, the enormous aggregate of \$8,491,603, (eight millions four hundred and ninety-one thousand six hundred and three dollars.) But what has been the fate even of those claimants against the government of Mexico, whose debt has been fully liquidated, recognized by Mexico, and its payment guarantied by the most solemn treaty stipulations? The Mexican government, finding it inconvenient to pay the amount awarded, either in money or in an issue of treasury notes, according to the terms of the convention, a new convention was concluded on the 30th of January, 1843, between the two governments, to relieve that of Mexico from this embarrassment. By its terms, the interest due on the whole amount awarded was ordered to be paid on the 30th of April, 1843, and the principal, with the accruing interest, was made payable in five years, in equal instalments, every three months. Under this new agreement, made to favor Mexico, the claimants have only received the interest up to the 30th April, 1843, and three of the twenty instalments.

“The undersigned has not made this concise summary of the injuries inflicted upon American citizens during a long series of years, coeval indeed with the existence of the Mexican republic, reparation for which has been so unjustly delayed, for the purpose of recrimination, or to revive those angry feelings which it was the object of his mission to assuage, and, if possible, by friendly and frank negotiation, to bury in the most profound oblivion; but simply to prove, that if the proposition made by his government, through its consul, for the renewal of diplomatic relations, presented any ambiguity, (which, he will proceed to show, does not exist,) it could not, by any fair rule of construction, bear the interpretation which your excellency has given to it. The United States have never

yet, in the course of their history, failed to vindicate, and successfully, too, against the most powerful nations of the earth, the rights of their injured citizens. If such has been their course 'in their infancy, and when comparatively feeble, it cannot be presumed that they will deviate from it now.

“Mr. Peña y Peña says, that, having communicated to his excellency the president of the republic the note of the undersigned, of the 8th instant, with a copy of his credentials, and the letter of the secretary of state of the United States relative to his mission, he regrets to inform the undersigned, that although the supreme government of the republic continues to entertain the same pacific and conciliatory intentions which your excellency manifested to the consul of the United States in his confidential note of 14th October last, it does not think that, to accomplish the object which was proposed by the said consul, in the name of the American government, and which was accepted by Mr. Peña y Peña, it is in the situation (*está en el caso*) to admit the undersigned in the character with which he comes invested, of envoy extraordinary and minister plenipotentiary resident in the republic, and that, to sustain this refusal, Mr. Peña y Peña will briefly expose to the undersigned the reasons which have governed his excellency the president. Your excellency then proceeds to say that the proposition in question was spontaneously made by the government of the United States, and accepted by that of Mexico, to give a new proof that even in the midst of its injuries, and of its firm determination to exact adequate reparation for them, it neither repelled nor undervalued the measure of reason and peace to which it was invited, so that the proposition, as well as its acceptance, turned upon the precise and positive supposition that the commissioner should be *ad hoc*; that is to say, to arrange in a peaceful and decorous manner the questions of Texas. This has not been done, since the undersigned does not come in that capacity, but in the absolute and general capacity of envoy extraordinary and minister plenipotentiary, to reside in that quality near the Mexican government. That if the undersigned be admitted in this character, which differs essentially from that which was proposed for his mission on the part of the United States, and which was accepted by the Mexican government, it would give room to believe that the relations of the two republics became at once open and free; which could not take place, without the questions, which had brought about the state

of interruption which now exists, were previously terminated peaceably, but in a decorous manner for Mexico.

“If your excellency had not himself conducted the preliminary and informal negotiation with the consul of the United States, of which the preceding version is given by him; if the letter of the consul had not been addressed to, and answered by, your excellency, the undersigned would be constrained to believe that your excellency had derived his knowledge of it from some unauthentic source. But, as this is not the case, the undersigned trusts that your excellency will pardon him if he suggests the doubt whether your excellency—constantly occupied, as he must for some time past have been, by the disturbed state of the internal affairs of the republic—has reperused the letter of the consul of October 13, and the answer of your excellency of October 15, with that scrupulous attention which the gravity of the case demanded; and whether the lapse of time has not left on the mind of your excellency but a vague and incorrect impression of what really occurred. Another solution, however, of this difficulty suggests itself to the undersigned, and he shall be most happy to find that it is the correct one. Your excellency refers to his answer to the consul as being dated on the 14th October, while the letter of your excellency, now in possession of the consul, is dated on the 15th October, as the undersigned has had occasion to verify by personal inspection; and he repeats, that he will learn with the greatest satisfaction that his present peculiar and most embarrassing position is the result of unintentional error on the part of the Mexican government.

“The undersigned will now proceed, by precise and literal quotation from the letter of the consul, of October 13, to show, in the most conclusive manner, that the government of the United States proposed to send to Mexico an *envoy intrusted with full power to adjust all the questions in dispute between the two powers*; and that the Mexican government, through your excellency, in the letter of October 15, declared itself *disposed to receive the commissioner of the United States, who might come to this capital with full powers to settle those disputes in a peaceful, reasonable, and honorable manner*. The consul, in his letter of October 13, said, that in a confidential interview with your excellency, which took place on the 11th October, he had the honor to inform your excellency, that he (the consul) had received a communication from the secretary of state of the United States; and having, in that interview, made known to your excel-

lency the substance of said communication, your excellency, having heard and considered with due attention the statement read from the said communication, stated that, as the diplomatic relations between the two governments had been, and still were, suspended, the interview should have no other character than that of a confidential meeting; to which he (the consul) assented, considering it only in that light. That your excellency then requested that he (the consul) might, in the same confidential manner, communicate in writing what had thus been made known verbally; that, in conformity with that request, he transcribed that part of the communication of the secretary of state of the United States, which was in the following words: 'At the time of the suspension of the diplomatic relations between the two countries, General Almonte was assured of the desire felt by the president to adjust amicably every cause of complaint between the governments, and to cultivate the kindest and most friendly relations between the sister republics. He still continues to be animated by the same sentiments. He desires that all existing differences should be terminated amicably by negotiation, and not by the sword. Actuated by these sentiments, the president has directed me to instruct you, in the absence of any diplomatic agent in Mexico, to ascertain from the Mexican government whether they would receive an envoy from the United States, intrusted with full power to adjust all the questions in dispute between the two governments. Should the answer be in the affirmative, such an envoy will be immediately despatched to Mexico.'

"Your excellency, under date of October 15, in reply to the consul, said, —

" 'I have informed my government of the private conference which took place between you and myself on the 11th instant, and have submitted to it the confidential letter which you, in consequence of, and agreeably to, what was then said, addressed to me yesterday. In answer, I have to say to you, that although the Mexican nation is deeply injured by the United States, through the acts committed by them in the department of Texas, belonging to this nation, my government is disposed to receive the commissioner of the United States, who may come to this capital with full powers to *settle the present dispute* in a peaceful, reasonable, and honorable manner; thus giving a new proof, that, even in the midst of its injuries, and of its firm determination to exact adequate reparation of them, it



does not repel nor undervalue the measure of reason and peace to which it is invited by its adversary.

“ ‘As my government believes this invitation to be made in good faith, and with the real desire that it may lead to a favorable conclusion, it also hopes that the commissioner will be a person endowed with the qualities proper for the attainment of this end; that his dignity, prudence, and moderation, and the discreteness and reasonableness of his proposals, will contribute to calm, as much as possible, the just irritation of the Mexicans; and, in fine, that the conduct of the commissioner may be such as to persuade them that they may obtain satisfaction for their injuries through the means of reason and peace, and without being obliged to resort to those of arms and force.

“ ‘What my government requires above all things is, that the mission of the commissioner of the United States should appear to be always absolutely frank, and free from every sign of menace or coercion; and thus, Mr. consul, while making known to your government the disposition on the part of that of Mexico to receive the commissioner, you should impress upon it, as indispensable, the recall of the whole naval force now lying in sight of our port of Vera Cruz. Its presence would degrade Mexico while she is receiving the commissioner, and would justly subject the United States to the imputation of contradicting, by acts, the vehement desire of conciliation, peace, and friendship, which is professed and asserted by words. I have made known to you, Mr. consul, with the brevity which you desired, the disposition of my government; and, in so doing, I have the satisfaction to assure you of my consideration and esteem for you personally.’

“ ‘The undersigned has transcribed the letter of your excellency at length and verbatim, on account of the discrepancy of dates, to which he has before adverted, in order that your excellency may have an opportunity of comparing it with the copy on the files of his office. Argument and illustration would be superfluous to show that the offer of the United States was accepted by your excellency without any other condition or restriction than that the whole naval force, then lying in sight of Vera Cruz, should be recalled. That condition was promptly complied with, and no ship of war of the United States has since appeared at Vera Cruz, excepting those which have conveyed thither the undersigned, and the secretary of his legation. Nor is it the intention of his government that any



should appear at Vera Cruz, or any other port of the republic on the Gulf of Mexico, excepting such only as may be necessary for the conveyance of despatches.

“The undersigned has said that no other condition or restriction was placed by Mr. Peña y Peña upon the acceptance of the proposition made through the consul, than that of the withdrawal of the naval force of the United States from Vera Cruz, because he will not do your excellency the injustice to suppose that any reliance is placed by your excellency on the mere verbal distinction between the terms envoy and commissioner, when the proposition of the United States, and the acceptance of your excellency, alike contemplated the appointment of a person intrusted with full powers to settle the questions in dispute. Indeed, your excellency admits that the title of the diplomatic agent is of no importance, by using the words commissioner and plenipotentiary *ad hoc*, as convertible terms.

“Your excellency repeatedly and expressly admits that the Mexican government accepted the proposition of the United States, made through its consul, to send an envoy to Mexico. That proposition was frank, simple, and unambiguous in its terms. If your excellency, acting as the organ of the Mexican government, intended to qualify or restrict in any degree the acceptance of the proposition, such intention should have been manifested in terms not to be misunderstood; and the undersigned unhesitatingly rejects a supposition which would be inconsistent with the high respect which he entertains for Mr. Peña y Peña, that your excellency did not intend to respond to the proposition in a corresponding spirit of frankness and good faith.

“The answer of your excellency to the consul, having been forwarded by him, the president of the United States promptly complied with the assurance which had been given, that an envoy would be sent to Mexico with full power to adjust all questions in dispute, by the appointment of the undersigned; thus acting in accordance with the friendly feeling which prompted the government of the United States spontaneously (as your excellency correctly observes) to make peaceful overtures to the Mexican government; for the consul, in submitting the proposition to your excellency, said, in conformity with his instructions, that ‘If the president of the United States had been disposed to stand upon a mere question of etiquette, he would have waited until the Mexican government, which

had suspended the diplomatic relations between the two countries, should have asked that they might be restored ; but his desire is so strong to terminate the present unfortunate state of our relations with this republic, that he has even consented to waive all ceremony and take the initiative.'

"The appointment of an envoy extraordinary and minister plenipotentiary, the highest grade of diplomatic agent ever employed by the government of the undersigned, afforded renewed proof, if any such proof could have been necessary, of the sincere desire of the president of the United States, to terminate the present unfortunate state of their relations with Mexico. What will be his surprise, when he is informed that this additional manifestation of his friendly feeling, invited by your excellency, has been rejected by the Mexican government with contumely ? for, notwithstanding the protestations of peace and good-will with which the rejection of the undersigned is accompanied, he must be excused if he look to the acts rather than the words of the Mexican government, as the true exponents of its feelings.

"There remains another argument on which Mr. De la Peña y Peña bases the refusal to receive the undersigned, which will be briefly noticed. Your excellency says, that although it is true, that, in the letter of credence of the undersigned, it is said that he is informed of the desire which the president of the United States has to *reestablish*, cultivate, and strengthen the friendship and good correspondence of the two countries, yet neither that clause, and still less the single word *reestablish*, is sufficient to give to the undersigned the special character of commissioner, or, what is equivalent, (*ó bien sea*,) of plenipotentiary *ad hoc*, to make propositions on the affairs of Texas, capable of establishing peace, and avoiding the evils of war, by means of a competent arrangement. Your excellency is pleased to say, that it will not escape the discernment (*ilustracion*) of the undersigned, that the powers of such a plenipotentiary should be relative, adequate, and confined by their terms to the business for which he is nominated, and that the nomination which has been made in his person, conferring upon him the character of a full and general minister, of an ordinary plenipotentiary, to reside near the Mexican government, is very far from offering those qualities. The undersigned is free to confess that your excellency has paid an unmerited compliment to his discernment, in supposing that this distinction could not have escaped him ; for, by the very terms

of his credentials, he is not merely an ordinary plenipotentiary, but an envoy extraordinary ; and as such he is intrusted with full powers to adjust *all* the questions in dispute between the two governments ; and, as a necessary consequence, the special question of Texas.

“It is not usual for a minister to exhibit his powers, until he has been accredited ; and, even then, they are not called for until a treaty is either to be made or concluded, or a particular affair of importance negotiated. Still, had your excellency thought proper to intimate a wish to be informed on this subject, the undersigned would not have hesitated to furnish him with a copy of his powers, by which your excellency would have perceived that the undersigned is, in due form, invested with full and all manner of power and authority, for and in the name of the United States, to treat with the Mexican republic of and concerning limits and boundaries between the United States of America and the Mexican republic, and of all matters and subjects connected therewith, and which may be interesting to the two nations, and to conclude or sign a treaty or convention touching the premises.

“Your excellency says the supreme government of the republic cannot admit the undersigned to the exercise of the mission which has been conferred upon him by that of the United States ; but, as it has not in any degree changed the sentiments which your excellency manifested to the consul, in his communication of the 14th of October last, he now repeats them, adding that he will have the greatest pleasure in treating with the undersigned, so soon as he shall present the credentials which would authorize him expressly and solely to settle the questions which have disturbed the harmony and good intelligence of the two republics, and which will lead them to war if they be not satisfactorily arranged ; which settlement was the object of the proposition of the government of the United States, and was the express condition of the Mexican government in accepting it ; without it, the undersigned cannot be received in the capacity in which he presents himself, since it would compromise the honor, dignity, and interests of the Mexican republic. The undersigned concurs fully with your excellency in the opinion expressed by him, that the questions which have disturbed the harmony and good intelligence of the two republics will lead them to war, if they be not satisfactorily arranged. If this, unfortunately, should be the result, the fault will not be with the United

States; the sole responsibility of such a calamity, with all its consequences, must rest with the Mexican republic.

“The undersigned would call the attention of your excellency to the strange discrepancy between the sentiments expressed in the clause of his letter last cited, and the conclusion at which he arrives, that the reception of the undersigned would compromise the honor, dignity, and interests of the Mexican republic. Your excellency says that he will have the greatest pleasure in treating with the undersigned, so soon as the undersigned shall present credentials which would authorize him expressly and solely to settle the questions which have disturbed the harmony and good intelligence of the two republics. What are these questions? The grievances alleged by both governments; and these the undersigned is fully empowered to adjust. Does the Mexican government, after having formally accepted the proposition of the United States, arrogate to itself the right of dictating not only the rank and title which their diplomatic agent shall bear, but the precise form of the credentials which he shall be permitted to present, and to trace out, in advance, the order in which the negotiations are to be conducted? The undersigned, with every disposition to put the most favorable construction on the language of your excellency, cannot but consider it as an absolute and unqualified repudiation of all diplomatic intercourse between the two governments. He fears that the Mexican government does not properly appreciate the friendly overtures of the United States, who, although anxious to preserve peace, are still prepared for war.

“Had the undersigned been accredited by the Mexican government, it would have been free to choose the subjects upon which it would negotiate, subject, of course, to the discretion of the undersigned, controlled by his instructions, to treat upon the isolated question of Texas; and, should it have been found impossible to agree upon a basis of negotiation, his mission, which was not intended to be one of mere ceremony, would probably soon have terminated, leaving the relations of the two countries in the state in which the undersigned found them. If the undersigned had been admitted to the honor of presenting his credentials to his excellency the president of the republic, he was instructed to assure his excellency of the earnest desire which the authorities and people of the United States entertain to restore those ancient



relations of peace and good will which formerly existed between the governments and citizens of the two republics. Circumstances have of late estranged the sympathies of the Mexican people, which had been secured towards their brethren of the north by the early and decided stand which the United States had taken and maintained in favor of the independence of the Spanish American republics on this continent. The great object of the mission of the undersigned was to endeavor, by the removal of all mutual causes of complaint for the past, and of distrust for the future, to revive, confirm, and, if possible, to strengthen those sympathies. The interests of Mexico and of the United States are, if well understood, identical, and the most ardent wish of the latter has been to see Mexico elevated, under a free, stable, and republican government, to a distinguished rank among the nations of the earth. Such are the views of the government of the undersigned, and such was the spirit in which he was directed to act. As for the undersigned, while it was made his duty to manifest this feeling in all his official relations with the government of Mexico, it would have been to him, individually, a source of great gratification to have contributed, by every means in his power, to the restoration of those sentiments of cordial friendship which should characterize the intercourse of neighboring and sister republics.

"The undersigned is not to have the opportunity of carrying these intentions into effect. Mexico rejects the olive branch which has been so frankly extended to her, and it is not the province of the undersigned to criticise the motives and comment upon the influences, foreign or domestic, which have induced her to pursue this course, or to speculate upon the consequences to which it may lead. For a contingency so unexpected and unprecedented, no foresight could have provided; and the undersigned consequently finds himself without instructions to guide him in his very delicate and singular position. He shrinks from taking upon himself the fearful responsibility of acting in a matter that involves interests so momentous, and, as no motive can exist for protracting his stay in this capital, he will proceed in a few days to Jalapa, where he can communicate more speedily with his government, and there await its final instructions.

"The undersigned received with the communication of your excellency a sealed letter, directed to the secretary of state of the United States, with a request that it might be forwarded to its ad-



dress. He regrets that he cannot comply with this request. The letter from the secretary of state to your excellency, of which the undersigned was the bearer, was unsealed, and he cannot consent to be made the medium of conveying to his government any official document from that of Mexico while he is ignorant of its contents. If Mr. Peña y Peña will favor the undersigned with a copy of his letter to the secretary of state, the undersigned will be happy to forward the original with his first despatches.

"He takes this occasion to tender to his excellency D. Manuel de la Peña y Peña the renewed assurances of his distinguished consideration.

JOHN SLIDELL.

"His excellency MANUEL DE LA PENA Y PENA,  
*Minister of Foreign Relations and Government.*"

## O.

### LETTER.

*Peña y Peña to the Council.*

"DEPARTMENT OF FOREIGN RELATIONS, GOVERNMENT, AND POLICE, }  
MEXICO, December 11, 1845. }

"I have the honor to submit to the council, through the medium of your excellency, the documents relative to the appointment of a commissioner of the government of the United States of America, for the peaceable settlement of the questions at issue between the two republics.

