

We can reach the offenders, and this can only be done by passing through the country in the occupation of the Constitutional Government. The most acceptable and less difficult mode of accomplishing the object, will be to consent to the government of the country, to be established in the name of the people, to be obtained, but, not, our obligations to protect our own citizens in their just rights, secured by treaty, would not be the less imperative. For these reasons, I recommend to Congress to pass a law, authorizing the President, under such conditions as they may deem expedient, to employ a sufficient military force to enter Mexico, for the purpose of obtaining indemnity for the past and securing the future. I properly refrain from making any suggestion as to whether this force shall consist of regular troops, or volunteers, or both. This question may be most appropriately left to the decision of Congress. I would merely observe that, should volunteers be selected, such a force could be easily raised in this country among those who sympathize with our unfortunate fellow citizens in Mexico, and with the unhappy condition of that republic. Such an expedition, if the forces of the Constitutional Government would enable it to reach the city of Mexico and extend its power over the whole republic. In that event there is no reason to doubt that the just claims of our citizens would be satisfied and adequate redress obtained for the injuries inflicted upon them. The Constitutional Government have ever evinced a strong desire to do justice, and this might be secured in advance by a preliminary treaty.

It may be said that these measures will, at least indirectly, be necessary to the maintenance of the peace and order in the domestic concerns of foreign nations. But does not the present case fairly constitute an exception? An adjoining Republic is in a state of anarchy and confusion from which she has proved wholly unable to extricate herself. She is entirely destitute of the power to maintain peace upon her borders or to prevent the incursions of banditti into her territory. In her case it is her own fault, in her power to establish and maintain a settled government—we have a far greater interest, socially, commercially and politically than any other nation. She is now a wreck upon the ocean drifting about as she is impelled by different factions. As a good neighbor shall we not extend a helping hand to her? If we do not it will not be surprising should some other nation undertake the task, and thus force us to interfere at last, under circumstances of increased difficulty, for the maintenance of our national policy.

I repeat the recommendation contained in my last annual message, that authority may be given to the President to establish one or more temporary military posts across the Mexican line in Sonora and Chihuahua, where these may be necessary to protect the lives and property of American and Mexican citizens against the incursions and depredations of the Indians, as well as lawless rovers on that remote region. The establishment of one such post at a point called Arripa in Sonora, in a country now almost abandoned by the hostile hordes of the Indians from our side of the line, would, it is believed, have prevented much injury and many cruelties during the past season. A state of lawlessness and violence prevails on that distant frontier. Life and property are there wholly insecure. The population of Arizona, now numbering more than ten thousand souls, are practically destitute of government, laws, or any regular authority. In the past season, Murder, Rape, and other crimes, are committed with impunity. I therefore, again call the attention of Congress to the necessity of establishing a territorial government over Arizona.

The treaty with Nicaragua of the 16th of February, 1857, to which I referred in my last annual message, failed to receive the ratification of the government of that Republic for reasons which I have not named. A similar treaty has since been concluded between the parties bearing date on the 16th of March, 1859, which has already been ratified by the Nicaraguan Congress. This will immediately be submitted to the Senate for their ratification. Its provisions, cannot, I think, fail to be acceptable to the people of both countries.

Our claims against the governments of Costa Rica and Nicaragua remain unsettled, although they are pressed in an earnest manner, and not without some hope of success. I deem it to be my duty once more earnestly to recommend to Congress the passage of a law authorizing the President to employ the naval force at his command, for the purpose of protecting the lives and property of American citizens passing in transit across the Gulf of Mexico, and the coast of the States, against sudden and lawless outbreaks and depredations. I shall not repeat the arguments employed in former messages to support this measure. Suffice it to say that the lives of many of our people, and the security of vast amounts of treasure passing and repassing over one or more of these routes between the Atlantic and Pacific, may be deeply involved in the action of Congress on this subject.

