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TOWANDA:

Wednesday Morning, December 15, 1847.

PRESIDENT'S MESSAGE.

Delivered Tuesday, December 7, 1847.

Fellow-citizens of the Senate and House of Representatives.

The annual meeting of Congress is always an interesting event. The Representatives of the States and of the people come fresh from their constituents to take counsel together for the common good. After an existence of near three-fourths of a century as a free and independent republic, the problem no longer remains to be solved, whether man is capable of self-government. The success of our admirable system is a conclusive refutation of the theories of those in other countries who maintain that "a favored few" are born to rule, and that the mass of mankind must be governed by force. Subject to no arbitrary or hereditary authority, the people are the only sovereigns recognized by our Constitution. Numerous eritigants of every language and language, attracted by the civil and religious freedom we enjoy, and by our happy condition, annually crowd our shores, and transfer their hearts no less than their allegiance, to the country whose dominion belongs alone to the people.

No country has been so much favored, or should acknowledge with deeper reverence the manifestations of the Divine protection. An all-wise Creator directed and guarded us in our infant struggle for freedom, and has constantly watched over our surprising progress, until we have become one of the great nations of the earth.

It is a country thus favored, and under a government in which the Executive and Legislative branches have their authority for limited periods, alike for the people, and where all responsibility to their respective constituencies, that it is again my duty to communicate with Congress upon the state of the Union, and the present condition of public affairs.

During the past year the most gratifying proofs were presented that our country has been blessed with a wide spread and universal prosperity. There has been no general distress, no want of employment, no want of success, or when labor in all branches of business has received a fairer or better reward. From our abundance we have been enabled to perform the pleasing duty of furnishing food for the starving millions of less favored countries.

In the enjoyment of the bounties of Providence at home, we have not failed to extend to our fellow-men, it is cause of congratulation, that our intercourse with all the Powers of the earth, except Mexico, continues to be of an amicable character.

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

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nation is called to mourn over the loss of many brave officers and soldiers who have fallen in defence of their country's honor and interests. The brave dead meet their melancholy fate in a foreign land, nobly discharging their duty, and with their country's flag waving triumphantly in the face of the foe. Their patriotic deeds are justly appreciated, and will long be remembered by their grateful countrymen. The parental care of the government they loved and served should be extended to their surviving families.

Shortly after the adjournment of the last session of Congress, the gratifying intelligence was received of the signal victory of Buena Vista and of the fall of the city of Vera Cruz, and with it the strong desire of the people to see the war terminated. Believing that not these and other successes, so honorable to our arms and so disastrous to Mexico, the period was propitious to afford her another opportunity, if she thought proper to embrace it, to enter into negotiations for peace, a commissioner was appointed to proceed to the headquarters of our army, with full power to enter upon negotiations, and to conclude a just and honorable treaty of peace.

It was not directed to give no instructions to the commissioner which could in any way interfere with our military operations, or relax our energies in the prosecution of the war. He possessed no authority in any manner to control these operations. He was authorized to exhibit his instructions to the General in command of the army; and in the event of a treaty being concluded and ratified on the part of Mexico, he was directed to give notice of it to him from Vera Cruz. The commissioner arrived at the headquarters of the army a few days after the receipt of these instructions. The General in command was instructed by the Secretary of War to suspend further military operations until further orders. These instructions were given with a view to permit hostilities, until the treaty thus ratified by Mexico could be transmitted to Washington, and receive the action of the Government of the United States.

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

The commissioner did not reach the headquarters of the army until after another brilliant victory had crowned our arms at Cerro Gordo. The despatch which he bore from the Secretary of War to the General in command of the army, was received by that officer, then at Jalapa, on the seventh day of May, 1847, together with the despatch from the Secretary of State to the Minister of Foreign Affairs of Mexico, having been transmitted to him from Vera Cruz. The commissioner arrived at the headquarters of the army a few days afterwards. His presence with the army and his diplomatic character were made known to the Mexican government from Puebla, on the twelfth of June, 1847, by the transmission of the despatch from the Secretary of State to the Minister of Foreign Affairs of Mexico.