"As you will please to observe to the council, the proposition to appoint such a commissioner came spontaneously from the American government, which made it through the medium of its consul in Mexico; and our government accepted it, with the declaration that it did so in order to give a new proof, that even in the midst of its grievances, and of its firm decision to exact adequate reparation, it neither repelled nor contemned the measure of reason and peace to which it was invited, so that the proposition as well as the acceptance, rested upon the exact and definite understanding that the commissioner should be appointed *ad hoc*; that is to say, for the settlement of the questions of Texas in a pacific and honorable manner.

"As the council will also see, in the last official communications

among the documents submitted, Mr. John Slidell has arrived in this capital, as commissioner of the United States; but it does not appear that this gentleman has been appointed by his government as a minister instructed specially to treat on the questions of Texas, but with the general and absolute attributes of an *envoy extraordinary and minister plenipotentiary*, and that he is *to reside in that character near the Mexican government*, in the same manner and almost in the same words used in accrediting Mr. Wilson Shannon, as may be seen by reference to the document on that subject, herewith submitted.

“From these facts naturally flow the following reflections:—

“*First.* The mission of this commissioner has degenerated substantially from the class proposed on the part of the United States, and accepted by our government.

“*Secondly.* If this commissioner should be received simply in the character in which he appears, grounds would justly be afforded for the presumption that the relations between us and the United States remain free and open; a presumption which would be in reality most erroneous, and at the same time most injurious to the dignity and interests of Mexico.

“*Thirdly.* Should he be admitted in the character in which he presents himself, however explicitly we might protest that he was received only for the purpose of hearing his peaceful propositions respecting the affairs of Texas, it would always appear to the whole world that he had been received as, and had been a minister plenipotentiary residing near the Mexican republic; and it is evident that this fact might serve to confuse or to diminish the most clear and direct protests.

“*Fourthly.* The government of Mexico neither could nor ought to refuse the invitation given to it on the part of the United States, to hear and deliberate upon peaceful propositions respecting Texas. In adopting this course, which morality requires, prudence counsels, and the most learned and judicious publicists recommend, the government observed the principle which they lay down as just and proper: ‘As the evil of war is terrible, in the same proportion are nations called on to reserve to themselves the means of terminating it. It is therefore necessary that they should be able to send ministers to each other, *even in the midst of hostilities*, in order to make propositions for peace, or tending to diminish the fury of arms.

\* \* \* It may be stated as a general maxim, that the minister

of an enemy ought always to be admitted and heard ; that is to say, that war alone, and of itself, is not a sufficient reason for refusing to hear any proposition which an enemy may offer,' &c. But if this doctrine be just and rational, so also it is just, that the fact of a nation's having assented to hear propositions of peace, made to it by its enemy, should not serve as a means of obscuring its rights, and silencing, in that way, the demands of its justice. Such would be the case, if Mexico, after assenting to receive and hear a commissioner of the United States, who should come to make propositions of peace respecting the department of Texas, should admit a minister of that nation, absolute and general, a common plenipotentiary to reside near the Mexican republic.

"*Fifthly.* It is true, that in the communication addressed to our president, by the president of the United States, it is declared that the commissioner is informed of the sincere desire of the latter to *restore*, cultivate, and strengthen friendship and good correspondence between the two countries ; but it is clear that neither this clause, nor still less the single word *restore*, is sufficient to give to Mr. Slidell the special character of commissioner to make propositions respecting Texas, calculated to establish peace firmly, and to arrest the evils of war by a definitive settlement. The reason of this is, that the full powers of such a minister should be adequate to the business for which he is appointed.

"*Sixthly.* The settlement which the United States seek to effect in order to attain peace and good correspondence with Mexico, which have been suspended by the occurrences in Texas, is a point necessarily to be determined before any other whatever ; and until that is terminated entirely and peacefully, it will be impossible to appoint and admit an American minister to establish his residence near the government of Mexico.

"*Seventhly.* Moreover, the president of the United States cannot appoint ambassadors, nor any other public ministers, nor even consuls, except with the consent of the senate. This is fixed by the second paragraph of the second section, article second, of their national constitution. But in the credentials exhibited by Mr. Slidell, this requisite, indispensable to give legality to his mission, does not appear.

"*Eighthly.* Nor could that requisite have appeared, as Mr. Slidell was appointed by the president on the 10th of November last, and Congress did not assemble until the first Monday of the present

month of December, agreeably to the second paragraph of the fourth section, article first, of the same constitution.

*Ninthly*, and finally. It is a principle most salutary and natural that he who is about to treat with another has the right to assure himself by inquiries as to the person and the powers of the individual with whom he is to enter into negotiation. And this universal principle of jurisprudence extends also to affairs between nation and nation. Hence comes the necessity that every minister should present his credentials; and hence his examination and qualification by the government to which he presents himself.

"From all these considerations the supreme government concludes that Mr. Slidell is not entitled to be admitted in the case in question as a commissioner of the government of the United States, with the object of hearing his propositions, and settling upon them the affairs of Texas; that it will admit the commissioner whenever he may present himself in compliance with the conditions wanting in the credentials as above mentioned; and that this should be the answer given to him. The supreme government, however, desiring to fortify its judgment, in a case of so delicate a nature, by the opinion of its enlightened council, hopes that this body will, without delay, communicate what it considers proper to be done on the affair.

"MANUEL DE LA PENA Y PENA."

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## P.

### LETTER

*Of Mr. Black to Mr. Slidell.*

[Extracts.]

"CONSULATE OF THE UNITED STATES OF AMERICA, }  
MEXICO, December 15, 1845. }

"In compliance with your request, I have the honor to give you, herewith, a written statement of what passed between his excellency Manuel de la Peña y Peña, minister of foreign relations, &c., of the Mexican government, and myself, in the two interviews had with the said minister, on the evenings of the 8th and 13th instant, held at his house, as follows:—

"At the interview of Monday evening, the 8th instant, which



took place between the hours of six and seven, I stated to his excellency that I presumed he knew of the arrival in this city of the Hon. John Slidell, as envoy, &c., from the government of the United States. He replied that he had been informed of it that day. I then told him that I had made known to Mr. Slidell what his excellency had communicated to me, in our interview of Wednesday, the 3d instant, in relation to the fears entertained by the Mexican government on account of his arrival at this time, as it would have better suited the Mexican government, and they would be more able to carry out their views in relation to the mission, if the envoy had arrived a month later; and that our minister, Mr. Slidell, had regretted much that he had not known the wish of the Mexican government in relation to this point before he left home, as it would also have better suited his convenience to have deferred his coming a month longer; but it was his impression that it was the wish of the Mexican government that he should arrive with as little delay as possible.

"His excellency replied that he had been under the impression, from what had been intimated by myself and others, that an envoy would not be appointed by the government of the United States until after the meeting of Congress, which would not take place until the first of December; that the Mexican government were engaged in collecting the opinion of the departments in relation to this affair, in order that they might be prepared and better able to carry out their views respecting the same; that he himself was well disposed to have everything amicably arranged, but that the opposition was strong, and opposed the government with great violence in this measure, and that the government had to proceed with great caution; that nothing positive could be done until the new Congress meet in January; but that, in the meantime, they would receive the minister's credentials, examine them, and be treating on the subject. He wished to know when I thought the minister would receive the confirmation of his appointment by the senate. I said, this he would likely know in a few days. \* \* \*

"I then presented to his excellency the letter of the Hon. John Slidell, enclosing a copy of his credentials and a letter from the Hon. James Buchanan, secretary of state of the United States; at the same time asking the Mexican minister when it would be convenient to give an answer; to which he replied, on Wednesday evening, the 10th instant, at the same hour and place, and requested



that I would attend to receive the same accordingly; to which I consented; but, about four o'clock in the afternoon of that day, I received a note from Mr. Monasterio, chief clerk of the foreign department, advising me that the minister could not receive me that night (as agreed on) on account of it having been determined to hear the opinion of the government council on the subject of the arrival of the minister from the United States; but as soon as he was ready for the conference arranged with me, he would have the pleasure to advise me, as will be seen by a copy of said note, which I transmit herewith.

"On Saturday evening, the 13th instant, at the request of Mr. Slidell, I called on the Mexican minister, Señor Peña, at his house to inquire when an answer would be given to his (Mr. Slidell's) aforesaid note. He replied, that the affair had been submitted to the government council, in a special session of this day, and that it had been referred to a committee, and that as soon as the committee made a report, and the council should decide, he would then advise me, through Mr. Monasterio, when he was ready for the conference to present to me the answer for Mr. Slidell; as he said when he came to examine the credentials of Mr. S. he found them to be the same as those presented by Mr. Shannon, and other former ministers — as a minister to reside near the government of Mexico, just as if there had been no suspension of the diplomatic and friendly relations between the two governments; that the Mexican government understood the present mission to be a special mission, and confined to the differences in relation to the Texas question, and not as a mission to reside near the Mexican government, as in ordinary cases; that of course would follow when the first question was decided.

"I replied, that as I understood it, the Mexican government had not only agreed to receive an envoy, intrusted with full powers to settle the questions in dispute in relation to the affairs of Texas, but *all* the questions in dispute between the two governments, as proposed by the government of the United States. He replied, that the credentials of Mr. Slidell had not reference to any questions in dispute, but merely as a minister to reside near the Mexican government, without reference to any questions in dispute, just as if the diplomatic and friendly relations between the two governments had not been and were not interrupted; that I knew the critical situation of the Mexican government, and that it had to proceed with great

caution and circumspection in this affair; that the government itself was well disposed to arrange all differences. \* \* \*

"He said he was happy to say that he had received very favorable information in relation to our minister, the Hon. Mr. Slidell; that he understood he was a person indued with excellent qualities, and an eminent lawyer; and as he himself was of that profession, they would be able to understand each other better, and that he would be much pleased to cultivate his acquaintance; and that if etiquette and the present state of affairs would permit, he would be happy to pay him a visit, even before he was presented to the government; and said he would advise me, through Mr. Monasterio, when he was ready to present to me the answer to Mr. Slidell's note.

"The foregoing, sir, is, as far as my recollection will serve, a true statement of what passed between the aforesaid Mexican minister and myself in the beforementioned interviews."

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## Q.

### BOUNDARY OF TEXAS.

In his message of December, 1846, Mr. Polk says, —

"The Texas which was ceded to Spain by the Florida treaty of 1819, embraced all the country now claimed by the state of Texas between the Nueces and the Rio Grande. The republic of Texas always claimed this river as her western boundary, and in her treaty made with Santa Anna, in May, 1836, he recognized it as such. By the constitution which Texas adopted in March, 1836, senatorial and representative districts were organized extending west of the Nueces. The Congress of Texas, on the 19th of December, 1836, passed 'An act to define the boundaries of the republic of Texas,' in which they declared the Rio Grande, from its mouth to its source, to be their boundary, and by the said act they extended their 'civil and political jurisdiction' over the country up to that boundary. During a period of more than nine years, which intervened between the adoption of her constitution and her annexation as one of the States of our Union, Texas asserted and exercised many acts of sovereignty and jurisdiction over the territory and inhabitants west of the Nueces. She organized and defined the

limits of countries extending to the Rio Grande. She established courts of justice and extended her judicial system over the territory. She established a custom-house, and collected duties, and also post-offices and post roads, in it. She established a land office, and issued numerous grants for land, within its limits. A senator and a representative residing in it were elected to the Congress of the republic, and served as such before the act of annexation took place. In both the Congress and convention of Texas, which gave their assent to the terms of annexation to the United States, proposed by our Congress, were representatives residing west of the Nueces, who took part in the act of annexation itself. This was the Texas which, by the act of our Congress of the 29th of December, 1845, was admitted as one of the States of our Union. That the Congress of the United States understood the State of Texas, which they admitted into the Union, to extend beyond the Nueces is apparent from the fact, that on the 31st of December, 1845, only two days after the act of admission, they passed a law 'to establish a collection district in the State of Texas,' by which they created a port of delivery at Corpus Christi, situated west of the Nueces, and being the same point at which the Texas custom-house, under the laws of that republic, had been located, and directed that a surveyor to collect the revenue should be appointed for that port by the president, by and with the advice and consent of the senate. A surveyor was accordingly nominated, and confirmed by the senate, and has been ever since in the performance of his duties. All these acts of the republic of Texas, and of our Congress, preceded the orders for the advance of our army to the east bank of the Rio Grande. Subsequently, Congress passed an act 'establishing certain post routes,' extending west of the Nueces. The country west of that river now constitutes a part of one of the congressional districts of Texas, and is represented in the house of representatives. The senators from that State were chosen by a legislature, in which the country west of that river was represented. In view of all these facts, it is difficult to conceive upon what ground it can be maintained that, in occupying the country west of the Nueces with our army, with a view solely to its security and defence, we invaded the territory of Mexico. But it would have been still more difficult to justify the executive, whose duty it is to see that the laws be faithfully executed, if in the face of all these proceedings, both of the Congress of Texas

and of the United States, he had assumed the responsibility of yielding up the territory west of the Nueces to Mexico, or of refusing to protect and defend this territory and its inhabitants, including Corpus Christi, as well as the remainder of Texas, against the threatened Mexican invasion."

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## R.

### PROCLAMATION OF GENERAL WOLL.

"HEADQUARTERS OF THE ARMY OF THE NORTH, }  
MIER, *June 20, 1844.* }

"I, Adrian Woll, general of brigade, &c., make known, —

"1. The armistice agreed on with the department of Texas having expired, and the war being, in consequence, recommenced against the inhabitants of that department, all communication with it ceases.

"2. Every individual, of whatever condition, who may contravene provisions of the preceding article, shall be regarded as a traitor, and shall receive the punishment prescribed in article 45, title 10, treatise 8, of the articles of war.

"3. Every individual who may be found at the distance of one league from the left bank of the Rio Bravo, will be regarded as a favorer and accomplice of the usurpers of that part of the national territory, and as a traitor to his country; and, after a summary military trial, shall receive the said punishment.

"4. Every individual who may be comprehended within the provisions of the preceding article, and may be rash enough to fly at the sight of any force belonging to the supreme government, shall be pursued until taken, or put to death.

"5. In consideration of the situation of the towns of Laredo and Santa Rita de Ampudia, as well as of all the farm-houses beyond the Rio Bravo, in which remain all the interests of the inhabitants of the line committed to my charge, I have this day received, from the supreme government, orders to determine the manner by which those interests are to be protected; but, until the determination of the supreme government be received, I warn all those who are beyond the limits here prescribed to bring them



within the line, or to abandon them, as those who disobey this order will infallibly suffer the punishment here established.

“ADRIAN WOLL.”

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S.

EXTRACT FROM GENERAL RUSK'S SPEECH.

“I might here go back and array names that would command respect, and among them the names of such men as Mr. Monroe, Mr. Madison, Mr. Jefferson, and Mr. Clay, to establish the fact that the territory of Texas extended originally to the Rio Grande. But it is unnecessary for my present purpose to do so. The boundary of Texas, as now claimed, *is the boundary established by revolution, and that boundary is the Rio Grande.*

“Mexico, after having adopted constitutions, state and federal, conforming very nearly to those of the United States, passed liberal laws, and held out strong inducements to the people of every clime, to encourage the settlement of Texas. This was done, not so much for the benefit of those who might take up their abode within that district of country, as for the purpose of redeeming that valuable portion of her territory from the dominion of the savage, which Mexico had struggled to accomplish, but without success, for centuries past.

Before Austin went into Texas with his colonists, hostile Indians roamed in bands throughout the country, unrestrained. They were constantly committing depredations, robbing the people of their property, and carrying into abject bondage the women and children of the frontier settlements. For the purpose, then, of driving out this ruthless foe, were inducements held out to the colonists to settle there. Until the year 1834, with but few interruptions, there existed a state of peace and quietness. In that year Santa Anna, at the head of the military power, overthrew the constitution of 1824, abolished the state governments, and established one of the most tyrannical and absolute governments that ever existed. The government thus established by Santa Anna is misunderstood here — it was an *absolute* government. It is true that there was the name of a congress, but it was the name alone. The president was, in reality, the supreme dictator. He called a con-



gress of notables around him, but that congress was entirely subservient to his will. Another feature in the central constitution was, that the president had the power to appoint, at his pleasure, an executive council from the different portions of the community, the industrial classes, the priesthood, the military, the commercial, and others. They were, however, from the very nature of the tenure of their offices, his creatures, and, if they were not subservient to his views, he could remove them at his pleasure. Again; it was one of the fundamental articles of this central government, that the president, with the advice of his council, might suspend the action of any other department of the government, so that, in reality, absolute power was vested in the president.

“The people of Texas were unwilling to commence the revolution — they were anxious to avoid a collision with Mexico. They sent Austin to Mexico to represent their condition, and to ask some guaranty that they should not be disturbed in the enjoyment of their rights. Without any cause, and even without charges having been preferred against him, he was seized and incarcerated in the loathsome dungeons of Mexico, where, in fact, he contracted the disease which terminated his honorable and useful life. In order to carry out the establishment of this central government, it became necessary for Santa Anna to possess himself of all the physical power in Mexico. With a view to this, he procured the passage of a decree requiring the States, as well as individuals, to surrender up all the arms which they had in their possession. This law was enforced throughout Mexico. State constitutions were destroyed; States were declared to be mere departments; were deprived of all legislative authority, and their governors were appointed by the central government. This law was, as I have said, enforced all over Mexico, although there were some States which held out for some time against it. The State of Zacatecas, after a sharp contest, yielded, and other States made but a feeble resistance. Texas *could not* yield to it — she *could not* yield to such a decree. We were surrounded by hostile Indians, the Camanches and various other tribes, who were committing depredations on our frontiers. The Indians settled amongst us, greatly exceeded our own population in point of numbers, and it was known that Mexican agents had been among them urging them to take up the tomahawk and scalping-knife, and exterminate the Texans. If we had submitted to have our arms taken from us, the result would have been indiscriminate

massacre. Under such circumstances, there is scarcely any one, I presume, who would have asked us to give up our arms, even to avoid the charge of being *land robbers*. An attempt was made by Santa Anna to enforce this law in Texas.

"The people of the various municipalities had elected delegates to meet in general consultation, at San Felipe, to determine whether we would submit to the central government, and to agree upon some definite course of combined action. This convention was to assemble in October, 1835.

"About this time, however, General Cos, at the head of an army of central troops, crossed the Rio Grande, left a garrison at Lipantitlan, on the west side of the Nueces, and one at Goliad, and marched with his main force to San Antonio, where he established his headquarters. During this march, there was no movement on our part to take up arms; we were quietly assembling at San Felipe to consult as to what course we should adopt. About the time General Cos reached San Antonio, he sent a detachment of two hundred cavalry to Gonzales, a small town in the neighborhood of that place, to demand from its citizens the surrender of a small piece of ordnance, which had been purchased by them as a means of defence against the Indians. They asked twenty-four hours to consider, and finally refused to surrender their cannon, but gave the assailants its contents, and a fight ensued between them and the Mexican cavalry; and thus, sir, the revolution commenced.