I wish to give, recommendation to Congress that authority be given to the President to employ the naval force to protect American vessels, their crews, and cargoes, against lawless and violent seizure and confiscation in the ports of Mexico and the Spanish American States where these countries may be in a disturbed and revolutionary condition. The more knowledge that such an authority had been conferred, as I have already stated, would, in a great degree, prevent the evil. Neither would this require any additional appropriation for the naval service. The subjugation of the States against the grant of this authority is, that Congress, by conferring it, would violate the Constitution—that it would be a transfer of the war-making power, or, strictly speaking, the war-declaring power, to the Executive. If this were well founded, it would, of course, be conclusive. A very brief examination, however, will place this objection at rest.

Congress possess the sole and exclusive right under the Constitution, "to declare war." They alone can "raise and support armies," and "provide and maintain a navy." But after Congress shall have declared war and provided the force necessary to carry it on, the President, as Commander-in-Chief of the Army and Navy, can alone employ this force in making war against the enemy. This is the plain language, and history proves that it was the well known intention of the framers of the Constitution.

It will not be denied that the general power to declare war, is without limitation, and embraces within itself not only what writers on the law of nations term a public or perfect war, but also an imperfect war—and, in short, every species of hostility, however confined or limited. Without the authority of Congress, the President cannot fire a hostile gun in any case except to repel the attacks of an enemy. It will not be doubted that, under this power, Congress could, if they thought proper, authorize the President to employ the force at his command to seize a vessel belonging to an American citizen which had been illegally and unjustly captured in a foreign port and restore it to its owner. But can Congress only act after the

fact—after the mischief has been done? Have they no power to confer the authority upon the President in advance to furnish instant redress should such a case afterwards occur? May they not, in the interest of justice, and in order to apply the remedy only when it is too late? To confer this authority to meet future cases under circumstances strictly specified, is as clearly within the war-declaring power as such an authority conferred upon the President by act of Congress after the deed has been done. In the progress of a great nation many exigencies must arise imperatively requiring that Congress should authorize the President to act promptly on certain conditions, or may not afterwards do so. Our history has already presented a number of such cases. It shall refer only to the latest.

Under the resolution of June 2, 1855, "for the adjustment of difficulties with the Republic of Paraguay," the President is authorized to adopt such measures and use such force as in his judgment may be necessary and advisable in the event of a refusal of "just satisfaction" by the government of Paraguay. "Just satisfaction" for what? For the attack on the United States Steamer "Water Witch," and the matters referred to in the annual message of the President. Here the power is expressly granted upon the condition that the government of Paraguay shall refuse to render this "just satisfaction." In this and other similar cases Congress have conferred upon the President power in advance to employ the army and navy upon the happening of contingent future events; and this most certainly is embraced within the power to declare war.

Now, if this conditional and contingent power could be constitutionally conferred upon the President in the case of Paraguay, why may it not be employed for the purpose of protecting the lives and property of American citizens in the event that they may be violently and unlawfully attacked in passing over the transit routes to and from California, or assailed by the seizure of their vessels in a foreign port? To deny this power is to render the navy in a great degree useless for the protection of the lives and property of American citizens, in countries where neither protective nor redress can be otherwise obtained.

The Thirty-third Congress terminated on the 3d of March, 1859, without having passed the act "making appropriations for the service of the Post Office Department for the fiscal year ending the 30th of June, 1860." This act was contained in an appropriation "to supply deficiencies in the revenue of the Post Office Department for the year ending the 30th of June, 1859." I believe this is the first instance since the origin of the Federal Government, now more than seventy years ago, when any Congress went out of session without having passed all the general appropriation bills necessary to carry on the government until the regular period for the meeting of a new Congress. This event imposed on the Executive a grave responsibility. It presented a choice of evils.

Had this omission of duty occurred at the first session of the last Congress the remedy would have been plain. I might then have instantly recalled them to complete their work—had they not expired to the Government. But on the 4th of March last, there were fifteen of the thirty-three States which had not elected any representatives to the present Congress. Had Congress been called together, immediately, these States would have been virtually disfranchised. If an interdicted period had been selected several of the States would have been compelled to hold extra sessions of their Legislatures, at great inconvenience and expense, to provide for elections at a earlier day than that previously fixed by law. In the regular course of these States would not elect until after the beginning of August, and five of these ten not until October and November.