After several weeks elapsed after its receipt, and no overture having been made for any desire expressed by the Mexican government to enter into negotiations for peace. Our army pursued its march upon the capital, and as it approached it, was met by formidable resistance. Our forces first encountered the enemy, and achieved signal victories in the severely contested battles of Contreras and Churubusco. In decisive manner they were repulsed. It was not until after these actions had resulted in decisive victories, and the capital of the enemy was within our power, that the Mexican government manifested a disposition to enter into negotiations for peace, and even then, as events have proved, there is too much reason to believe they were insincere, and that in agreeing to go through the forms of negotiation, the object was to gain time to strengthen the defenses of their capital, and to prepare for fresh resistance.

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

The commissioner of the United States took with him the project of a treaty already prepared, by the terms of which the indemnity required by the United States was a cession of territory. It is well known that the only indemnity which it is in the power of Mexico to make in satisfaction of the just and long-deferred claims of our citizens against her, is the only means by which she can reimburse the United States for the expenses of the war, is a cession to the United States of a portion of her territory. Mexico has no money to pay, and no means of making the required indemnity. If we refuse this, we can obtain nothing else. To reject indemnity, by refusing to accept a cession of territory, would be to abandon all our just demands and wage the war, bearing all expenses, without a purpose or definite object.

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

A treaty of peace should settle all existing differences between the two countries. If an adequate cession of territory should be made, by such a treaty, the United States should release Mexico from all her liabilities, and assume their payment to our own citizens. If, instead of this, the United States were to consent to a treaty by which Mexico should again engage to pay the heavy amount of indebtedness which a just indemnity to our government and our citizens would impose on her, it is notorious that she does not possess the means to meet such an undertaking. From such a treaty no result could be anticipated, but the same irritating

disappointments which have heretofore attended the ratification of similar treaty stipulations on the part of Mexico:—such a treaty would be but a temporary cessation of hostilities, without the restoration of the friendship and good understanding which should characterize the future intercourse between the two countries.

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

It is further manifest that Congress contemplated territorial indemnity, from the fact that at their last session, an act was passed, upon the Executive recommendation, appropriating three millions of dollars with that express object. This appropriation was made "to enable the President to conclude a treaty of peace, limits and boundaries with the Republic of Mexico, to be used by him in the event that said treaty, when signed by the authorized agents of the two governments, and duly ratified by Mexico, shall call for the expenditure of the same, or any part thereof." The object of asking this appropriation was distinctly stated in the several messages of the President to Congress, in 1843 and 1846, which were referred to, were intended to be applied in part consideration for the cession of Louisiana and the Florida.

In like manner it was anticipated, in settling the terms of a treaty of "limits and boundaries," with Mexico, a cession of territory estimated to be of greater value than the amount of our demands against her might be obtained; and that the payment of this sum—in part consideration for the territory ceded—on the conclusion of a treaty, and its ratification on her part, might be an inducement with her to make such a cession of territory as would be satisfactory to the United States. And although the failure to use any part of the three millions of dollars appropriated by that act, rendered it unnecessary to conclude such a treaty has not occurred, the sum remains in the treasury, it is still applicable to that object, should the contingency occur making such application proper.

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

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

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

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

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

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

The provinces of New Mexico and the California are contiguous to the territories of the United States, and if brought under the government of our laws, their resources—mineral, agricultural, manufacturing and commercial—would soon be developed.

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

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

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

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

In proposing to acquire New Mexico and the California, it was known that an unconsiderable portion of the Mexican people were settled and intermingled with them, the country embraced within these provinces being chiefly an uninhabited region.

These were the leading considerations which induced me to authorize the terms of peace which I have proposed to Mexico. They were rejected, and our peace commission, principally female and children, are in captivity among them. If New Mexico were held and governed by the U. States, we could effectually prevent these tribes from committing such outrages, and compel them to release these captives, and restore them to their families and friends.