"As the news of this occurrence spread, the citizens from all quarters shouldered their rifles and hurried to the contest. Captain Dimmit raised a company of men, took the garrison at Goliad, marched to Lipantitlan, where he was joined by citizens residing on both sides of the Nueces, as well as some who resided on the Rio Grande; and, at the head of this combined force, captured the fort and dispersed the central troops.

"The convention, which had in the meanwhile assembled at San Felipe, declared against the central government, and protested against the military despotism of Santa Anna, and in favor of the constitution of 1824, inviting all the States of the confederacy to join them in restoring that constitution and reclaiming their liberties. General Cos, who had been closely besieged in his fortifications at San Antonio, capitulated, after having been beaten. Many of the citizens who resided between the Nueces and the Rio Grande, were attached to the army which captured General Cos. Now, sir, I

would ask, was it not right that we should include them in the benefits of our victory, and provide for their safety? I say, sir, would it have been just or honorable in those of us who resided east or the Nueces, to have provided for our own security, and to have left those west of that river, from whom we had received valuable aid, to the tender mercies of the Mexican dictator? We did provide for their safety — many of them have since fallen — we have always asserted and stood by the rights of their widows and orphans, and, anxious as we were for peace and a termination of the war with Mexico, there never has been a time when Texas would not have hazarded her very existence as a nation, in any contest, however unequal, rather than have abandoned them to the enemy. Life and liberty were the stakes for which we fought — mere territory was a secondary, very secondary consideration. These people had dared to resist the central power — they had perilled every thing and had joined us — had rendered important services, and we had cheerfully accepted their aid in the hour of adversity, and I, for one, sir, think it was *not discreditable* to us that we regarded their rights and stipulated for their security in our prosperity. General Cos was forced to enter into a capitulation which protected the rights of those citizens, and which forms the first link in the chain of our title to the territory extending to the Rio Grande. Mr. President, I will ask the favor that the secretary will read the copy of that instrument, which I hold in my hand. The secretary read as follows: —

“*Capitulation entered into by General Martin Perfecto de Cos, of the Permanent Troops, and General Edward Burleson, of the Colonial Troops of Texas.*

“Being desirous of preventing the further effusion of blood, and the ravages of civil war, we have agreed on the following stipulations:

“1st. That General Cos and his officers retire with their arms and private property, into the interior of the republic, under parole of honor; that they will not in any way oppose the establishment of the federal constitution of 1824.

“2d. That the one hundred infantry lately arrived with the convicts, the remnant of the battalion of Morelos, and the cavalry, retire with the general; taking their arms, and ten rounds of cartridges for their muskets.

“3d. That the general take the convicts lately brought in by Colonel Ugartachea beyond the Rio Grande.

“4th. That it is discretionary with the troops to follow their general, remain, or go to such point as they may deem proper; but in case they should, all or any of them, separate, they are to have their arms, &c.

“5th. That all the public property, money, arms, and munitions of war, be inventoried and delivered to General Burleson.

“6th. That all private property be restored to its proper owners.

“7th. That three officers of each army be appointed to make out the inventory, and see that the terms of capitulation be carried into effect.

“8th. That three officers on the part of General Cos remain for the purpose of delivering over the said property, stores, &c.

“9th. That General Cos with his force, for the present, occupy the Alamo; and General Burleson, with his force, occupy the town of Bexar; and that the soldiers of neither party pass to the other, armed.

“10th. General Cos shall, within six days from the date hereof, remove his force from the garrison he now occupies.

“11th. In addition to the arms before mentioned, General Cos shall be permitted to take with his force, a four-pounder and ten rounds of powder and ball.

“12th. The officers appointed to make the inventory and delivery of the stores, &c., shall enter upon the duties to which they have been appointed forthwith.

“13th. The citizens shall be protected in their persons and property.

“14. General Burleson will furnish General Cos with such provisions as can be obtained, necessary for his troops to the Rio Grande, at the ordinary price of the country.

“15th. The sick and wounded of General Cos's army, together with a surgeon and attendants, are permitted to remain.

“16th. No person, either citizen or soldier, to be molested on account of his political opinions hitherto expressed.

“17th. That duplicates of this capitulation be made out in Castilian and English, and signed by the commissioners appointed, and ratified by the commanders of both armies.

“18th. The prisoners of both armies, up to this day, shall be put at liberty.

“19th. The commissioners, José Juan Sanchez, adjutant-inspector, Don Ramon Musquiz, and Lieutenant Francisco Rada, and



interpreter Don Miguel Arciniega, appointed by the commandant and inspector, General Martin Perfecto de Cos, in connection with colonel F. W. Johnson, Major R. C. Morris, and Captain J. G. Swisher, and interpreter John Cameron, appointed on the part of General Edward Burleson; after a long and serious discussion, adopted the eighteen preceding articles, reserving their ratification by the generals of both armies.

“In virtue of which, we have signed this instrument in the city of Bexar, on the 11th of December, 1835.

(Signed,) JOSE JUAN SANCHEZ,  
 RAMON MUSQUIZ,  
 J. FRANCISCO DE RADA,  
 MIGUEL ARCINIEGA, *Interpreter*,  
 F. W. JOHNSON,  
 ROBERT C. MORRIS,  
 JAMES G. SWISHER,  
 JOHN CAMERON, *Interpreter*.

“I consent and will observe the above articles.

(Signed,) MARTIN PERFECTO DE COS.

“Ratified and approved.

(Signed,) EDWARD BURLESON,  
*Commander-in-chief of the Volunteer Army.*

“A true copy,  
 EDWARD BURLESON,  
*Commander-in-Chief.*

“General Cos, sir, with his convicts and soldiers, retired to the west bank of the Rio Grande.

“Thus, sir, the citizens of Texas, east of the Rio Grande, had, so far, successfully resisted the change of government. The military despotism had no foothold remaining on this side of that stream. Up to this time we had been contending for the constitution, which had been overthrown, and not for a separate national existence.

“Santa Anna, bent upon the possession of absolute power, was not to be thus balked in his views. He immediately mustered a large and well-appointed army, and at its head, put himself *en route*, for our extermination. He could not remain quiet while a few freemen on this side of the Rio Grande were in the enjoyment of rational liberty, and would not bow and worship at the footstool of his power. The rest of Mexico had submitted; no response to the shout of constitutional liberty reached us from beyond the Rio



Grande. Santa Anna was rapidly advancing upon us, threatening extermination, and we had no alternative left but to assume a separate national existence. A convention was accordingly called in haste, to which the people between the Nueces and the Rio Grande sent delegates. We declared our independence — appealed to the civilized world for the justice of our cause, and trusting to the God of battles, put ourselves in position to defend our rights. Santa Anna advanced with great rapidity, and the first blood that flowed in this campaign was shed upon the territory between the Nueces and the Rio Grande. The Alamo was surrounded, and its brave defenders, to a man, perished by the sword. Fanning surrendered, and, in violation of the most solemn stipulations for the safety of his command, he and his gallant men were inhumanly butchered in cold blood. Most of the male inhabitants of the country west of the Nueces found bloody but honorable graves. Santa Anna continued his rapid advance, spreading ruin and devastation on his path. He was met at San Jacinto by seven hundred and eighty freemen, and the result is before the world; half of his force was slain, the remainder, including himself, captured.

“Santa Anna now occupied a delicate position. His life justly forfeited to us, was held by a doubtful tenure. His government at home was unpopular with the great mass of the people. The only support upon which he could rely for political existence, was the army at different points in Texas, now reduced to some five thousand men, under the command of General Filisola. To save his own life, the remnant of his army, and his government, were important objects. Only the day before, he was the *government of Mexico*, now he was a *prisoner*. He obtained permission and wrote to General Filisola, who, in his answer, promised to obey implicitly all orders which he should give him. Santa Anna at once proposed to General Houston and the secretary of war, then in camp, to acknowledge the independence of Texas extending to the Rio Grande. They declined to enter into negotiations, and turned Santa Anna over to the civil government, (which consisted of a president and cabinet, *ad interim*, elected for the emergency, by the convention.) Santa Anna urged them to enter into negotiations with him, which they did, and which treaty, (here a senator remarked that it was not a treaty.) I think it was a treaty, sir, and I shall have occasion further to remark upon it hereafter.” (See Appendix G.)

## T.

## AN ACT

TO DEFINE THE BOUNDARIES OF THE REPUBLIC OF TEXAS.

"SEC. 1. *Be it enacted by the Senate and House of Representatives of the Republic of Texas in Congress assembled*, That from and after the passage of this act, the civil and political jurisdiction of this Republic be, and is hereby, declared to extend to the following boundaries, to wit: Beginning at the mouth of the Sabine River, and running west along the Gulf of Mexico, three leagues from land, to the mouth of the Rio Grande; thence up the principal stream of said river to its source, thence due north to the forty-second degree of north latitude, thence along the boundary line, as defined in the treaty between the United States and Spain, to the beginning; and that the president be, and he is hereby, authorized to open a negotiation with the government of the United States of America, so soon as, in his opinion, the public interest requires it, to ascertain and define the boundary line as agreed upon in said treaty.

"IRA INGRAM,

*Speaker of the House of Representatives.*

"RICHARD ELLIS,

*President of the Senate, pro tem.*

"Approved, December 19, 1836.

SAM. HOUSTON."

## JOINT RESOLUTION

FIXING THE DIVIDING LINE BETWEEN THE COUNTIES OF BEXAR AND  
SAN PATRICIO.

"*Be it resolved by the Senate and House of Representatives of the Republic of Texas in Congress assembled*, That a direct line running from the junction of the Cibolo or San Bartolo Creek to the Rio Frio, at a point thirty miles above its junction with the Nueces, thence in a direct line to the town of Laredo, shall be considered the dividing line between the counties of San Patricio and Bexar, and shall be respected as such by the surveyors of the respective counties. *Provided*, That this act shall not affect rights previously acquired by surveys legally made by the surveyors of the county

of San Patricio below the old road from San Antonio to the Presidio of the Rio Grande.

“JOSEPH ROWE,  
*Speaker of the House of Representatives.*

“MIRABEAU B. LAMAR,  
*President of the Senate.*

“Approved, May 24, 1838. SAM. HOUSTON.”

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## U.

### MINUTES OF AN INTERVIEW

*Between Brigadier-General W. J. Worth, United States Army, and General Romulo Vega, of the Mexican Army, held on the right Bank of the Rio Grande, 28th March, 1846.*

“On exhibiting a white flag on the left bank of the Rio Grande, a boat, with two officers, (represented as cavalry officers,) with an interpreter, the same who appeared at the crossing of the Colorado, and a fourth person, crossed from the right bank of the river.

“It was stated through an interpreter, (Mr. Mitchell,) that a general officer of the United States army had been sent by his commanding general, with despatches to the commanding general at Matamoras, and the civil authorities, and an interview requested.

“After some conversation explanatory of the above, the Mexican party recrossed the river, to report to the commanding general at Matamoras, and return with his reply. An open note for the American consul at Matamoras, with an indorsement on the back in pencil, was delivered to the Mexican officer by General Worth, who replied that he should hand it to the commanding general. ‘Certainly, of course,’ was General Worth’s remark in reply.

“On the return of the same party, General Mejia sent word that, if the commanding general of the American forces desired a conference with the commanding general of the Mexican forces, it would readily be complied with; but as the American commander had designated a subordinate officer to meet General Mejia, the commanding officer of the Mexican forces, General Mejia, could not entertain such a proposition, but that an officer of corresponding rank and position in the Mexican forces would be designated to receive any communication sent by General Taylor.

"It was perceived that the relation of the parties was misapprehended, they supposing that a *conference* was requested; this was corrected immediately, and it was reiterated that General Worth was merely the bearer of despatches, with authority to relate verbally certain matters of interest to the commanding general at Matamoras.

"The proposition of General Mejia was then acceded to, with the remark that this was a mere question of form, which should not be permitted to interfere with any arrangements necessary to the continuance of the friendly relations now existing between the two governments.

"The Mexican party returned to the right bank, and after a short absence, returned, stating that General Romulo Vega would receive General Worth on the right bank of the river, (their own proposition,) for the reception of any communication which General Worth might have to make from the commanding general.

"General Worth then crossed the river, accompanied by Lieutenant Smith, A. D. C., Lieutenants Magruder, Deas, and Blake, attached to his staff, together with Lieutenant Knowlton, as interpreter.

"On arriving at the right bank of the river, General Worth was received by General Vega with becoming courtesy and respect, and introduced to 'the authorities of Matamoras,' represented in the person of the Licenciado Casares.

"On the Mexican part, were present, General Vega, the Licenciado Casares, two officers, (represented as cavalry officers,) an interpreter, with a person named Juan N. Garza, official de defensores.

"After the usual courtesies on meeting, it was stated by General Worth that he was bearer of despatches from the commanding general of the American forces to General Mejia and the civil authorities of Matamoras; a written and unsealed document was produced, and General Vega, desiring to know its contents, it was carefully read and translated into Spanish by the Mexican interpreter.

"General Vega then stated that he had been directed to receive such communications as General Worth might present from his commanding general, going on to say that the march of the United States troops through a part of the Mexican territory, (Tamaulipas,) was considered as an act of war.

"*General Worth.* I am well aware that some of the Mexican people consider it an aggressive act, but — (interrupted by the Mex-



ican interpreter, and after a slight discussion of the international question on the part of General Vega,) — General Worth repeated the above remark, adding that it was not so considered by his government; that the army had been ordered there by his government, and there it would remain; whether rightfully or otherwise, that was a matter to be settled between the two governments. General Vega still disposed to argue the merits of the case, was told by General Worth that he came to state facts, not to argue them.

“General Worth here stated that he had been sent with a despatch from his commanding general to General Mejia; that General Mejia had refused to receive it from him in person; adding with emphasis, and some degree of warmth, ‘I now state that I withdraw this despatch,’ having read it merely as an act of courtesy to General Vega; that, in addition to the written despatch to General Mejia, I am authorized to express verbally the sentiments with which the commanding general proposed to carry out the instructions of his government, in which he hoped to preserve the peaceable relations between the two governments, leaving all questions between the two countries to be settled by their respective governments; and if, hereafter, General Mejia wished to communicate with General Taylor, he, General Mejia, must propose the means, assuring General Vega that, should General Mejia present himself or his communications by a subaltern officer, in either case they would be received with becoming courtesy and hospitality.

“The question of right of territory was again opened by General Vega, who asked how the United States government would view the matter, should the Mexican troops march into or occupy a portion of the territory of the United States?

“General Worth replied, that General Vega might probably be familiar with the old proverb, ‘Sufficient for the day is the evil thereof,’ and that it would be time enough to reply to such a proposition when the act itself was perpetrated.

“This proverb did not appear to have been translated by the Mexican interpreter, but was received by General Vega with a smile and a slight shrug.

“*General Worth.* Is the American consul in arrest, or in prison?

“*General Vega.* No.

“*General Worth.* Is he now in the exercise of his proper functions?

“General Vega, after apparently consulting with the Licenciado Casares for a moment, replied that he was.



" *General Worth.* Then, as an American officer, in the name of my government and my commanding general, I *demand* an interview with the consul of my country. (No reply.)

" *General Worth.* Has Mexico declared war against the United States?

" *General Vega.* No.

" *General Worth.* Are the two countries still at peace?

" *General Vega.* Yes.

" *General Worth.* Then I again demand an interview with the consul of my government, in Matamoras; in the presence, of course, of these gentlemen, or any other that the commanding general in Matamoras may be pleased to designate. General Vega reiterated that the consul was in the proper exercise of his functions; that he was not in arrest, nor were any other Americans in arrest in Matamoras; that he would submit the *demand* to General Mejia, adding, that he thought there would be great difficulty.

"This *demand* was repeatedly made in the most emphatic manner, and a reply requested; General Vega stating the consul continued in the exercise of his functions, and that General Worth's demand would be submitted to General Mejia.

"Here the interview was suspended, while the licenciado left the party to submit (as was understood) the demand for an interview with the consul to General Mejia. While engaged in friendly intercourse, General Worth stated to General Vega, in an informal manner, as an evidence of the good faith, intentions, and disposition of his commanding general, that he, General Taylor, was well aware of the importance of Brazos Santiago to the commerce and business community of Matamoras; that he respected their laws and customs, and would freely grant entrance and exit to all Mexican and other vessels trading with Matamoras on the same terms as before its occupation by the United States, leaving all questions arising therefrom to be settled hereafter by the two governments. "

"At the expiration of about a quarter of an hour, the Licenciado Casares returned and reported that General Mejia would not accede to the request for an interview on the part of General Worth; saying nothing, however, relative to the question of the consul. "

"General Vega was then again informed that the despatch intended to be delivered to General Mejia by General Worth, in person, would be returned by him, General Worth, to his commanding general, considering any other disposition of it as disrespectful

to him; repeating that it had been read to General Vega as an act of courtesy to him, and that General Mejia must take his own measures of communicating with General Taylor, adding, that whether General Mejia should send a superior or subaltern officer to General Taylor, at all times accessible, he would be received with becoming courtesy and hospitality. General Worth then presented a written and sealed document for the civil authorities of Matamoras, which was received by General Vega and immediately transferred to the Licenciado Casares.

"*General Vega.* Is it the intention of General Taylor to remain with his army on the left bank of the Rio Grande?

"*General Worth.* Most assuredly, and there to remain until directed otherwise by his government.

"General Vega remarked that 'we' felt indignation at seeing the American flag placed on the Rio Grande, a portion of the Mexican territory.

"General Worth replied, that was a matter of taste; notwithstanding, there it would remain. The army had been ordered to occupy its present position by its government; it has come in a peaceable rather than belligerent attitude, with a determination to respect the rights and customs of those on the right bank of the Rio Grande, while it offers protection to all on the left bank within the territory of the United States.

"No reply having been received from General Vega relative to the demand for an interview with the American consul, the question was again introduced by General Worth, and the demand for the last time reiterated.

"General Vega then promptly refused to comply with the demand; replying, without waiting for the interpretation, 'No, no.'

"*General Worth.* I have now to state that a refusal of my demand to see the American consul is regarded as a belligerent act; and, in conclusion, I have to add, the commanding general of the American forces on the left bank of the river will regard the passage of any armed party of Mexicans in hostile array across the Rio Grande as an act of war, and pursue it accordingly.

"The interview here terminated, and General Worth and staff returned to the left bank of the river.

"The above is the substance of the interview between Generals Worth and Vega; is a fair statement of the conversation, and, as

nearly as possible, stating the exact words and expressions used on the occasion.