On the other hand, when I came to examine carefully the condition of the Post Office Department, I did not meet as many or as great difficulties as I had apprehended. Had the bill which failed been confined to appropriations for the fiscal year ending the 30th of June next, there would have been no reason to regard it as important for the call of an extra session. Nothing would become of the contracts (those with railroad companies only excepted) for carrying the mail for the first quarter of the present fiscal year, commencing on the 1st of July, until the 1st of December—less than one week before the meeting of the present Congress. The reason is that the mail contractors for this current year did not complete their first quarter's service until the 30th of September last, and by the terms of their contracts they were allowed for the settlement of their accounts before the Department could be called upon for payment.

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The great difficulty and the great hardship consisted in the failure to provide for the payment of the deficiency in the fiscal year ending the 30th of June, 1859. The Department had entered into contracts in obedience to existing laws, for the service of that fiscal year, and the contractors were fairly entitled to their compensation as it became due. The deficiency as stated in the bill, amounted to \$3,338,728, but, after a careful settlement of all these accounts, it has been ascertained that it amounts to \$4,298,000. With the scanty means at his command the Postmaster General has managed to pay that portion of this deficiency which occurred in the first two quarters of the past fiscal year, ending on the 31st of December last. In the meantime he has made arrangements, under these trying circumstances, to have the balance of the year's work done in a manner worthy of all commendation. They had no resources in the midst of their embarrassments. After the amount due each of them had been ascertained and finally settled according to law, this became a specific debt of record against the United States, which enabled them to borrow money on this unquestionable security. Still they were obliged to pay interest in consequence of the default of Congress to receive interest from the Government. This interest should commence from the date when a warrant would have issued for the payment of the principal had an appropriation been made for this purpose. Calculated up to the 1st of December, it will not exceed \$96,660—a sum not to be taken into account when compared with the great difficulties and embarrassments of a public and private character, both to the people and the States which would have resulted from convening and holding a special session of Congress, and for a long period of time.

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### THE MONTROSE DEMOCRAT.

**\$1.50 Per Annum in Advance.**  
A. J. GERBITION, Editor.  
MONTROSE, SUSQUEHANNA COUNTY, PA.  
Thursday, Jan. 5, 1860.

### Democratic COUNTY MEETING.

Pursuant to notice, the Democratic County Committee of Susquehanna County met at the Keystone Hotel, in Montrose, January 4th, 1860, and organized by electing Darius Dyer, Esq., of Montrose, Chairman, and S. W. Tewksbury, Esq., of Lathrop, Secretary.

### Names of Co. Com.

O. L. Carpenter, P. M. Govern, H. Hill, A. Clark, J. W. Curtis, J. N. Baker, E. Clark, G. M. Denison, C. C. Church, A. Carr, J. Mead, H. L. Blowers, A. B. Whiting, C. N. Miller, J. Blanding, W. Lyon, L. Norton, M. B. Wileator, J. Faurer, N. Tingley, S. W. Tewksbury, S. Whitely, S. Taggart, D. Brewer, W. Hayden, O. Phelps, G. Picket, W. S. Handrick, T. Harner, C. Stoddard, E. N. Smith.

### LECTURE COURSE.

**DIMOCK ACADEMY.**  
The Second Course for the Winter 1859 & 60.  
First Lecture Tuesday eve, Jan. 3d, 1860, by Dr. F. H. Farley.  
Second Lecture Thursday eve, Jan. 12th, 1860, by Dr. B. Bentley, Esq.  
Third Lecture Monday eve, Jan. 23d, 1860, by O. C. Tiffany, Esq.  
Fourth Lecture Tuesday eve, Jan. 31st, 1860, by Dr. J. W. L. M. Tarkenton, and Dr. J. W. L. M. Tarkenton.  
Fifth Lecture Thursday eve, Feb. 9th, 1860, by C. W. Tyler.  
A. C. Dikess, M. D., has been engaged to teach the class in Physiology, and lecture on the subject. Dr. J. is a thorough and skillful practitioner, and has a faculty of explaining the human system in its most minute particulars and relations, and students wishing to pursue this important branch cannot receive better instruction outside of a Medical College.