Our arms having been everywhere victorious, having subjected to our military occupation a large portion of the enemy's country, including his capital, and important cities, and having secured the most important positions, it was not only our duty, but our interest, to prosecute the war. I cannot doubt that we should secure and render available the conquest which we have already made; and that, with this view, we should hold and occupy, by our naval and military forces, all the ports, towns, cities, and provinces, lying in our occupation, or which may hereafter fall into our possession; that we should forward our military operations, and levy such military contributions on the enemy as may, as far as practicable, defray the future expenses of the war.

Had the government of Mexico acceded to the equitable and liberal terms proposed, that mode of adjustment would have been preferred. Mexico having declined to do this, and failed to offer any other terms which could be accepted by the United States, the national honor, no less than the public interests, requires that the war should be prosecuted with increased energy and power until a just and satisfactory peace can be obtained. In the mean time, as Mexico refuses all indemnity, we should adopt measures to indemnify ourselves, by appropriating permanently a portion of her territory to our citizens, at the commencement of the war, New Mexico and the California were taken possession of by our forces. Our military and naval commanders were ordered to conquer and hold them, subject to be disposed of by a treaty of peace.

These provinces are now in our undisputed occupation, and have been so for many months; all resistance on the part of Mexico having ceased within their limits. I am satisfied that they should never be surrendered to Mexico. Should Congress consent to give up the territory, it would be a most serious and permanent loss to our country. I can perceive no good reason why the civil jurisdiction and laws of the U. States should not at once be extended over them. To wait for a treaty of peace, such as we are willing to make, by which our relations towards them would not be changed, cannot be good policy; whilst our own interest, and that of the people inhabiting them, require that a stable and responsible self-government should be established over them, as soon as possible, to be established over them.

Should Congress, therefore, determine to hold these provinces permanently, and that they shall hereafter be considered as constituent parts of our country, the early establishment of territorial governments over them will be important to the protection of persons and property, and I recommend that such territorial governments be established. It will prevent peace and tranquility among the inhabitants, by affording all apprehension that they may still entertain of being again subjected to the jurisdiction of Mexico. I invite the early and favorable consideration of Congress to this important subject.

By her own conduct we have been compelled to engage in the present war. In its prosecution we seek not her overthrow as a nation; but, in vindicating our national honor, we seek to obtain redress for the wrongs she has done us, and indemnity for the losses we have sustained. We demand an honorable peace; and that peace shall bring with it indemnity for the past, and security for the future. If Mexico had refused all accommodation by which such a peace could be obtained, we should have been obliged to prosecute the war to a successful issue. Whilst our arms have advanced from victory to victory, from the commencement of the war, it has always been with the olive branch of peace in their hands; and it has been in the power of Mexico, at every step, to arrest hostilities by accepting it. One great obstacle to the attainment of peace has, undoubtedly, arisen from the fact that Mexico has, for so long held in subjection by one faction or military usurper after another, and such has been the condition of anarchy in which their success-

sive governments have been placed, that each has been deterred from making peace, for fear of this very cause, a rival faction might expect it from power. Such was the fact of President Herrera's administration in 1845, for being disposed even to listen to the overtures of the United States to prevent the war, as is fully confirmed by the official correspondence which took place in the month of August last between him and his government in a copy of which is herewith communicated. "For this cause alone, the revolution which displaced him from power was set on foot" by General Harbison. Such may be the result of anarchy of the present government.

There can be no doubt that the peaceable and well-disposed inhabitants of Mexico are convinced that it is true interest of their country to conclude an honorable peace with the United States; but the apprehension of becoming the victims of some military faction of usurpers may have prevented them from manifesting their feelings by any public act. The removal of any such apprehension would probably cause them to speak their sentiments freely, and to adopt the measures necessary for the restoration of peace.

With a people distracted and divided by constant faction, and a government subject to continual changes, by successive revolutions, the continued success of our arms may fail to secure a satisfactory peace. In such event, it may become proper for our commanding general in the field to give encouragement and assurance of protection to the friends of peace in Mexico in the establishment and maintenance of a free republican government of their own choice, able and willing to conclude a peace which would be just to them, and secure to us the indemnity we demand.