"M. KNOWLTON,

*1st Lieut. 1st Artillery.*

"J. BANKHEAD MAGRUDER,

*1st Lieut. 1st Artillery, Acting A. D. C.*

"ED. DEAS,

*1st Lieut. 4th Artillery.*

"J. EDM'D BLAKE,

*1st Lieut. Top. Eng.*

"LARKIN SMITH,

*1st Lieut. and A. D. C."*

## V.

### CORRESPONDENCE BETWEEN GENERALS TAYLOR AND AMPUDIA.

*General Taylor to General Ampudia.*

"HEADQUARTERS, ARMY OF OCCUPATION, }  
CAMP NEAR MATAMORAS, TEXAS, April 12, 1846. }

"SENOR: I have had the honor to receive your note of this date, in which you summon me to withdraw the forces under my command from their present position, and beyond the river Nueces, until the pending question between our governments, relative to the limits of Texas, shall be settled.

"I need hardly advise you that, charged as I am, in only a military capacity, with the performance of specific duties, I cannot enter into a discussion of the international question involved in the advance of the American army. You will, however, permit me to say that the government of the United States has constantly sought a settlement, by negotiation, of the question of boundary; that an envoy was despatched to Mexico for that purpose, and that up to the most recent dates said envoy had not been received by the actual Mexican government, if indeed he has not received his passports and left the republic. In the mean time, I have been ordered to occupy the country up to the left bank of the Rio Grande, until the boundary shall be definitively settled. In carrying out these instruc-

tions I have carefully abstained from all acts of hostility, obeying, in this regard, not only the letter of my instructions, but the plain *dictates of justice and humanity*.

"The instructions under which I am acting will not permit me to retrograde from the position I now occupy. In view of the relations between our respective governments, and the individual suffering which may result, I regret the alternative which you offer; but, at the same time, wish it understood that I shall by no means avoid such alternative, leaving the responsibility with those who rashly commence hostilities. In conclusion, you will permit me to give the assurance that on my part the laws and customs of war among civilized nations shall be carefully observed.

"I have the honor to be, very respectfully, your obedient servant,

"Z. TAYLOR,

"*Brevet Brig. Gen. U. S. A., commanding.*

"Señor General D. PEDRO DE AMPUDIA.

[Translation.]

*General Ampudia to General Taylor.*

"FOURTH MILITARY DIVISION, }  
*General-in-Chief.* }

"To explain to you the many grounds for the just grievances felt by the Mexican nation, caused by the United States government, would be a loss of time, and an insult to your good sense; I therefore pass at once to such explanations as I consider of absolute necessity.

"Your government, in an incredible manner—you will even permit me to say, an extravagant one, if the usage or general rules established and received among all civilized nations are regarded—has not only insulted, but has exasperated the Mexican nation, bearing its conquering banner to the left bank of the Rio Bravo del Norte; and in this case, by explicit and definitive orders of my government, which neither can, will, nor should receive new outrages, I require you, in all form, and at latest in the peremptory term of twenty-four hours, to break up your camp and retire to the other bank of the Nueces river, while our governments are regulating the pending question in relation to Texas. . If you insist in remaining upon the soil of the department of Tamaulipas, it will clearly result that arms, and arms alone, must decide the question; and in that



case I advise you that we accept the war to which, with so much injustice on your part, you provoke us, and that, on our part, this war shall be conducted conformably to the principles established by the most civilized nations, that is to say, that the law of nations and of war shall be the guide of my operations; trusting that on your part the same will be observed.

"With this view, I tender you the considerations due to your person and respectable office.

"God and Liberty!

"HEADQUARTERS AT MATAMORAS, 2 o'clock P. M., April 12, 1846.

"PEDRO D'AMPUDIA.

"*Senor General-in-Chief of the United States Army,*

"Don Z. TAYLOR."

*General Taylor to Adjutant-General Jones.*

"HEADQUARTERS, ARMY OF OCCUPATION, }  
CAMP NEAR MATAMORAS, TEXAS, April 26, 1846. }

"SIR: I have respectfully to report that General Arista arrived in Matamoras on the 24th instant, and assumed the chief command of the Mexican troops. On the same day he addressed me a communication, conceived in courteous terms, but saying that he considered hostilities commenced, and should prosecute them. A translation of his note, and copy of my reply, will be transmitted the moment they can be prepared. I despatch this by an express which is now waiting.

"I regret to report that a party of dragoons, sent out by me on the 24th instant, to watch the course of the river above on this bank, became engaged with a very large force of the enemy, and after a short affair, in which some sixteen were killed and wounded, appear to have been surrounded and compelled to surrender. Not one of the party has returned, except a wounded man sent in this morning by the Mexican commander, so that I cannot report with confidence the particulars of the engagement, or the fate of the officers, except that Captain Hardee was known to be a prisoner, and unhurt. Captain Thornton, and Lieutenants Mason and Kane, were the other officers. The party was sixty-three strong.

"Hostilities may now be considered as commenced, and I have this day deemed it necessary to call upon the governor of Texas for four regiments of volunteers, two to be mounted and two to serve as foot. As some delay must occur in collecting these troops, I have



also desired the governor of Louisiana to send out four regiments of infantry as soon as practicable. This will constitute an auxiliary force of nearly 5000 men, which will be required to prosecute the war with energy, and carry it, as it should be, into the enemy's country. I trust the department will approve my course in this matter, and will give the necessary orders to the staff departments for the supply of this large additional force.

"If a law could be passed authorizing the president to raise volunteers for twelve months, it would be of the greatest importance for a service so remote from support as this.

"I am, sir, very respectfully, your obedient servant,

"Z. TAYLOR,

"*Brevet Brig. Gen. U. S. A., commanding.*

"The ADJUTANT-GENERAL of the Army,

"WASHINGTON, D. C.

## W.

### LETTER.

*General Taylor to General Ampudia.*

"HEADQUARTERS, ARMY OF OCCUPATION, }  
CAMP NEAR MATAMORAS, TEXAS, *April 22, 1846.* }

"SIR: I have had the honor to receive your communication of this date, in which you complain of certain measures adopted by my order, to close the mouth of the Rio Bravo against vessels bound to Matamoras, and in which you also advert to the case of two Mexicans supposed to be detained as prisoners in this camp.

"After all that has passed since the American army first approached the Rio Bravo, I am certainly surprised that you should complain of a measure which is no other than a natural result of the state of war so much insisted upon by the Mexican authorities, as actually existing at this time. You will excuse me for recalling a few circumstances, to show that this state of war has not been sought by the American army, but has been forced upon it, and that the exercise of the rights incident to such a state cannot be made a subject of complaint.

“On breaking up my camp at Corpus Christi, and moving forward with the army under my orders to occupy the left bank of the Rio Bravo, it was my earnest desire to execute my instructions in a pacific manner; to observe the utmost regard for the personal rights of all citizens residing on the left bank of the river, and to take care that the religion and customs of the people should suffer no violation. With this view, and to quiet the minds of the inhabitants, I issued orders to the army, enjoining a strict observance of the rights and interests of all Mexicans residing on the river, and caused said orders to be translated into Spanish, and circulated in the several towns on the Bravo. These orders announced the spirit in which we proposed to occupy the country, and I am proud to say that up to this moment the same spirit has controlled the operations of the army. On reaching the Arroyo Colorado I was informed by a Mexican officer that the order in question had been received in Matamoras, but was told at the same time that if I attempted to cross the river, it would be regarded as a declaration of war. Again, on my march to Frontone I was met by a deputation of the civil authorities of Matamoras, protesting against my occupation of a portion of the department of Tamaulipas, and declaring that if the army was not at once withdrawn, war would result. While this communication was in my hands, it was discovered that the village of Frontone had been set on fire and abandoned. I viewed this as a direct act of war, and informed the deputation that their communication would be answered by me when opposite Matamoras, which was done in respectful terms. On reaching the river, I despatched an officer, high in rank, to convey to the commanding general in Matamoras the expression of my desire for amicable relations, and my willingness to leave open to the use of the citizens of Matamoras the port of Brasos Santiago, until the question of boundary should be definitively settled. This officer received for reply, from the officer selected to confer with him, that my advance to the Rio Bravo was considered as a veritable act of war, and he was absolutely refused an interview with the American consul, in itself an act incompatible with a state of peace. Notwithstanding these repeated assurances on the part of the Mexican authorities, and notwithstanding the most obviously hostile preparations on the right bank of the river, accompanied by a rigid non-intercourse, I carefully abstained from any act of hostility — determined that theonus of producing an actual state of hostilities should not rest with

me. Our relations remained in this state until I had the honor to receive your note of the 12th instant, in which you denounce war as the alternative of my remaining in this position. As I could not, under my instructions, recede from my position, I accepted the alternative you offered, and made all my dispositions to meet it suitably. But, still willing to adopt milder measures before proceeding to others, I contented myself in the first instance, with ordering a blockade of the mouth of the Rio Bravo, by the naval forces under my orders — a proceeding perfectly consonant with the state of war so often declared to exist, and which you acknowledge in your note of the 16th instant, relative to the late Colonel Cross. If this measure seem oppressive, I wish it borne in mind that it has been forced upon me by the course you have seen fit to adopt. I have reported this blockade to my government, and shall not remove it until I receive instructions to that effect, unless indeed you desire an armistice pending the final settlement of the question between the governments, or until war shall be formally declared by either, in which case I will cheerfully open the river. In regard to the consequences you mention as resulting from a refusal to remove the blockade, I beg you to understand that I am prepared for them, be they what they may. \* \* \*

“In conclusion, I take leave to state that I consider the tone of your communication highly exceptionable, where you stigmatize the movement of the army under my orders as ‘marked with the seal of universal reprobation.’ You must be aware that such language is not respectful in itself, either to me or to my government; and while I observe in my own correspondence the courtesy due to your high position, and to the magnitude of the interests with which we are respectively charged, I shall expect the same in return.

“I have the honor to be, very respectfully, your obedient servant,

“Z. TAYLOR,

*Brevet Brig. Gen. U. S. Army, commanding.*

“Señor Gen. D. PEDRO DE AMPUDIA,

*Commanding in Matamoras.*

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## X.

In a letter of Mr. Buchanan to Mr. Trist, he says, —

“In the annals of history never has there been a war conducted in the same manner by invading forces. Instead of levying milita-

ry contributions for the support of our armies in the heart of our enemy's country, we have paid fair, and even extravagant prices, for all the supplies which we have received. We have not only held sacred the private property of the Mexicans, but on several occasions have fed their famishing soldiers, and bound up their wounds. And what has been the return? Treachery and cruelty have done their worst against us. Our citizens have been murdered, and their dead bodies mutilated, in cold blood, by bands of savage and cowardly guerillas; and the parole of honor, sacred in all civilized warfare, has been habitually forfeited by Mexican officers and soldiers. Those paroled at Vera Cruz have fought against us at Cerro Gordo; and those paroled at Cerro Gordo have doubtless been in the ranks of the enemy in the battles so glorious to our arms at and near the city of Mexico.

"After the battle of Cerro Gordo, the president entertained serious thoughts of modifying your instructions, at least so far as greatly to reduce the maximum sums which you were authorized to pay for portions of the Mexican territory; but, wishing to afford to the world an example of continued moderation and forbearance in the midst of victory, he suffered them to remain unchanged. And what has been the consequence?

"After a series of brilliant victories, when our troops were at the gates of the capital, and it was completely in our power, the Mexican government have not only rejected your liberal offers, but have insulted our country by proposing terms, the acceptance of which would degrade us in the eyes of the world, and be justly condemned by the whole American people. They must attribute our liberality to fear, or they must take courage from our supposed political divisions. Some such cause is necessary to account for their strange infatuation. In this state of affairs, the president, believing that your continued presence with the army can be productive of no good, but may do much harm by encouraging the delusive hopes and false impressions of the Mexicans, has directed me to recall you from your mission, and to instruct you to return to the United States by the first safe opportunity. He has determined not to make another offer to treat with the Mexican government, though he will be always ready to receive and consider their proposals. They must now first sue for peace."



## Y.

## REPORT

*From the Adjutant-General, in compliance with a Resolution of the House of Representatives, in relation to the Number of United States Troops that have been engaged in the War with Mexico, the Number who have been killed, died from Wounds, &c.*

We can only give extracts from this report, and from that portion of it which is explanatory of the tables.

The tables present the following results :—

## THE REGULAR ARMY.

“The strength of the army at the commencement of hostilities with the republic of Mexico, in April, 1846, 7244; the force on the frontier of Texas, May, 1846, present and absent, 3554, of which 131 were sick; troops sent to Mexico, including recruits, 23,136, of which 12,551 are of the old establishment, and 10,585 new regiments, which, with the force on the Rio Grande in May, 1846, makes the whole number of the regular army employed every where in the prosecution of the war, inclusive of December, 1847, about 26,690, besides a battalion of marines, (350.) Twenty-nine thousand men have been recruited since the 13th of May, 1846, and 23,556 sent to Mexico, which exceeds the number joined as reported on the rolls and returns, many of which are wanting.

“The regular force in Mexico, New Mexico, and California, was, in December, about 21,202; and since the 1st of January, 2493 recruits have been sent to the army, which increases the regular troops in all Mexico, it is estimated, to about 23,695. The six companies stationed in the United States, (556,) and 1200 recruits in depot and at rendezvous, (total 1750,) carry up the regular army every where, on the rolls, to about 25,445.

## CASUALTIES.

“Old establishment: *discharges*, by expiration of service, 1435; for disability, 887; by order and civil authority, 253;—total, 2575.

“*Deaths*. Killed in battle, 45 officers, 434 men; died of wounds, 19 officers, 331 men; total killed and died of wounds, 64 officers, 765 men; ordinary deaths, 44 officers, 1787 men:—total deaths, 108 officers, 2552 men. Aggregate, 2660.



" *Wounded*. In battle, 130 officers, 1799 men; aggregate, 1929.

" *Resignations*. 32, in 1846 and 1847.

" *Desertions*. 1637, of which 9 are marines.

" Additional regiments: *discharges*, by expiration of service, 2; for disability, 248; by order and civil authority, 56;— total, 306.

" *Deaths*. Killed in battle, 6 officers, 62 men; died of wounds, 4 officers, 71 men; total killed and died of wounds, 10 officers, 133 men; ordinary deaths, 28 officers, 977 men; total deaths, 38 officers, 1110 men. Aggregate, 1148.

" *Wounded*. In battle, 41 officers, 427 men. Aggregate, 468.

" *Resignations*, 76; *desertions*, 445.

#### THE VOLUNTEER SERVICE.

"The whole number of volunteers mustered into the service from May, 1846; of which 15,911 are mounted men, 1164 artillery, and 54,234 infantry, making an aggregate of 71,309, including 3087 commissioned officers. From this number, it is proper to deduct the force not called out by authority of the war department, nor called out under the act of May 13, 1846, and also the number mustered, but soon after discharged, as supernumerary. This class is embraced in the three and six months' men, and two regiments of twelve months' men from Ohio and Missouri, and one company from Iowa, amounting to 14,383; of which 2774 were discharged a few days after being mustered into service, (except the company,) not being required to proceed to the seat of war. Deducting this class of volunteers from the aggregate mustered and paid, (71,309,) the force enrolled under the act of May 13, 1846, and under the 5th section of the act of March 3, 1847, which authorizes the president to accept the services of 'individual volunteers' to fill *vacancies*, &c., is about 56,926 officers and men. But this number was further reduced by discharges, &c., before the battalions had left the United States; and it is probable that the number exceeded but little, if any 50,000 men, when put *en route* for the army.

"So far as can be ascertained from the *latest returns* received, it appears that the volunteer force for the war and for 12 months, (2017,) now employed in Mexico, New Mexico, and California, (25,260,) and the eleven companies (1082) within the limits of the United States, the sick included, amounts to 1456 officers and 24,886 men. Aggregate, 26,342, being 7589 less than the number

of the same regiments and companies (war men) when first mustered into service. But this difference does not show the actual loss; first, because the greater number of the individual volunteers enrolled, (i. e., recruited,) among which there is much loss, had not joined their regiments at the date of the last returns, and were not of course taken up on the rolls, but they are included in the table, in the aggregate 'received into service.' And second, the casualties, i. e., *discharges* and *deaths*, (ordinary,) exhibited in the statement, must be considerably under the actual number, owing to the missing muster rolls yet due from many of the regiments, from which the information alone can be obtained.

"The following general statement presents a condensed view of the various objects of inquiry respecting the volunteer forces.

"*Three months' men*. The strength when mustered into service was 1390, and when discharged 1269, being a loss of 121.

*Discharges* before the expiration of the term, 82, of which 3 were for *disability*.

"*Deaths*, 18; ordinary, 8; killed in battle and died of wounds, 10.

"*Desertions*, 22.

"*Six months' men*, (but held only for three months, the legal term;) strength when mustered into service, 11,150, and when discharged, 9559; loss, 1591.

"*Discharges*, before the expiration of the term, 826, of which 370 were for *disability*.

"*Deaths*, 127; ordinary, 107; killed in battle and died of wounds, 6; accidental, 14; *desertions*, 524.

"*Twelve months' men*. Strength when mustered into service, 26,344, and when discharged, 18,724; loss, 7620, (including loss or difference between original and present strength of 21 companies twelve months' men still in service, 2017 strong at the last returns.)

"*Discharges*, before the expiration of the term, 4391; of which, 3966 were for *disability*.

"*Deaths*, 2111; ordinary, 1633; killed in battle, and died of wounds, 423; accidental, 55.

"*Desertions*, 568.

"*Volunteers for the war*. There are now 31 regiments (or equal to as many) and 4 companies in service — the aggregate strength of which, when mustered under calls from the war department, respectively dated June 26, 1846, (1 regiment,) November 16, 1846,

(equal to 8 regiments and 5 companies,) April 19, 1847 (equal to 7 regiments and two companies,) August 26, 1847, (5 regiments,) October 8, 1847, (2 regiments,) and at various other dates, (equal to 7 regiments and 7 companies,) was 31,914, being 2626 less than if all the regiments and companies had been full, as authorized by law. Strength at the *last returns* — officers, 1357; men, 22,968; aggregate, 24,325; reduced, by this date, probably, to less than 20,000.

“*Discharges*, 1339; of which, 1084 were for *disability*.

“*Deaths*, 1691, to wit: ordinary, 1481; killed in battle, and died of wounds, 171; accidental, 39.

“*Desertions*, 1770.

“The casualties incident to the *whole number* of volunteers, under various periods of service, so far as can be ascertained from the rolls received, are as follows, viz.:

“*Discharges*, before the expiration of the term, 6638; of which, 5423 were for *disability*.

“*Deaths*, 3947, to wit; ordinary, 3229; killed in battle, 47 officers and 419 men; died of wounds, 164, officers and men, as far as now ascertained; accidental, 108.

“*Wounded*, 129 officers, 1217 men.