### WANTED.

At the house of the bride's father in Meeshopon, on Thursday, Dec. 29th, by the Rev. A. W. Wagoner, M. A. CARVER of New Milford, to Miss S. C. Moway of Meeshopon, Wyoming Co.

### REGISTERED.

At the M. E. Parsonage in Brooklyn, on the 29th ult., by Rev. J. F. Wilber, Mr. Joseph M. Treadwell, of Jackson, to Miss P. A. Chalkers of Cheocout, Susquehanna Co.

### REGISTERED.

At the Baptist Parsonage in Jackson, Jan. 1st, by Rev. W. B. Moffat, 325 Broadway, N. Y., and Miss Mary A. daughter of Don. John G. Wetherby, all of Cliffton.

### DIED.

On Thursday, the 29th of December, W. L. Leno, on Monday, the 26th inst. Infant son of Mr. and Mrs. Jackson Fowler of Dimock, aged about 8 months.

### LIST OF LETTERS.

REMAINING in the Post Office at Montrose, Jan. 1st, 1860.  
Adams, Edwin  
Albany, Mr.  
Baker, D. H.  
Caton, Miss Clara  
Cowan, William C.  
Conners, John O.  
Conrad, Miss Victoria  
Crawford, Mrs. S.  
Dyer, J. S.  
Dress, Ezra  
Frost, Patrick  
Frost, George  
Graham, Alice  
Hanna, J. B. M.  
Johnson, C. S.  
Kerrigan, Patrick  
King, Edwin  
Lathrop, J. S.  
Morris, H. R.  
Owens, Miss Nancy  
Peckens, Philip  
Peters, George  
Singer, John  
Sturdevant, Jas. M.  
Tyer, C. T.  
Vanhook, J. W.  
Vawter, A. C.  
Wagner, W. C.  
Whiting, Henry.

### Orphans' Court Sale.

By virtue of an order duly issued out of the Orphans' Court of Susquehanna Co., to the highest and best bidder, on Friday, the 27th day of January, 1860, at one o'clock, p. m. at the Court House in Montrose, all that certain messuage, piece, or lot of land situate in borough of Susquehanna Depot, Susquehanna Co., containing about 20 acres of land, to wit: beginning at the northeast corner of a lot formerly occupied by Nathaniel Hill; thence southward by said Hill's lot, to the fence in the rear of said lot, about 72 feet; thence easterly along the fence to a corner, to wit: the corner of the south side of the road; thence along the south side of the road, 30 feet, to the place of beginning; being part of a lot known and described on the map of survey of land of the New York and Erie R.R. Co., and the same was deposited at No. 29; and having thereon a two-story dwelling house now occupied by J. T. Cameron; late the estate of Frederick Pickering, deceased. Terms of payment made known at the time of sale.

### FRANCES PICKERING.

Jan. 3d, 1860.—393.  
ADMINISTRATOR, &c.

### NOTICE.

The firm of Lathrop & DeWitt is this day dissolved by mutual consent.  
Dec. 31st, 1859.  
A. R. LATHROP.  
P. S.—The Notes and Accounts are in the hands of A. Lathrop for settlement and collection.  
J. R. DEWITT.

### ALMANACS FOR 1860.

Free of charge. Please call or send and get one.  
ABEL TURRELL,  
Montrose, Jan. 2d, 1860.