This may become the only mode of obtaining such a peace. Should such be the result, the peace which Mexico has forced upon us would thus be converted into an enduring blessing to herself.—After finding her torn and distracted by factions, and ruled by military usurpers, we should then leave her with a republican government in the enjoyment of real independence, and domestic peace and prosperity, performing all her relative duties in the great family of nations, and promoting her own happiness by wise laws, and her faithful execution.

If, after altering this encouragement and protection, and after all the persevering and sincere efforts we have made, from the moment Mexico commenced the war, and prior to that time, to adjust our differences with her—we shall ultimately fail, then she shall have exhausted all honorable means in pursuit of peace, and must continue to occupy her country with our troops, taking the full measure of indemnity into our own hands, and must enforce the terms which our honor demands.

To alter otherwise, in the existing state of things in Mexico, and to withdraw our army without a peace, would not only leave all the wrongs of which we complain unredressed, but would be a signal for new and fierce civil dissensions, and new revolutions—all alike hostile to peaceful relations with the United States.

Besides, there is danger, if our troops were withdrawn before a peace was concluded, that the Mexican people, wearied with successive revolutions, and deprived of protection for their persons and property, might at length be compelled to yield to foreign influences, and to cast themselves into the arms of some European monarch for protection from the anarchy and suffering which would ensue. This, for our own safety, and in pursuance of our established policy, we should be compelled to resist.—We could never consent that Mexico should be thus converted into a monarchy governed by a foreign prince.

Mexico is our near neighbor, and her boundaries are co-terminous with our own, though the whole extent across the North American continent, from ocean to ocean. Both politically and commercially we have the deepest interest in her regeneration and prosperity. Indeed, it is impossible that, with my just regard to our own safety, we can never be come indifferent to her fate.

It is my duty that the Mexican government and people have misconstrued or misunderstood our forbearance, and our objects, in desiring to conclude an amicable adjustment of the existing differences between the two countries. They may have supposed that we would submit to terms degrading to the nation; or they may have drawn false inferences from the supposed division of opinion in the United States on the subject of the war, and may have calculated to gain much by protecting it, and indeed, that we might ultimately abandon it altogether, without insisting on any indemnity, territorial or otherwise. Whatever may be the false impressions under which they have acted, the adoption and prosecution of the energetic policy proposed must disprove them.

In the future prosecution of the war, the enemy must be made to feel that the pressure more than they have heretofore done. At its commencement, it was deemed proper to conduct it in a spirit of forbearance and liberality. With this end in view, early measures were adopted to conciliate, as far as a state of war would permit, the mass of the Mexican population; to convince them that the war was waged not against their faithful inhabitants of Mexico, but against their false impressions, which had commenced hostilities; to remove from their minds the false impressions which their designing and interested rulers had artfully attempted to make, that the war on our part was one of conquest; that it was a war against their religion and their interests, which were to be desecrated and overthrown; and that their rights of person and private property would be violated.

To remove these false impressions, our commanders in the field were directed emphatically to respect their religion, their churches and their child property, which were in no manner to be violated; they were directed also to respect the rights of person and property of all who should not take up arms against us.

Assurances in this effect were given to the Mexican people by Major General Taylor, in a proclamation issued in pursuance of instructions from the Secretary of War, in the month of June, 1846, and again by Major General Scott, who acted upon his own convictions of the propriety of issuing it in a proclamation of the eleventh of May, 1847. In this spirit of liberality and conciliation, and with a view to prevent the body of the Mexican population from taking up arms against us, the supplies furnished to our army by Mexican citizens were paid for at fair and liberal prices agreed upon by the parties. After the lapse of a few months, it became apparent that these assurances, and this mild treatment had failed to produce the desired effect upon the Mexican population.

While this has been conducted on our part according to the most humane and liberal principle observed by civilized nations, the Mexican people generally became hostile to the United States, and availed themselves of every opportunity to commit the most savage excesses upon our troops. Large numbers of the population took up arms, and, engaging in guerilla warfare, robbed and murdered in the most cruel manner individual soldiers, or small parties, whom accident or other causes had separated from the main body of the army; bands of guerrillas and robbers infested the roads, harassed our trains, and, whenever it was in their power, cut off our supplies.

[SEE FOURTH PAGE.]