“*Resignations*, 275.

“*Desertions*, 2884.

“Table E of the report, presents a detailed statement of the volunteers on the rolls for service in Mexico, New Mexico, and California, including eleven companies (1082) within the United States, according to the latest returns, to wit: 5527 horse, 297 artillery, 20,518 infantry — making a total of 24,886 men, and 1456 commissioned officers — aggregate, 26,342; of which, 2017 are twelve months' volunteers. This view includes absent men recruited under the law of 1847, many of whom will never join; and, as is already remarked, it is believed that the actual strength of regiments and companies in the field does not exceed 20,000 men, including a numerous invalid list. The forces called out by regiments, and separate or independent companies, and now in service, equal 33 regiments and 1 battalion, and require not less than 15,000 men to complete the establishment.

“*General and staff officers provided for the volunteer troops*. — The number of general and staff officers appointed for the volunteer forces, under the acts of July 5, 1838, June 18 and June 26, 1846,

is 289; of which number, 11 are generals, 26 majors, 104 captains, 124 surgeons and assistant surgeons, and 24 additional paymasters. Thirty-seven of the persons appointed declined acceptance, 47 were discharged as supernumeraries, 44 resigned, 18 appointed in other corps, 15 died, and 128 are now in service."

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## Z.

### JUSTICE OF THE WAR BETWEEN ENGLAND AND CHINA.

In closing his lecture upon the war between England and China, John Quincy Adams says, —

"And here we might pause, my brethren of the Massachusetts Historical Society. Do I hear you inquire, What is all this to the *Opium* question, or the taking of Canton? These, I answer, are but *incidents* in that *movement of mind* on this globe of earth, of which the war between Great Britain and China is now the leading star. Of the four questions which I have proposed this evening to discuss, we have not even reached the conclusion of the first — the *justice of the cause* between the two parties. Which has the righteous cause? You have, perhaps, been surprised to hear me answer, Britain — Britain has the righteous cause. But to prove it I have been obliged to show that the opium question is not the cause of the war; my demonstration is not yet complete. The cause of the war is the Ko-tou! — the arrogant and insupportable pretensions of China, that she will hold commercial intercourse with the rest of mankind, not upon terms of equal reciprocity, but upon the insulting and degrading forms of the relation between lord and vassal. The melancholy catastrophe with which I am obliged to close, the death of the gallant Napier, was the first bitter fruit of the struggle against that insulting and senseless pretension of China. Might I, in the flight of time, be permitted again to address you, I should pursue the course of the inquiry, through the four questions with which I have begun. But the solution of them all is involved in the germinating element of the first, the *justice of the cause*. This I have sought in the natural rights of man. Whether it may ever be my good fortune to address you again, is in the disposal of a higher power; but with reference to the *last* of my four questions, What are



the duties of the government and the people of the United States, resulting from the existing war between Great Britain and China? — I leave to your meditations the last event of that war, which the winds have brought to our ears — the ransom of Canton. When we remember the scornful repulse from the gates of Canton in July, 1834, of Mr. Astell, bearing the letter of peace and friendship from Lord Napier to the governor of the two provinces, and the contemptuous refusal to receive the letter itself, and compare it with the ransom of that same city in June, 1841, we trace the whole line of connection between cause and effect — may we not draw from it a monitory lesson, written upon a beam of phosphoric light — of preparation for *war*, and preservation of *peace*.”

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## A A.

### TREATY

*Of Peace, Friendship, Limits, and Settlement between the United States of America and the Mexican Republic. Dated at Guadalupe Hidalgo, February 2, 1848; ratified by the President of the United States, March 16, 1848; exchanged at Queretaro, May 30, 1848; proclaimed by the President of the United States, July 4, 1848.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

“WHEREAS, a treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, was concluded and signed at the city of Guadalupe Hidalgo, on the second day of February, one thousand eight hundred and forty-eight, which treaty, as amended by the Senate of the United States, and, being in the English and Spanish languages, is word for word as follows:—

“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 people should live, as good neighbors, have for that purpose appointed their respective plenipotentiaries, that is to say, the President of the United States has appointed Nicholas P. Trist, a citizen of the United States, and the President of the Mexican Republic has appointed Don Luis Gonzaga Cuevas, Don Bernardo Couto, and Don Miguel Atristain, citizens of the said Republic, who, after a reciprocal communication of their respective full powers, have, under the protection of Almighty God, the author of peace, arranged, agreed upon, and signed the following

*“Treaty of Peace, Friendship, Limits, and Settlement, between the United States of America and the Mexican Republic.*

“ART. I. There shall be firm and universal peace between the United States of America and the Mexican republic, and between their respective countries, territories, cities, towns, and people, without exception of places or persons.

“ART. II. Immediately upon the signature of this treaty, a convention shall be entered into between a commissioner or commissioners appointed by the general-in-chief of the forces of the United States, and such as may be appointed by the Mexican government, to the end that a provisional suspension of hostilities shall take place, and that, in the places occupied by the said forces, constitutional order may be reëstablished, as regards the political, administrative, and judicial branches, so far as this shall be permitted by the circumstances of military occupation.

“ART. 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, requiring the latter (provided this treaty shall then have been ratified by the government of the Mexican republic, and the ratifications exchanged) immediately to desist from blockading any Mexican ports; and requiring the former (under the same condition) to commence, at the earliest moment practicable, withdrawing all troops of the United States then in the interior of the Mexican republic, to the points that shall be selected by common agreement, at a distance from the seaports not exceeding thirty leagues; and such

evacuation of the interior of the republic shall be completed with the least possible delay ; the Mexican government hereby binding itself to afford every facility in its power for rendering the same convenient to the troops, on their march and in their new positions, and for promoting a good understanding between them and the inhabitants. In like manner, orders shall be despatched to the persons in charge of the custom-houses at all ports occupied by the forces of the United States, requiring them (under the same condition) immediately to deliver possession of the same to the persons authorized by the Mexican government to receive it, together with all bonds and evidences of debts for duties on importations and on exportations, not yet fallen due. Moreover, a faithful and exact account shall be made out, showing the entire amount of all duties on imports and on exports, collected at such custom-houses, or elsewhere in Mexico, by authority of the United States, from and after the day of the ratification of this treaty by the government of the Mexican republic ; and also on account of the cost of collection ; and such entire amount, deducting only the cost of collection, shall be delivered to the Mexican government, at the city of Mexico, within three months after the exchange of the ratifications.

“The evacuation of the capital of the Mexican republic by the troops of the United States, in virtue of the above stipulations, 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.

“ART. IV. Immediately after the exchange of ratifications of the present treaty, all castles, forts, territories, places, and possessions which have been taken or occupied by the forces of the United States during the present war, within the limits of the Mexican republic, as about to established by the following article, shall be definitively restored to the said republic, together with all the artillery, arms, apparatus of war, munitions, and other public property, which were in the said castles and forts when captured, and which shall remain there at the time when this treaty shall be duly ratified by the government of the Mexican republic. To this end, immediately upon the signature of this treaty, orders shall be despatched to the American officers commanding such castles and forts, securing against the removal or destruction of any such artillery, arms, apparatus of war, munitions, or other public property. The city of Mexico, within the inner line of intrenchments surrounding the

said city, is comprehended in the above stipulations, as regards the restoration of artillery, apparatus of war, &c.

“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 said exchange of ratifications, or sooner if possible; the Mexican government hereby engaging, as in the foregoing article, 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.

“If, however, the ratification of this treaty by both parties should not take place in time to allow the embarkation of the troops of the United States to be completed before the commencement of the sickly season at the Mexican ports on the Gulf of Mexico, in such case a friendly arrangement shall be entered into between the general-in-chief of the said troops and the Mexican government, whereby healthy and otherwise suitable places, at a distance from the ports not exceeding thirty leagues, shall be designated for the residence of such troops as may not yet have embarked, until the return of the healthy season. And the space of time here referred to as comprehending the sickly season, shall be understood to extend from the first day of May to the first day of November.

“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 United States will exact the release of such captives, and cause them to be restored to their country.

“ART. 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 Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; ; thence, westwardly, along the whole southern boundary of New Mexico, (which runs north of the town called *Paso*,) to its western termination; thence, northward, along the western line of New Mexico, until it intersects the first branch of the River Gila; (or if it should not intersect any branch of that river,

then to the point on the said line nearest to such branch, and thence in a direct line to the same;) thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific ocean.

“The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled, ‘*Map of the United Mexican States, as organized and defined by various acts of the Congress of said republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell.*’ Of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned plenipotentiaries. And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper from Lower California, it is agreed that the said limit shall consist of a straight line drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pacific ocean, distant one marine league due south of the southernmost point of the port of San Diego, according to the plan of said port, made in the year 1782, by Don Juan Pantoja, second sailing-master of the Spanish fleet and published at Madrid, in the year 1802, in the atlas to the voyage of the schooners *Sutil* and *Mexicana*, of which plan a copy is hereunto added, signed and sealed by the respective plenipotentiaries.

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

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



“ART. VI. The vessels and citizens of the United States shall, in all time, have a free and uninterrupted passage by the Gulf of California, and by the River Colorado below its confluence with the Gila, to and from their possessions situated north of the boundary line defined in the preceding article; it being understood that this passage is to be by navigating the Gulf of California and the River Colorado, and not by land, without the express consent of the Mexican government.

“If, by the examinations which may be made, it should be ascertained to be practicable and advantageous to construct a road, canal, or railway, which should in whole or in part, run upon the River Gila, or upon its right or its left bank, within the space of one marine league from either margin of the river, the governments of both republics will form an agreement regarding its construction, in order that it may serve equally for the use and advantage of both countries.

“ART. VII. The River Gila, and the part of the Rio Bravo del Norte, lying below the southern boundary of New Mexico, being, agreeably to the fifth article, divided in the middle between the two republics, the navigation of the Gila and of the Bravo below said boundary, shall be free and common to the vessels and citizens of both countries; and neither shall, without the consent of the other, construct any work that may impede or interrupt, in whole or in part, the exercise of this right; not even for the purpose of favoring new methods of navigation. Nor shall any tax or contribution, under any denomination or title, be levied upon vessels or persons navigating the same, or upon merchandise or effects transported thereon, except in the case of landing upon one of their shores. If, for the purpose of making said rivers navigable, or for maintaining them in such a state, it should be necessary or advantageous to establish any tax or contribution, this shall not be done without the consent of both governments.

“The stipulations contained in the present article shall not impair the territorial rights of either republic within its established limits.

“ART. 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.

“In the said territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guaranties equally ample as if the same belonged to citizens of the United States.

“ART. 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 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 mean time 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.

“ART. X. [Stricken out.]

“ART. 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.

“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.

“And in the event of any person or persons, captured within Mexican territory by Indians, being carried into the territory of the United States, the government of the latter engages and binds itself in the most solemn manner, so soon as it shall know of such captives being within its territory, and shall be able so to do, through the faithful exercise of its influence and power, to rescue them and return them to their country, or deliver them to the agent or representative of the Mexican government. The Mexican authorities will, as far as practicable, give to the government of the United States notice of such captures; and its agent shall pay the expenses incurred in the maintenance and transmission of the rescued captives; who, in the mean time, shall be treated with the utmost hospitality by the American authorities at the place where they may be. But if the government of the United States, before receiving such notice from Mexico, should obtain intelligence, through any other channel, of the existence of Mexican captives within its territory, it will proceed forthwith to effect their release and delivery to the Mexican agent as above stipulated.

“For the purpose of giving to these stipulations the fullest possible efficacy, thereby affording the security and redress demanded by their true spirit and intent, the government of the United States will now and hereafter pass, without unnecessary delay, and always vigilantly enforce, such laws as the nature of the subject may require. And finally, the sacredness of this obligation shall never be lost sight of by the said government, 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 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.

“ART. 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.

“Immediately after this treaty shall have been duly ratified by the government of the Mexican republic, the sum of three millions of dollars shall be paid to the said government by that of the United States, at the city of Mexico, in the gold or silver coin of Mexico. The remaining twelve millions of dollars shall be paid at the same place, and in the same coin, in annual instalments of three millions of dollars each, together with interest on the same at the rate of six per centum per annum. This interest shall begin to run upon the whole sum of twelve millions from the day of the ratification of the present treaty by the Mexican government, and the first of the instalments shall be paid at the expiration of one year from the same day. Together with each annual instalment, as it falls due, the whole interest accruing on such instalment from the beginning shall also be paid.

“ART. XIII. The United States engage, moreover, to assume and pay to the claimants all the amounts now due them, and those hereafter to become due, by reason of the claims already liquidated and decided against the Mexican republic, under the conventions between the two republics severally concluded on the eleventh day of April, eighteen hundred and thirty-nine, and on the thirtieth day of January, eighteen hundred and forty-three; so that the Mexican republic shall be absolutely exempt, for the future, from all expense whatever on account of the said claims.

“ART. XIV. The United States do furthermore discharge the Mexican republic from all claims of citizens of the United States, not heretofore decided against the Mexican government, which may have arisen previously to the date of the signature of this treaty; which discharge shall be final and perpetual, whether the said claims be rejected or be allowed by the board of commissioners pro-

vided for in the following article, and whatever shall be the total amount of those allowed.

“ART. XV. The United States, exonerating Mexico from all demands on account of the claims of their citizens mentioned in the preceding article, and considering them entirely and forever cancelled, whatever their amount may be, undertake to make satisfaction for the same, to an amount not exceeding three and one quarter millions of dollars. To ascertain the validity and amount of those claims, a board of commissioners shall be established by the government of the United States, whose awards shall be final and conclusive: provided, that, in deciding upon the validity of each claim, the board shall be guided and governed by the principles and rules of decision prescribed by the first and fifth articles of the unratified convention, concluded at the city of Mexico on the twentieth day of November, one thousand eight hundred and forty-three, and in no case shall an award be made in favor of any claim not embraced by these principles and rules.

“If, in the opinion of the said board of commissioners, or of the claimants, any books, records, or documents in the possession or power of the government of the Mexican republic, shall be deemed necessary to the just decision of any claim, the commissioners, or the claimants through them, shall, within such period as Congress may designate, make an application in writing for the same, addressed to the Mexican minister for foreign affairs, to be transmitted by the secretary of state of the United States; and the Mexican government engages, at the earliest possible moment after the receipt of such demand, to cause any of the books, records, or documents, so specified, which shall be in their possession or power, (or authenticated copies or extracts of the same,) to be transmitted to the said secretary of state, who shall immediately deliver them over to the said board of commissioners: *Provided*, That no such application shall be made by, or at the instance of any claimant, until the facts, which it is expected to prove by such books, records, or documents, shall have been stated under oath or affirmation.

“ART. XVI. Each of the contracting parties reserves to itself the entire right to fortify whatever point within its territory it may judge proper so to fortify, for its security.



“ART. XVII. The treaty of amity, commerce, and navigation, concluded at the city Mexico on the fifth day of April, A. D. 1831, between the United States of America and the United Mexican States, except the additional article, and except so far as the stipulations of the said treaty may be incompatible with any stipulation contained in the present treaty, is hereby revived for the period of eight years from the day of the exchange of ratifications of this treaty, with the same force and virtue as if incorporated therein; it being understood that each of the contracting parties reserves to itself the right, at any time after the said period of eight years shall have expired, to terminate the same by giving one year's notice of such intention to the other party.

“ART. XVIII. All supplies whatever for troops of the United States in Mexico, arriving at ports in the occupation of such troops previous to the final evacuation thereof, although subsequently to the restoration of the custom-houses at such ports, shall be entirely exempt from duties and charges of any kind; the government of the United States hereby engaging and pledging its faith to establish, and vigilantly to enforce, all possible guards for securing the revenue of Mexico, by preventing the importation, under cover of this stipulation, of any articles other than such, both in kind and in quantity, as shall really be wanted for the use and consumption of the forces of the United States during the time they may remain in Mexico. To this end, it shall be the duty of all officers and agents of the United States to denounce to the Mexican authorities at the respective ports any attempt at a fraudulent abuse of this stipulation which they may know of, or may have reason to suspect, and to give to such authorities all the aid in their power with regard thereto; and every such attempt, when duly proved and established by sentence of a competent tribunal, shall be punished by the confiscation of the property so attempted to be fraudulently introduced.

“ART. XIX. With respect to all merchandise, effects and property whatsoever, imported into ports of Mexico whilst in the occupation of the forces of the United States, whether by citizens of either republic, or by citizens or subjects of any neutral nation, the following rules shall be observed:—

“1. All such merchandise, effects, and property, if imported previously to the restoration of the custom-houses to the Mexican



authorities, as stipulated for in the third article of this treaty, shall be exempt from confiscation, although the importation of the same be prohibited by the Mexican tariff.

"2. The same perfect exemption shall be enjoyed by all such merchandise, effects, and property, imported subsequently to the restoration of the custom-houses, and previously to the sixty days fixed in the following article for the coming into force of the Mexican tariff at such ports respectively; the said merchandise, effects, and property being, however, at the time of their importation, subject to the payment of duties, as provided for in the said following article.

"3. All merchandise, effects, and property described in the two rules foregoing shall, during their continuance at the place of importation, and upon their leaving such place for the interior, be exempt from all duty, tax, or impost of every kind, under whatsoever title or denomination. Nor shall they be there subjected to any charge whatsoever upon the sale thereof.

"4. All merchandise, effects, and property, described in the first and second rules, which shall have been removed to any place in the interior whilst such place was in the occupation of the forces of the United States, shall, during their continuance therein, be exempt from all tax upon the sale or consumption thereof, and from every kind of impost or contribution, under whatsoever title or denomination.

"5. But if any merchandise, effects, or property, described in the first and second rules, shall be removed to any place not occupied at the time by the forces of the United States, they shall, upon their introduction into such place, or upon their sale or consumption there, be subject to the same duties which, under the Mexican laws, they would be required to pay in such cases if they had been imported in time of peace, through the maritime custom-houses, and had there paid the duties conformably with the Mexican tariff.

"6. The owner of all merchandise, effects, or property described in the first and second rules, and existing in any port of Mexico, shall have the right to reship the same, exempt from all tax, impost, or contribution whatever.

"With respect to the metals, or other property, exported from any Mexican port whilst in the occupation of the forces of the United States, and previously to the restoration of the custom-house at such

port, no person shall be required by the Mexican authorities, whether general or State, to pay any tax, duty, or contribution upon any such exportation, or in any manner to account for the same to the said authorities.

“ART. XX. Through consideration for the interests of commerce generally, it is agreed, that if less than sixty days should elapse between the date of the signature of this treaty and the restoration of the custom-houses, conformably with the stipulation in the third article, in such case all merchandise, effects, and property whatsoever, arriving at the Mexican ports after the restoration of the said custom-houses, and previously to the expiration of sixty days after the day of the signature of this treaty, shall be admitted to entry; and no other duties shall be levied thereon than the duties established by the tariff found in force at such custom-houses at the time of the restoration of the same. And to all such merchandise, effects, and property, the rules established by the preceding article shall apply.

“ART. XXI. If unhappily any disagreement should hereafter arise between the governments of the two republics, whether with respect to the interpretation of any stipulation in this treaty, or with respect to any other particular concerning the political or commercial relations of the two nations, the said government, in the name of those nations, do promise to each other that they will endeavor, in the most sincere and earnest manner, to settle the differences so arising, and to preserve the state of peace and friendship in which the two countries are now placing themselves; using, for this end, mutual representations and pacific negotiations. And if, by these means, they should not be enabled to come to an agreement, a resort shall not, on this account, be had to reprisals, aggression, or hostility of any kind, by the one republic against the other, until the government of that which deems itself aggrieved shall have maturely considered, in the spirit of peace and good neighborhood, whether it would not be better that such difference should be settled by the arbitration of commissioners appointed on each side, or by that of a friendly nation. And should such course be proposed by either party, it shall be acceded to by the other, unless deemed by it altogether incompatible with the nature of the difference, or the circumstances of the case.

“ART. XXII. If (which is not to be expected, and which God forbid!) war should unhappily break out between the two republics, they do now, with a view to such calamity, solemnly pledge themselves to each other and to the world, to observe the following rules: absolutely where the nature of the subject permits, and as closely as possible in all cases where such absolute observance shall be impossible:—

“1. The merchants of either republic then residing in the other shall be allowed to remain twelve months, (for those dwelling in the interior,) and six months, (for those dwelling at the seaports,) to collect their debts and settle their affairs, during which periods they shall enjoy the same protection, and be on the same footing, in all respects, as the citizens or subjects of the most friendly nations; and at the expiration thereof, or any time before, they shall have full liberty to depart, carrying off all their effects without molestation or hinderance; conforming therein to the same laws which the citizens or subjects of the most friendly nations are required to conform to. Upon the entrance of the armies of either nation into the territories of the other, women and children, ecclesiastics, scholars of every faculty, cultivators of the earth, merchants, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or places, and in general all persons whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments unmolested in their persons. Nor shall their houses or goods be burnt or otherwise destroyed, nor their cattle taken, nor their fields wasted, by the armed force into whose power, by the events of war, they may happen to fall; but if the necessity arise to take any thing from them for the use of such armed force, the same shall be paid for at an equitable price. All churches, hospitals, schools, colleges, libraries, and other establishments for charitable and beneficent purposes, shall be respected, and all persons connected with the same protected in the discharge of their duties, and the pursuit of their vocations.

“2. In order that the fate of prisoners of war may be alleviated, all such practices as those of sending them into distant, inclement, or unwholesome districts, or crowding them into close and noxious places, shall be studiously avoided. They shall not be confined in dungeons, prison-ships, or prisons; nor be put in irons, or bound, or otherwise restrained in the use of their limbs. The officers shall

enjoy liberty on their paroles, within convenient districts, and have comfortable quarters; and the common soldiers shall be disposed in cantonments, open and extensive enough for air and exercise, and lodged in barracks as roomy and good as are provided by the party in whose power they are for its own troops. But if any officer shall break his parole by leaving the district so assigned him, or any other prisoner shall escape from the limits of his cantonment, after they shall have been designated to him, such individual, officer, or other prisoner, shall forfeit so much of the benefit of this article as provides for his liberty on parole or in cantonment. And if any officer so breaking his parole, or any common soldier so escaping from the limits assigned him, shall afterwards be found in arms, previously to his being regularly exchanged, the person so offending shall be dealt with according to the established laws of war. The officers shall be daily furnished by the party in whose power they are with as many rations, and of the same articles, as are allowed, either in kind or by commutation, to officers of equal rank in its own army; and all others shall be daily furnished with such ration as is allowed to a common soldier in its own service: the value of all which supplies shall, at the close of the war, or at periods to be agreed upon between the respective commanders, be paid by the other party, on a mutual adjustment of accounts for subsistence of prisoners; and such accounts shall not be mingled with or set off against any others, nor the balance due on them be withheld, as a compensation or reprisal for any cause whatever, real or pretended. Each party shall be allowed to keep a commissary of prisoners, appointed by itself, with every cantonment of prisoners, in possession of the other; which commissary shall see the prisoners as often as he pleases; shall be allowed to receive, exempt from all duties or taxes, and to distribute, whatever comforts may be sent to them by their friends; and shall be free to transmit his reports in open letters to the party by whom he is employed.

“ And it is declared that neither the pretence that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending the solemn covenant contained in this article. On the contrary, the state of war is precisely that for which it is provided; and during which, its stipulations are to be as sacredly observed as the most acknowledged obligations under the law of nature or nations.



"ART. XXIII. This treaty shall be ratified by the president of the United States of America, by and with the advice and consent of the Senate thereof; and by the president of the Mexican republic, with the previous approbation of its General Congress; and the ratifications shall be exchanged in the city of Washington, or at the seat of government of Mexico, in four months from the date of the signature hereof, or sooner, if practicable.

"In faith whereof, we, 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.

"N. P. TRIST, [L. s.]

"LUIS G. CUEVAS, [L. s.]

"BERNARDO COUTO, [L. s.]

"MIGL. ATRISTAIN, [L. s.]

"And whereas the said treaty, as amended, has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Querétaro on the thirtieth day of May last, by Ambrose H. Sevier and Nathan Clifford, commissioners on the part of the government of the United States, and by Señor Don Louis de la Rosa, minister of relations of the Mexican republic, on the part of that government.

"Now, therefore, be it known, that I, JAMES K. POLK, president of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

"In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

"Done at the city of Washington, this fourth day of  
[s. L.] July, one thousand eight hundred and forty-eight,  
and of the independence of the United States the  
seventy-third.

"JAMES K. POLK.

"By the President :

"JAMES BUCHANAN, *Secretary of State.*"



**B B.**

The following is an extract from the message of President Polk, July 6, 1848, accompanying the treaty of peace:—

“New Mexico and Upper California have been ceded by Mexico to the United States, and now constitute a part of our country. Embracing nearly ten degrees of latitude, lying adjacent to the Oregon Territory, and extending from the Pacific Ocean to the Rio Grande, a mean distance of nearly a thousand miles, it would be difficult to estimate the value of these possessions to the United States. They constitute of themselves a country large enough for a great empire, and their acquisition is second only in importance to that of Louisiana in 1803. Rich in mineral and agricultural resources, with a climate of great salubrity, they embrace the most important ports on the whole Pacific coast of the continent of North America. The possession of the ports of San Diego and Monterey and the Bay of San Francisco, will enable the United States to command the already valuable and rapidly increasing commerce of the Pacific. The number of our whale ships alone now employed in that sea exceeds seven hundred, requiring more than twenty thousand seamen to navigate them, while the capital invested in this particular branch of commerce is estimated at not less than forty millions of dollars. The excellent harbors of Upper California will, under our flag, afford security and repose to our commercial marine, and American mechanics will soon furnish ready means of ship-building and repair, which are now so much wanted in that distant sea.

“By the acquisition of these possessions, we are brought into immediate proximity with the west coast of America, from Cape Horn to the Russian possessions north of Oregon, with the islands of the Pacific Ocean, and by a direct voyage in steamers we will be in less than thirty days of Canton and other ports of China.

“In this vast region, whose rich resources are soon to be developed by American energy and enterprise, great must be the augmentation of our commerce, and with it new and profitable demands for mechanic labor in all its branches, and new and valuable markets for our manufactures and agricultural products.”

## CC.

EXTRACT FROM THE LETTER OF ACCEPTANCE  
OF GENERAL CASS.

We make the following extract for the purpose of affording a good example to all partisans:—

“No party, gentlemen, had ever higher motives for exertion, than has the great democratic party of the United States. With an abiding confidence in the rectitude of our principles, with an unshaken reliance upon the energy and wisdom of public opinion, and with the success which has crowned the administration of the government, when committed to its keeping, (and it has been so committed during more than three fourths of its existence,) what has been done is at once the reward of past exertion, and the motive for future, and, at the same time, a guaranty for the accomplishment of what we have to do. We cannot conceal from ourselves that there is a powerful party in the country, differing from us in regard to many of the fundamental principles of our government, and opposed to us in their practical application, which will strive as zealously as we shall to secure the ascendancy of their principles, by securing the election of their candidate in the coming contest. That party is composed of our fellow-citizens, as deeply interested in the prosperity of our common country as we can be, and seeking as earnestly as we are to promote and perpetuate it. We shall soon present to the world the sublime spectacle of the election of a chief magistracy by twenty millions of people, without a single serious resistance to the laws, or the sacrifice of the life of one human being—and this, too, in the absence of all force but the moral force of our institutions; and if we should add to all this, an example of mutual respect for the motives of the contending parties, so that the contest might be carried on with that firmness and energy which accompany deep conviction, and with as little personal asperity as political divisions permit, we should do more for the great cause of human freedom throughout the world, than by any other tribute we could render to its value.

“We have a government founded by the will of all, responsible to the power of all, and administered for the good of all. The very first article in the democratic creed teaches that the people are competent to govern themselves; it is, indeed, rather an axiom than

an article of political faith. From the days of General Hamilton to our days, the party opposed to us, — of whose principles he was the great exponent, if not the founder, — while it has changed its name, has preserved essentially its identity of character; and the doubt he entertained and taught of the capacity of man for self-government, has exerted a marked influence upon its action and opinions. Here is the very starting-point of the difference between the two great parties which divide our country. All other differences are but subordinate and auxiliary to this, and may, in fact, be resolved into it. Looking with doubt upon the issue of self-government, one party is prone to think the public authority should be strengthened, and to fear any change, lest that change might weaken the necessary force of the government; while the other, strong in its convictions of the intelligence and virtue of the people, believes that original power is safer than delegated, and that the solution of the great problem of good government consists in governing with the least force, and leaving individual action as free from restraint as is compatible with the preservation of the social system, thereby securing to each all the freedom which is not essential to the well-being of the whole.

“As a party, we ought not to mistake the signs of the times; but should bear in mind that this is an age of progress — of advancement in all the elements of intellectual power, and in the opinions of the world. The general government should assume no powers. It should exercise none which have not been clearly granted by the parties to the federal compact. We ought to construe the Constitution strictly, according to the received and sound principles of the Jefferson school. But while rash experiments should be deprecated, if the government is stationary in its principles of action, and refuses to accommodate its measures within its constitutional sphere — cautiously, indeed, but wisely and cheerfully — to the advancing sentiments and necessities of the age, it will find its moral force impaired, and the public will determine to do what the public authority itself should readily do, when the indications of popular sentiment are clear and clearly expressed.”

## D D.

## BALTIMORE CONVENTION.

The following are the resolutions of the convention of the democratic party, adopted at Baltimore in 1848: — \*

*“Resolved, That the American democracy place their trust in the intelligence, the patriotism, and the discriminating justice of the American people.*

*“Resolved, That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world, as the great moral element in a form of government springing from and upheld by the popular will; and we contrast it with the creed and practice of federalism, under whatever name or form, which seeks to palsy the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.*

*“Resolved, therefore, That, entertaining these views, the democratic party of this Union, through their delegates assembled in a general convention of the States, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow-citizens for the rectitude of their intentions, renew and re-assert, before the American people, the declarations of principles avowed by them when, on a former occasion, in general convention, they presented their candidates for the popular suffrages:—*

*“1. That the federal government is one of limited powers, derived solely from the Constitution, and the grants of power shown therein ought to be strictly construed by all the departments and agents of the government; and that it is inexpedient and dangerous to exercise doubtful constitutional powers.*

*“2. That the Constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements.*

*“3. That the Constitution does not confer authority upon the federal government, directly or indirectly, to assume the debts of the several States, contracted for local internal improvements, or*

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\* The resolutions adopted in 1844, and re-adopted in 1848, were written by the Hon. R. H. Gillet, the present able solicitor of the United States treasury.



other State purposes ; nor would such assumption be just and expedient.

"4. That justice and sound policy forbid the federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion to the injury of another portion of our common country ; that every citizen, and every section of the country, has a right to demand and insist upon an equality of rights and privileges, and to complete and ample protection of persons and property from domestic violence or foreign aggression.

"5. That it is the duty of every branch of the government to enforce and practise the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government, and for the gradual but certain extinction of the debt created by the prosecution of a just and necessary war, after peaceful relations shall have been restored.

"6. That Congress has no power to charter a national bank ; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and above the laws and the will of the people ; and that the result of democratic legislation, in this and all other financial measures upon which issues have been made between the two political parties of the country, have demonstrated to candid and practical men of all parties, their soundness, safety, and utility in all business pursuits.

"7. That Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of every thing appertaining to their own affairs, not prohibited by the Constitution ; that all efforts of the abolitionists or others, made to induce Congress to interfere with the question of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences ; and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

"8. That the separation of the moneys of the government from banking institutions is indispensable for the safety of the funds of the government and the rights of the people.



"9. That the liberal principles imbodyed by Jefferson in the Declaration of Independence, and sanctioned in the Constitution, which makes ours the land of liberty, and the asylum of the oppressed of every nation, have ever been cardinal principles in the democratic faith; and every attempt to abridge the present privilege of becoming citizens and the owners of soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statute-books.

"*Resolved*, That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the Constitution; and that we are opposed to any law for the distribution of such proceeds among the States, as alike inexpedient in policy and repugnant to the Constitution.

"*Resolved*, That we are decidedly opposed to taking from the president the qualified veto power, by which he is enabled, under restrictions and responsibilities, amply sufficient to guard the public interest, to suspend the passage of a bill whose merits cannot secure the approval of two thirds of the Senate and House of Representatives until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical domination of the Bank of the United States, and from a corrupting system of general internal improvements.

"*Resolved*, That the war with Mexico, provoked on her part by years of insult and injury, was commenced by her army crossing the Rio Grande, attacking the American troops, and invading our sister state of Texas — and that upon all the principles of patriotism and the laws of nations, it is a just and necessary war on our part, in which every American citizen should have shown himself on the side of his country, and neither morally nor physically, by word or deed, have given 'aid and comfort to the enemy.'

"*Resolved*, That we would be rejoiced at the assurances of a peace with Mexico, founded on the just principles of indemnity for the past and security for the future; but that, while the ratification of the liberal treaty offered to Mexico remains in doubt, it is the duty of the country to sustain the administration in every measure necessary to provide for the vigorous prosecution of the war, should that treaty be rejected.

"*Resolved*, That the officers and soldiers who have carried the arms of their country into Mexico, have crowned it with imperishable glory. Their unconquerable courage, their daring enterprise,

their unfaltering perseverance and fortitude when assailed on all sides by innumerable foes, and that more formidable enemy — the diseases of the climate — exalt their devoted patriotism into the highest heroism, and give them a right to the profound gratitude of their country and the admiration of the world.

“*Resolved*, That the democratic national convention of the thirty States composing the American Republic, tender their fraternal congratulations to the National Convention of the Republic of France, now assembled as the free suffrage representatives of the sovereignty of thirty-five millions of republicans, to establish governments on those eternal principles of equal right, for which *their* LAFAYETTE and *our* WASHINGTON fought, side by side, in the struggle for our own national independence; and we would especially convey to them, and the whole people of France, our earnest wishes for the consolidation of their liberties, through the wisdom that shall guide their councils, on the basis of a democratic constitution, not derived from the grants or concessions of kings or dynasties, but originating from the only true source of political power recognized in the States of this Union — the inherent and inalienable right of the people, in their sovereign capacity, to make and to amend their forms of government in such manner as the welfare of the community may require.

“*Resolved*, That in the recent development of this grand political truth, of the sovereignty of the people, and their capacity and power of self-government, which is prostrating thrones and erecting republics on the ruins of despotism in the Old World, we feel that a high and sacred duty is devolved with increased responsibility upon the democratic party of this country, as the party of the *people*, to sustain and advance among us constitutional liberty, equality, and fraternity, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the Constitution which are broad enough and strong enough to embrace and uphold the Union as it was, the Union as it is, and the Union as it shall be in the full expansion of the energies and capacity of this great and progressive people.

“*Resolved*, That a copy of these resolutions be forwarded, through the American minister at Paris, to the National Convention of the republic of France.

“*Resolved*, That the fruits of the great political triumph of 1844,

which elected James K. Polk and George M. Dallas president and vice-president of the United States, have fulfilled the hopes of the democracy of the Union; in defeating the declared purposes of their opponents to create a national bank; in preventing the corrupt and unconstitutional distribution of the land proceeds, from the common treasury of the Union, for local purposes; in protecting the currency and the labor of the country from the ruinous fluctuations, and guarding the money of the people for the use of the people, by the establishment of the constitutional treasury; in the noble impulse given to the cause of free trade, by the repeal of the tariff of 1842, and the creation of the more equal, honest, and productive tariff of 1846; and that, in our opinion, it would be a fatal error to weaken the bands of political organization by which these great reforms have been achieved — and risk them in the hands of their known adversaries, with whatever delusive appeals they may solicit our surrender of that vigilance which is the only safeguard of liberty.

*“Resolved,* That the confidence of the democracy of the Union in the principles, capacity, firmness, and integrity of James K. Polk, manifested by his nomination and election in 1844, has been signally justified by the strictness of his adherence to sound democratic doctrines, by the purity of purpose, the energy and ability which have characterized his administration in all our affairs at home and abroad; that we tender to him our cordial congratulations upon the brilliant success which has hitherto crowned his patriotic efforts, and assure him, in advance, that at the expiration of his presidential term he will carry with him to his retirement the esteem, respect, and admiration of a grateful country.

*“Resolved,* That this convention hereby present to the people of the United States LEWIS CASS, of Michigan, as the candidate of the democratic party for the office of president, and WILLIAM O. BUTLER, of Kentucky, as the candidate of the democratic party for the office of vice-president of the United States.”

## E E.

*A Statement of the Receipts of the United States,*

From March 4, 1789, to Dec. 31,	Customs.	Internal reve- nue.	Direct taxes.	Postage.	Public lands.
1791	4,399,473 09	.....	.....	.....	.....
1792	3,443,070 85	208,942 81	.....	.....	.....
1793	4,255,306 56	337,705 70	.....	11,020 51	.....
1794	4,801,065 28	274,089 62	.....	29,478 49	.....
1795	5,588,461 26	337,755 36	.....	22,400	.....
1796	6,567,987 94	475,289 60	.....	72,909 84	4,836 13
1797	7,549,649 65	575,491 45	.....	64,500	83,540 60
1798	7,106,061 93	644,357 95	.....	39,500	11,963 11
1799	6,610,449 31	779,136 44	.....	41,000	.....
1800	9,080,932 73	809,396 55	734,223 97	78,000	443 75
1801	10,750,778 93	1,048,033 43	534,343 38	79,500	167,726 06
1802	12,438,235 74	621,898 89	206,565 44	35,000	188,628 02
1803	10,479,417 61	215,179 69	71,879 20	16,427 26	165,675 69
1804	11,098,565 33	50,941 29	50,198 44	26,500	487,526 79
1805	12,936,487 04	21,747 15	21,882 91	21,342 50	540,193 80
1806	14,667,698 17	20,101 45	55,763 86	41,117 67	765,245 73
1807	15,845,521 61	13,051 40	34,732 56	3,614 73	466,163 27
1808	16,363,550 58	8,210 73	19,159 21	.....	647,939 06
1809	7,296,020 58	4,044 39	7,517 31	.....	442,252 33
1810	8,583,309 31	7,430 63	12,448 68	.....	696,548 82
1811	13,313,222 73	2,295 95	7,666 66	37 70	1,040,237 53
1812	8,958,777 53	4,903 06	859 22	85,039 70	710,427 78
1813	13,224,623 25	4,755 04	3,805 52	35,000	835,655 14
1814	5,998,772 08	1,662,984 82	2,219,497 36	45,000	1,135,971 09
1815	7,282,942 22	4,678,059 07	2,162,673 41	135,000 10	1,287,959 28
1816	36,306,874 88	5,124,708 31	4,253,635 09	149,787 74	1,717,985 03
1817	26,283,348 49	2,678,100 77	1,834,187 04	29,371 91	1,991,226 06
1818	17,176,385	955,270 20	264,333 36	20,070	2,696,564 77
1819	20,283,608 76	229,593 63	83,650 78	71 32	3,274,422 78
1820	15,005,612 15	106,260 53	31,586 82	6,465 95	1,635,871 61
1821	13,004,447 15	69,027 63	29,349 05	516 91	1,212,966 46
1822	17,589,761 94	67,665 71	20,961 56	602 04	1,893,581 54
1823	19,088,433 44	34,242 17	10,337 71	110 69	916,523 10
1824	17,878,325 71	34,663 37	6,201 96	.....	984,418 15
1825	20,098,713 45	25,771 35	2,330 85	469 56	1,216,090 56
1826	23,341,331 77	21,589 93	6,638 76	300 14	1,393,785 09
1827	19,712,283 29	19,885 68	2,626 90	101	1,495,845 26
1828	23,205,523 64	17,451 54	2,218 81	20 15	1,018,308 75
1829	22,681,965 91	14,502 74	11,335 05	86 60	1,517,175 13
1830	21,922,391 39	12,160 62	16,980 59	55 13	2,329,356 14
1831	24,224,441 77	6,933 51	10,506 01	561 02	3,210,815 48
1832	28,465,237 24	11,630 65	6,791 13	244 95	2,623,331 03
1833	29,032,508 91	2,759	394 12	.....	3,967,682 55
1834	16,214,957 15	4,196 09	19 80	100	4,857,600 69



## E E.

*from the 4th of March, 1789, to June 30th, 1847.*

Dividends and sales of bank stock and bonus.	Miscellaneous, including indemnities and Chickasaw fund.	Receipts, exclusive of loans, Treasury notes, &c.	Loans and Treasury notes, &c.	Total receipts.
.....	19,440 10	4,418,913 19	5,791,112 56	10,210,025 75
8,028	9,918 65	3,669,960 31	5,070,806 46	8,740,766 77
38,500	10,390 37	4,652,923 14	1,067,701 14	5,720,624 28
303,472	23,799 48	5,431,904 87	4,609,196 78	10,041,101 65
160,000	5,917 97	6,114,534 59	3,305,268 20	9,419,802 79
1,240,000	16,506 14	8,377,529 65	362,800	8,740,329 65
385,220	30,379 29	8,688,780 99	70,135 41	8,758,916 40
79,920	18,692 81	7,900,495 80	308,574 27	8,209,070 07
71,040	45,187 56	7,546,813 31	5,074,646 53	12,621,459 84
71,040	74,712 10	10,848,749 10	1,602,435 04	12,451,184 14
88,800	266,149 15	12,935,330 95	10,125	12,945,455 95
1,327,560	177,905 86	14,995,793 95	5,597 36	15,001,391 31
.....	115,518 18	11,064,097 63	.....	11,064,097 63
.....	112,575 53	11,826,307 38	9,532 64	11,835,840 02
.....	19,039 80	13,560,693 20	128,814 94	13,689,508 14
.....	10,004 19	15,559,931 07	48,897 71	15,608,828 78
.....	34,935 69	16,398,019 26	.....	16,398,019 26
.....	21,802 35	17,060,661 93	1,882 16	17,062,544 09
.....	23,638 51	7,773,473 12	.....	7,773,473 12
.....	84,476 84	9,384,214 28	2,759,992 25	12,144,206 53
.....	60,068 52	14,423,529 09	8,309 05	14,431,838 14
.....	41,125 47	9,801,132 76	12,837,900	22,639,032 76
.....	236,571	14,340,409 95	26,184,435	40,524,844 95
.....	119,399 81	11,181,625 16	23,377,911 79	34,559,536 95
.....	150,282 74	15,696,916 82	35,264,320 78	50,961,237 60
.....	123,994 61	47,676,985 66	9,494,436 16	57,171,421 82
202,426 30	80,389 17	33,099,049 74	734,542 59	33,833,592 33
525,000	37,547 71	21,585,171 04	8,765 62	21,593,936 66
675,000	57,027 10	24,603,374 37	2,291	24,605,665 37
1,000,000	54,872 49	17,840,669 55	3,040,824 13	20,881,493 68
105,000	152,072 52	14,573,379 72	5,000,324	19,573,703 72
297,500	452,355 15	20,232,427 94	.....	20,232,427 94
350,000	141,019 15	20,540,666 26	.....	20,540,666 26
350,000	127,603 60	19,381,212 79	5,000,000	24,381,212 79
367,500	129,982 25	21,840,858 02	5,000,000	26,840,858 02
402,500	94,288 52	25,260,434 21	.....	25,260,434 21
420,000	1,315,621 83	22,966,363 96	.....	22,966,363 96
455,000	65,106 34	24,763,629 23	.....	24,763,629 23
490,000	112,561 95	24,827,627 38	.....	24,827,627 38
490,000	73,172 64	24,844,116 51	.....	24,844,116 51
490,000	583,563 03	28,526,820 82	.....	28,526,820 82
659,000	99,276 16	31,865,561 16	.....	31,865,561 16
610,285	334,796 67	33,948,426 25	.....	33,948,426 25
586,649 50	128,412 32	21,791,935 55	.....	21,791,935 55



*A Statement of the Receipts of the United States, from the*

From Dec. 31, 1834, to Dec. 31,	Customs.	Internal reve- nue.	Direct taxes.	Postage.	Public lands.
1835	19,391,310 59	9,459 48	4,263 33	893	14,757,600 75
1836	23,409,940 53	370	728 79	10 91	24,877,179 86
1837	11,169,290 39	5,493 84	1,687 70	.....	6,776,236 52
1838	16,158,800 36	2,467 27	.....	.....	3,081,939 47
1839	23,137,924 81	2,553 32	755 22	.....	7,076,447 35
1840	13,499,502 17	1,682 25	.....	.....	3,292,285 58
1841	14,487,216 74	3,261 36	.....	.....	1,365,627 42
1842	18,187,908 76	495	.....	.....	1,335,797 52
To 30th June,					
1843	7,046,843 91	103 25	.....	.....	897,818 11
1843-4	26,183,570 94	1,777 34	.....	.....	2,059,939 80
1844-5	27,528,112 70	3,517 12	.....	.....	2,077,022 30
1845-6	26,712,667 87	2,897 26	.....	.....	2,694,452 48
1846-7	23,747,864 66	375	.....	.....	2,498,355 20
	890,817,487 78	22,277,688 39	12,744,737 56	1,092,227 52	122,243,240 52

4th of March, 1789, to June 30th, 1847. (Continued.)

Dividends and sales of bank stock and bonus.	Miscellaneous, including indemnities and Chickasaw fund.	Receipts, exclusive of loans, Treasury notes, &c.	Loans and Treasury notes, &c.	Total receipts.
569,280 82	696,279 13	35,430,087 10	.....	35,430,087 10
328,674 67	2,209,891 32	50,826,796 08	.....	50,826,796 08
1,375,965 44	5,562,190 80	24,890,864 69	2,992,989 15	27,883,853 84
4,542,102 22	2,517,252 42	26,302,561 74	12,716,820 86	39,019,382 60
.....	1,265,068 91	30,023,966 68	3,857,276 21	* 33,881,242 89
1,774,513 80	874,662 28	19,442,646 08	5,589,547 51	25,032,193 59
672,769 38	331,285 37	16,860,160 27	13,659,317 38	30,519,477 65
56,912 53	383,895 44	19,965,009 25	14,808,735 64	34,773,744 89
.....	286,235 99	8,231,001 26	12,551,409 19	20,782,410 45
.....	1,075,419 70	29,320,707 78	1,877,847 95	31,198,555 73
5,000	328,201 78	29,941,853 90	.....	29,941,853 90
.....	289,950 13	29,699,967 74	.....	29,699,967 74
4,340 39	186,467 91	26,437,403 16	28,900,765 36	55,338,168 52
21,579,000 05	21,898,902 50	1,071,194,477 39	253,136,287 82	1,344,330,763 11

\* \$1,458,782 93 deducted from the aggregate receipts, as per account of the Treasurer, No. 76,922.

## E E.

*A Statement of the Expenditures of the United States, from the 4th  
the Treasury at the*

From March 4, 1789, to Dec. 31,	Civil list.	Foreign inter course, inclu- ding awards.	Miscellaneous.	MILITARY ESTABLISH	
				Milit'ry service, exclusive of pensions and Indian dep't.	Revolutionary and other pensions.
1791	757,134 45	14,733 33	311,533 83	632,804 03	175,813 88
1792	380,917 58	78,766 67	194,572 32	1,100,702 09	109,243 15
1793	358,241 08	89,500	24,709 46	1,130,249 08	80,087 81
1794	440,946 58	146,403 51	118,248 30	2,639,097 59	81,399 24
1795	361,633 36	912,685 12	92,718 50	2,480,910 13	68,673 22
1796	447,139 05	184,859 64	150,476 14	1,260,263 84	100,843 71
1797	483,233 70	669,788 54	103,880 82	1,039,402 66	92,256 97
1798	504,605 17	457,428 74	149,004 15	2,009,522 30	104,845 33
1799	592,905 76	271,374 11	175,111 81	2,466,946 98	95,444 03
1800	748,688 45	395,288 18	193,636 59	2,560,878 77	64,130 73
1801	549,288 31	295,676 73	269,803 41	1,672,944 08	73,533 37
1802	596,981 11	550,925 93	315,022 36	1,179,148 25	85,440 39
1803	526,583 12	1,110,834 77	205,217 87	822,055 85	62,902 10
1804	624,795 63	1,186,655 57	379,558 23	875,423 93	80,092 80
1805	585,849 79	2,798,028 77	384,720 19	712,781 28	81,854 59
1806	684,230 53	1,760,421 30	445,485 18	1,224,355 38	81,875 53
1807	655,524 65	577,826 34	464,546 52	1,288,685 91	70,500
1808	691,167 80	304,992 83	427,124 98	2,900,834 40	82,576 04
1809	712,465 13	166,306 04	337,032 62	3,345,772 17	87,833 54
1810	703,994 03	81,367 48	315,783 47	2,294,323 94	83,744 16
1811	644,467 27	264,904 47	457,919 66	2,032,828 19	75,043 88
1812	826,271 55	347,703 29	509,113 37	11,817,798 24	91,402 10
1813	780,545 45	209,941 01	738,949 15	19,652,013 02	86,989 91
1814	927,424 23	177,179 97	1,103,425 50	20,350,806 86	90,164 36
1815	852,247 16	290,892 04	1,755,731 27	14,794,294 22	69,656 06
1816	1,208,125 77	364,620 40	1,416,995	16,012,096 80	188,804 15
1817	994,556 17	281,995 97	2,242,384 62	8,004,236 53	297,374 43
1818	1,109,559 79	420,429 90	2,305,849 82	5,622,715 10	890,719 90
1819	1,142,180 41	284,113 94	1,640,917 06	6,506,300 37	2,415,939 85
1820	1,248,310 05	253,370 04	1,090,341 85	2,630,392 31	3,208,376 31
1821	1,112,292 64	207,110 75	903,718 15	4,461,291 78	242,817 25
1822	1,158,131 58	164,879 51	644,985 15	3,111,981 48	1,948,199 40
1823	1,058,911 65	292,118 56	671,063 78	3,096,924 43	1,780,588 52
1824	1,336,266 24	5,140,099 83	678,942 74	3,340,939 85	1,499,326 59
1825	1,330,747 24	371,666 25	1,046,131 40	3,659,914 18	1,308,810 57
1826	1,256,745 48	232,719 08	1,110,713 23	3,943,194 37	1,556,593 83
1827	1,228,141 04	659,211 87	826,123 67	3,938,977 88	976,138 86
1828	1,455,490 58	1,001,193 66	1,219,368 40	4,145,544 56	850,573 57
1829	1,327,069 36	207,765 85	1,566,679 66	4,724,291 07	949,594 47
1830	1,579,724 64	294,067 27	1,363,624 13	4,767,128 88	1,363,297 31
1831	1,373,755 99	298,554	1,392,336 11	4,841,835 55	1,170,665 14
1832	1,800,757 74	325,181 07	2,451,202 64	5,446,034 88	1,184,422 40
1833	1,562,758 28	955,395 88	3,198,091 77	6,704,019 10	4,589,152 40

## E E.

*of March, 1789, to June 30, 1847, and the Balances of Money in end of each year.*

MENT.		Expenditures, exclusive of the public debt.	Public debt.	Total.	Balances in the Treasury at the end of the year.
Indian dep't., including Chickasaw fund.	Naval estab lishment.	Expenditures, exclusive of the public debt.	Public debt.	Total.	Balances in the Treasury at the end of the year.
27,000	570	1,919,589 52	5,287,949 50	7,207,539 02	973,905 75
13,648 85	53 02	1,877,903 68	7,263,665 99	9,141,569 67	783,444 51
27,282 83	.....	1,710,070 26	5,819,505 29	7,529,575 55	753,661 69
13,042 46	61,408 97	3,500,546 65	5,801,578 09	9,302,124 74	1,151,924 17
23,475 68	410,562 03	4,350,658 04	6,084,411 61	10,435,069 65	516,442 61
113,563 98	274,784 04	2,531,930 40	5,835,846 44	8,367,776 84	888,995 42
62,396 38	382,631 89	2,833,590 96	5,792,421 82	8,626,012 78	1,021,899 04
16,470 09	1,381,347 76	4,623,223 54	3,990,294 14	8,613,517 68	617,451 43
20,302 19	2,858,081 84	6,480,166 72	4,596,876 78	11,077,043 50	2,161,867 77
31 22	3,448,716 03	7,411,369 97	4,578,369 95	11,989,739 92	2,623,311 99
9,000	2,111,424	4,981,669 90	7,291,707 04	12,273,376 94	3,295,391
94,000	915,561 87	3,737,079 91	9,539,004 76	13,276,084 67	5,020,697 64
60,000	1,215,230 53	4,002,824 24	7,256,159 43	11,258,983 67	4,825,811 60
116,500	1,189,832 75	4,452,858 91	8,171,787 45	12,624,646 36	4,037,005 26
196,500	1,597,500	6,357,234 62	7,369,889 79	13,727,124 41	3,999,388 99
234,200	1,649,641 44	6,080,209 36	8,989,884 61	15,070,093 97	4,538,123 80
205,425	1,722,064 47	4,984,572 89	6,307,720 10	11,292,292 99	9,643,850 07
213,575	1,884,067 80	6,504,338 85	10,260,245 35	16,764,584 20	9,941,809 96
337,503 84	2,427,758 80	7,414,672 14	6,452,554 16	13,867,226 30	3,848,056 78
177,625	1,654,244 20	5,311,082 28	8,008,904 46	13,319,986 74	2,672,276 57
151,875	1,965,566 39	5,592,604 86	8,009,204 05	13,601,808 91	3,502,305 80
277,845	3,959,365 15	17,829,498 70	4,449,622 45	22,279,121 15	3,862,217 41
167,358 28	6,446,600 10	28,082,396 92	11,108,123 44	39,190,520 36	5,196,542
167,394 86	7,311,290 60	30,127,686 38	7,900,543 94	38,028,230 32	1,727,848 63
530,750	8,660,000 25	26,953,571	12,628,922 35	39,582,493 35	13,106,592 88
274,512 16	3,908,278 30	23,373,432 58	24,871,062 93	48,244,495 51	22,033,519 19
319,463 71	3,314,598 49	15,454,609 92	25,423,036 12	40,877,646 04	14,989,465 48
505,704 27	2,953,695	13,808,673 78	21,296,201 62	35,104,875 40	1,478,526 74
463,181 39	3,847,640 42	16,300,273 44	7,703,926 29	24,004,199 73	2,079,992 38
315,750 01	4,387,990	13,134,530 57	8,628,494 28	21,763,024 85	1,198,461 21
477,005 44	3,319,243 06	10,723,479 07	8,367,093 62	19,090,572 69	1,681,592 24
575,007 41	2,224,458 98	9,827,643 51	7,848,949 12	17,676,592 63	4,237,427 55
380,781 82	2,503,765 83	9,784,154 59	5,530,016 41	15,314,171	9,463,922 81
429,987 90	2,904,581 56	15,330,144 71	16,568,393 76	31,898,538 47	1,946,597 13
724,106 44	3,049,083 86	11,490,459 94	12,095,344 78	23,585,804 72	5,201,650 43
743,447 83	4,218,902 45	13,062,316 27	11,041,082 19	24,103,398 46	6,358,686 18
760,624 88	4,263,877 45	12,653,095 65	10,003,668 39	22,656,764 04	6,668,286 10
705,084 24	3,918,786 44	13,296,041 45	12,163,438 07	25,459,479 52	5,972,435 81
576,344 74	3,308,745 47	12,660,490 62	12,383,867 78	25,044,358 40	5,755,704 79
622,262 47	3,239,428 63	13,229,533 33	11,355,748 22	24,585,281 55	6,014,539 75
930,738 04	3,856,183 07	13,864,067 90	16,174,378 22	30,038,446 12	4,502,914 45
1,352,419 75	3,956,370 29	16,516,388 77	17,840,309 29	34,356,698 06	2,011,777 55
1,802,980 93	3,901,356 75	22,713,755 11	1,543,543 38	24,257,298 49	11,702,905 31



*A Statement of the Expenditures of the United States, from the 4th  
the Treasury at the end*

From Dec. 31, 1833, to Dec. 31,	Civil list.	Foreign inter- course, inclu- ding awards.	Miscellaneous.	MILITARY ESTABLISH	
				Milit'ry service, exclusive of pensions and Indian dep't.	Revolutionary and other pensions.
1834	2,080,601 60	241,562 35	2,082,565	5,696,189 38	3,364,285 30
1835	1,905,551 51	774,750 28	1,549,396 74	5,759,156 89	1,954,711 32
1836	2,110,175 47	533,382 65	2,749,721 60	12,169,226 64	2,882,797 96
1837	2,357,035 94	4,603,905 40	2,932,428 93	13,682,730 80	2,672,162 45
1838	2,688,708 56	1,215,095 52	3,256,860 68	12,897,224 16	2,156,057 29
1839	2,116,982 77	987,667 92	2,621,340 20	8,916,995 80	3,142,750 51
1840	2,736,769 31	683,278 15	2,575,351 50	7,095,267 23	2,603,562 17
1841	2,556,471 79	428,410 57	3,505,999 09	8,801,610 24	2,388,434 51
1842	2,905,041 65	563,191 41	3,307,391 55	6,610,438 02	1,378,931 33
To 30th June,					
1843	1,222,422 48	400,566 04	1,579,724 48	2,908,671 95	839,041 12
1843-4	2,454,958 15	636,079 66	2,554,146 05	5,218,183 66	2,032,008 99
1844-5	2,369,652 79	702,637 22	2,839,470 97	5,746,291 28	2,400,788 11
1845-6	2,532,232 92	409,292 55	3,769,758 42	10,413,370 58	1,811,097 56
1846-7	2,570,338 44	405,079 10	3,910,190 81	35,840,030 33	1,744,883 63
	71,327,748 97	37,683,877 03	74,627,140 80	338,998,049 27	59,969,254 10

*of March, 1789, to June 30, 1847, and the Balances of Money in of each year. (Continued.)*

MENT.						
Indian dep't., including Chickasaw fund.	Naval estab- lishment.	Expenditures, exclusive of the public debt.	Public debt.	Total.	Balances in the Treasury at the end of each year.	
1,003,953 20	3,956,260 42	18,425,417 25	6,176,565 19	24,601,982 44	8,892,858 42	
1,706,444 48	3,864,939 06	17,514,950 28	58,191 28	17,573,141 56	26,749,803 96	
4,615,141 49	5,807,718 23	30,868,164 04	.....	30,868,164 04	46,708,436	
4,348,036 19	6,646,914 53	37,243,214 24	21,822 91	37,265,037 15	37,327,252 69	
5,504,191 34	6,131,580 53	33,849,718 08	5,605,720 27	39,455,438 35	36,891,196 94	
2,528,917 28	6,182,294 25	26,496,948 73	11,117,987 42	37,614,936 15	33,157,503 68	
2,331,794 86	6,113,896 89	24,139,920 11	4,086,613 70	28,226,533 81	29,963,163 46	
2,514,837 12	6,001,076 97	26,196,840 29	5,600,689 74	31,797,530 03	28,685,111 08	
1,199,099 68	8,397,242 95	24,361,336 59	8,575,539 94	32,936,876 53	30,521,979 44	
578,371	3,727,711 53	11,256,508 60	861,596 55	12,118,105 15	39,186,284 74	
1,256,532 39	6,498,199 11	20,650,108 01	12,991,902 84	33,642,010 85	36,742,829 62	
1,539,351 35	6,297,177 89	21,895,369 61	8,595,039 10	30,490,408 71	36,194,274 81	
1,027,693 64	6,455,013 92	26,418,459 59	1,213,823 31	27,632,282 90	38,261,959 65	
1,430,411 30	7,900,635 76	53,801,569 37	6,719,282 37	60,520,851 74	33,079,276 43	
46,800,944 41	200,585,952 02	829,992,966 70	481,258,522 08	1,311,251,488 78	.....	

## F F.

*Defalcations of the United States Treasury, from 1789 to 1837.\**

From March 4,	March 4,	Number indebted.	Whole loss each four years.	Amount of duties each four years.	Ratio of loss, each four years, to the duties collected.
1789 to	1793	10	686 46	12,097,850 50	.0056
1793 "	1797	125	82,359 84	24,552,164 13	.0033
1797 "	1801	148	85,179 98	33,548,222 90	.0025
1801 "	1805	150	61,872 69	46,952,705 72	.0013
1805 "	1809	208	122,478 51	54,172,790 94	.0022
1809 "	1813	263	374,654 23	44,079,932 82	.0084
1813 "	1817	446	688,836 51	75,871,937 67	.009065
1817 "	1821	488	880,111 67	65,470,053 06	.01344
1821 "	1825	431	1,568,476 17	74,655,234 54	.02100
1825 "	1829	457	2,278,558 47	88,941,104 61	.0256
1829 "	1833	209	299,798 51	103,644,579 31	.002892
1833 "	1837	1,307	1,305,305 45	70,185,498 66	.01859
Total,.....		4,242	\$7,748,318 89	\$694,172,034 86	.0111

Total amount of duties collected,.....\$694,172,034 86

Number indebted, .....4,242

Total loss, .....\$7,748,318 89

\* See Document of the Secretary of the Treasury, January 14, 1839—Twenty-sixth Congress, first session, Vol. I. Doc. 10.

**G G.**

The receipts in specie from the 1st January, 1847, to the 30th June, 1848, amounted to . . . . . \$71,044,840 16'

The disbursements in specie from the 1st January, 1847, to the 30th June, 1848, amounted to . . . . . \$73,689,883 72

TREASURY DEPARTMENT,

*Register's Office, August 10, 1848.*

DANIEL GRAHAM, *Register.*

**H H.**

Statement of the amount of coinage at the mint of the United States and branches, from 1st January, 1847, to 30th June, 1848.

Amount of coinage during the year 1847, . . . \$22,657,671 69

From 1st January to 30th June, 1848, . . . . 2,576,258 87

\$25,233,930 56

TREASURY DEPARTMENT,

*Register's Office, August 7, 1848.*

DANIEL GRAHAM, *Register.*

**I I.**

We give the following extract from an able address, by Judge Woodbury, on "the remedies for certain defects in American education : " —

"Commerce, free and unshackled, supplies wants, comforts, and luxuries, whether to the savage or civilized, and whether near at hand or at the antipodes; and, in this way, by rendering the surplus productions of all countries more valuable in exchange, it helps to excite, encourage, and reward the very highest exertions



of both body and mind. It thus aids to educate all in most important particulars. It rouses industry in the indolent; animates the torpid to enterprise; expands the views of the recluse; civilizes the roughest, and inspires rivalry in the most sluggish. It assists to propagate new opinions and a new faith, under both the equator and the poles; fertilizes every region not covered with eternal snows; and pushing human improvement in all its varied forms, penetrates remotest seas, and crosses the Andes, the Alps, and the Himalayan, almost as daringly as the Alleghanies. The moderns have hardly done justice to former ages in relation to their immense inland trade, enlightening and civilizing wherever it spread—whether up the Nile from Egypt, or into the remotest Ind from Tyre, and thence from Carthage to distant Britain, and in time overreaching the Atlantides, discovering, under the more adventurous Genoese, a new continent, and gradually pervading the whole western hemisphere.

“The moderns have, to be sure, since entered the farthest isles of the Pacific, and are exploring the ice of both poles; but it is probable they at last must sigh that there are no more worlds to find and civilize which are worth the search.

“One illustration of the enterprise and educating character of commerce, when free, has recently come under my own eye, that may not be without interest to you in connection with this topic.

“During the last autumn, in a small town in the interior of Massachusetts, I found American lead, which had been dug, partly by Yankee industry and adventure, in the remote wilderness of Wisconsin or Missouri. The same industry and adventure had not only helped to dig, but had transported it through the active channels of commerce, a circuit of more than two thousand miles from the mighty west to the rocky east; and that on routes unknown, but a few years ago, to any thing but the fearless hunter or the birchen canoe. Fed partly by meat from the same distant source, and corn from the south, and flour from the middle States, (fruits of the same commercial enterprise,) they were zealously occupied in making this lead into water pipes for operations still more distant, and not a little extraordinary.

“What, think you, was to be one of their principal markets? Some of this lead was manufacturing by special order, to be freighted again, under the same Yankee perseverance, not merely two thousand miles, but nearly half the circumference of the globe. It

was to double the stormy Cape Horn, twice cross the equator, and find its pathless way over new seas into the remote Sandwich Islands. And for what use?

“To advance again, as a labor-saving machine, the commercial interests of the same spirit which had untiringly explored the forests whence the raw material was obtained. It was in the form of pipes, to conduct water more cheaply and conveniently on board our whale ships, which with others resort so frequently to those islands for their necessary supplies.

“The mode of paying for it evinces with perhaps greater strength the instructive influence of commerce. It was to be paid for by taking in exchange, partly sugar, cotton, and oil, the products of new native labor and skill, among a people not long before (scarce two thirds of a century) barbarous in the extreme, and murdering the immortal navigator who first discovered and blessed them with some elements of civilization. But now, under the teaching and stimulants of commerce — transporting thither, as every where else over the whole habitable globe — the new sense of duty inspired by the religion of the cross, they are advanced somewhat in letters, agriculture, and the arts, as well as engaging considerably in commerce itself.”

## J J.

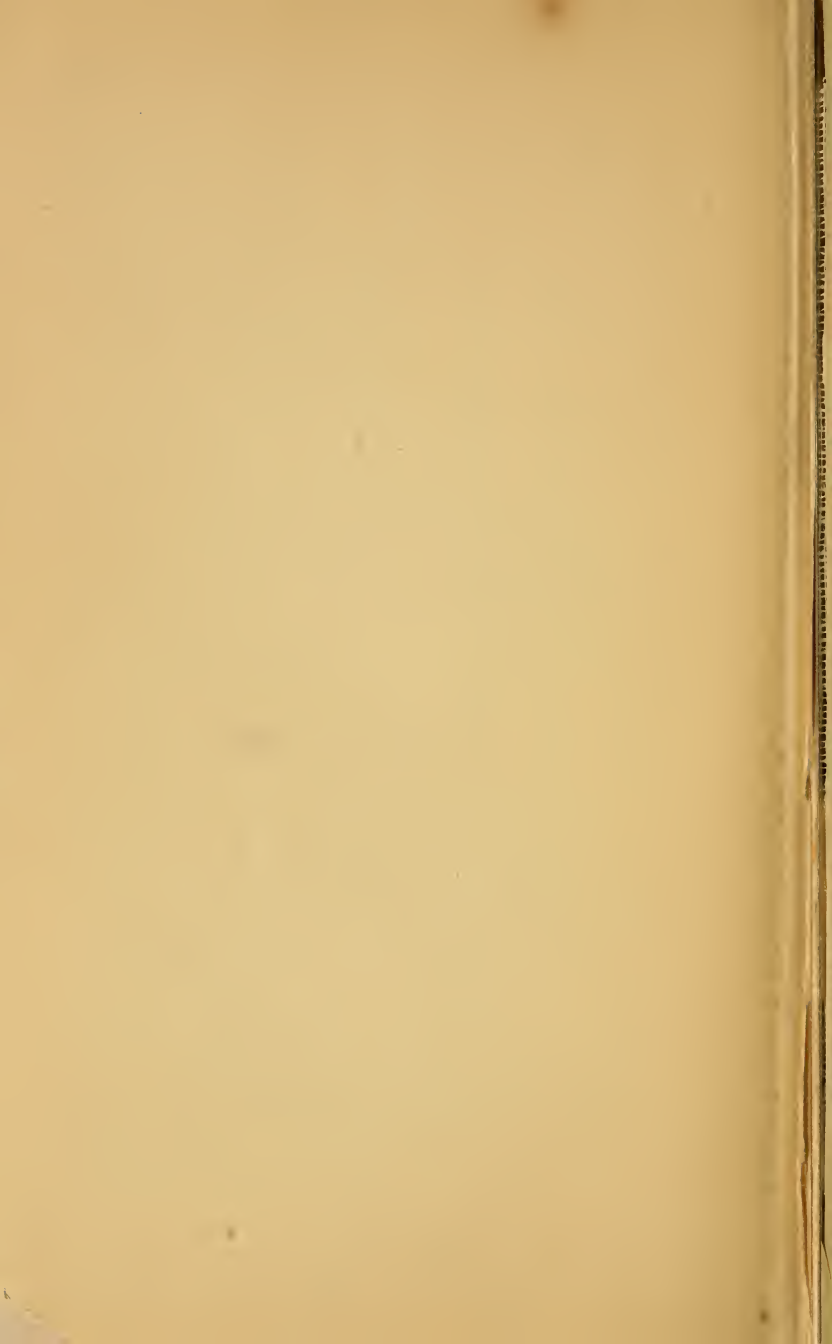
COMPARATIVE VIEW OF THE RECEIPTS INTO THE TREASURY FROM CUSTOMS UNDER THE TARIFFS OF 1842 AND 1846.

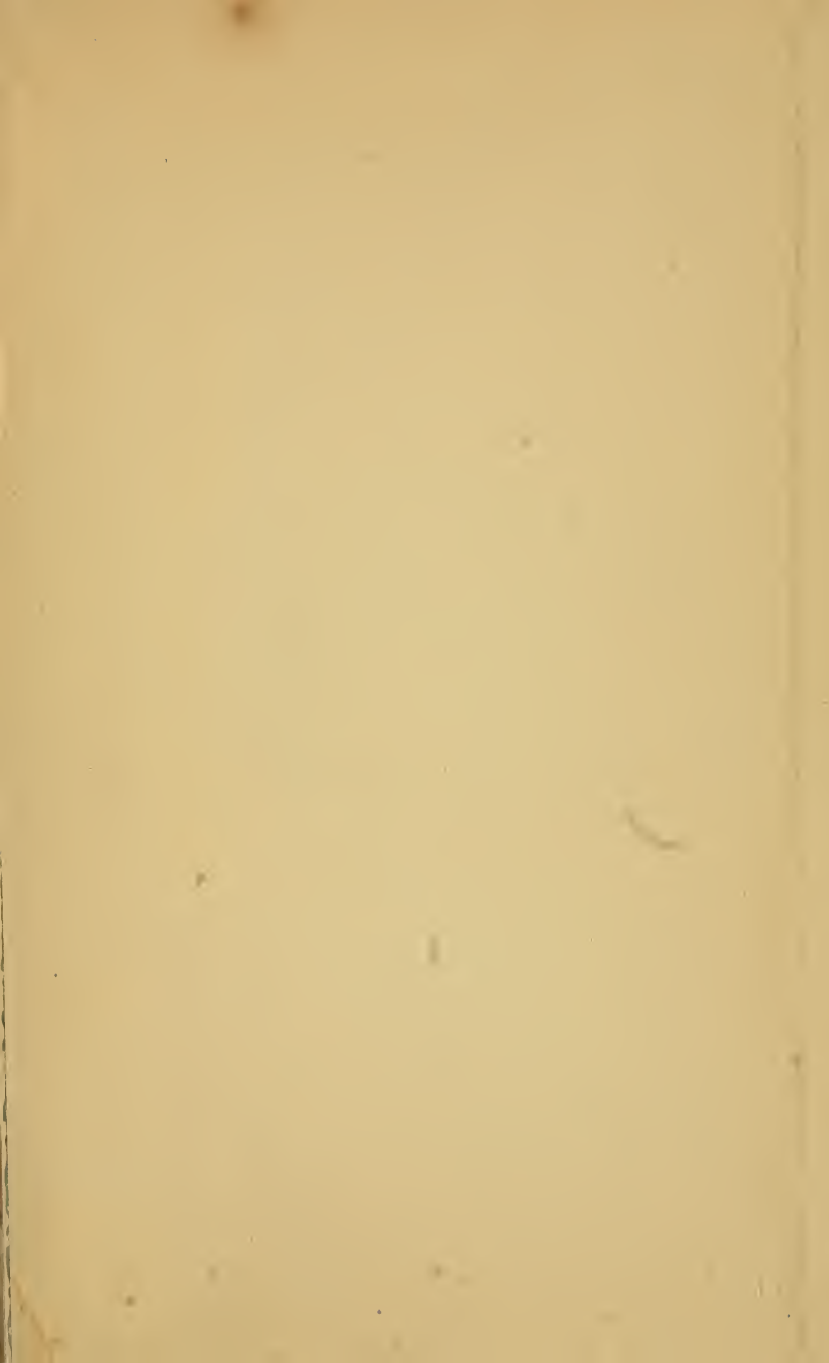
Tariff of 1842. Commenced 30th of August, 1842.		Amount received.		Tariff of 1846. Commenced 1st December, 1846.		Amount received.	
Receipts during the third quarter of 1842 were \$6,281,659 18, — $\frac{1}{2}$ of which is . . . . .				Receipts during the fourth quarter of 1846, . . . . .	3,641,192 22		
“ fourth quarter, 1842,	2,093,886 39			Deduct Oct. & Nov., 1846, . . . . .	2,427,461 48	1,213,730 74	
“ first “ 1843,	3,927,137 81			“ first quarter, 1847,	6,319,041 48		
“ second “ “	2,940,804 16		13,067,868 11	“ second “ “	7,633,804 38	13,952,845 86	
“ third “ “	4,106,039 75			“ third “ “	11,106,257 41		
“ fourth “ “	6,132,272 09			“ fourth “ “	5,379,152 74		
“ first “ 1844,	3,881,993 47			“ first “ 1848,	9,383,092 92		
“ second “ “	7,675,366 40			“ second “ “	5,888,567 89	31,757,070 96	
“ third “ “	8,493,938 98		26,183,570 94	Total, . . . . .	“	\$46,923,647 56	
“ fourth “ “	10,873,718 04						
“ first “ 1845,	4,067,445 15			The tariff of 1842 brought into the treasury during its operation of fifty-one months, per month, . . . . .		\$2,001,441 32	
“ second “ “	6,385,558 83		27,528,112 70				
“ third “ “	6,201,390 68						
“ fourth “ “	8,861,932 14			The tariff of 1846 brought into the treasury during its operation from Dec. 1, 1846, to June 30, 1848, — nineteen months, — per month, . . . . .		\$2,469,665 65	
“ first “ 1846,	4,192,790 77						
“ second “ “	7,357,192 51		26,712,667 87				
“ third “ “	6,300,752 45						
“ fourth “ “	6,153,826 58						
“ Oct. & Nov. 1846, . . . . .	2,427,461 48		8,581,288 06				
Total, . . . . .	“		\$102,073,507 68				

TREASURY DEPARTMENT, REGISTER'S OFFICE, }  
August 9, 1848.  
DANIEL GRAHAM.









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