### Register's Notice.

Notice is hereby given to all persons concerned in the following real estate, viz: Estate of Newton E. Walker, late of New Milford, Dennis Shaw & Mary E. Walker, ex'rs. Estate of Merritt Turner, dec'd, late of Lexington, Zina Bailey, administrator. Estate of Mable Tennant, dec'd, late of Harford, J. B. Whiting, administrator. Estate of Robert Hughes, dec'd, late of Herk Co., J. Thomas and Elizabeth, admrs. Estate of Edw'd Kennedy, dec'd, late of Susq. Depot, Wm. M. Post, admr. Estate of John W. Whitney, guardian of children of H. A. Whitney, dec'd. Estate of Patrick McCauley, deceased, late of Rush twp., James Logan, ex'r.

### SHERIFF'S SALES.

By virtue of sundry writs issued by the County of Susquehanna, I will expose to sale, to and to be directed, I will expose to sale, by public vendue, at the Court House in Montrose, on Saturday, 14th day of January, 1860, at one o'clock, p. m., the following described piece of land, to wit: a lot of land situate in the county of Susquehanna and State of Pennsylvania, the first bounded and described as follows, to wit: on the north by land of B. H. Wagoner, on the east by land of C. G. Carmalt, containing about fifteen and a half acres, more or less, with the appurtenances, one barn and all improved. [Taken in execution at the suit of Seth Warner vs. David L. Meeker.]

Also—By an order of the Orphans' Court, the following described real estate, to wit: Estate of Daniel Lyon, deceased, to wit: the lot situate in G. Bend township, Susquehanna county and State of Pennsylvania, on which the Baptist church is erected, and described as follows: beginning at the south corner of lot, number ten of the Township survey of the village; thence along Pine street south, fifty-six degrees, forty feet to a post; thence north, fifty-six degrees east, forty-eight feet to the southwest corner of a lot, number ten, on the north side of the same south, thirty-two and one-half degrees east, eighty feet to the place of beginning, containing eleven perches and seven tenths, more or less.

Also—All the undivided half part of that tract or parcel of land situate in the township of Great Bend, county of Susquehanna and State of Pennsylvania, bounded and described as follows, to wit: on the north by land of W. S. Wagoner, on the east and south by land of Truman and Daniel Baldwin, and west by the Great Bend and Cliffton Turnpike road, containing about two acres, more or less, with the appurtenances, one framed house, one barn and all improved. [Taken in execution at the suit of Chanancy Gurney, to the use of Thomas & Whiting, vs. Henry D. Kay.]

Also—All the certain piece or parcel of land situate in the borough of Montrose, in the county of Susquehanna and State of Pennsylvania, bounded and described as follows, to wit: on the north by Turnpike street, on the south east by land of Mrs. J. B. Wagoner, on the north west by land of Mrs. J. B. Wagoner, on the east and south by land of Dr. E. Patrick, being six rods in front, and measuring back twelve rods, containing seventy-two square rods, more or less, with the appurtenances, one large framed dwelling house, one 1/2 house, one barn, some fruit trees, and all improved. [Taken in execution at the suit of John F. Danvers vs. Chapman Baldwin, and E. W. Rice, Terre Tenant.]

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Montrose, Jan. 2d, 1860.

### Register's Notice.

Notice is hereby given to all persons concerned in the following real estate, viz: Estate of Newton E. Walker, late of New Milford, Dennis Shaw & Mary E. Walker, ex'rs. Estate of Merritt Turner, dec'd, late of Lexington, Zina Bailey, administrator. Estate of Mable Tennant, dec'd, late of Harford, J. B. Whiting, administrator. Estate of Robert Hughes, dec'd, late of Herk Co., J. Thomas and Elizabeth, admrs. Estate of Edw'd Kennedy, dec'd, late of Susq. Depot, Wm. M. Post, admr. Estate of John W. Whitney, guardian of children of H. A. Whitney, dec'd. Estate of Patrick McCauley, deceased, late of Rush twp., James Logan, ex'r.

### SHERIFF'S SALES.

By virtue of sundry writs issued by the County of Susquehanna, I will expose to sale, to and to be directed, I will expose to sale, by public vendue, at the Court House in Montrose, on Saturday, 14th day of January, 1860, at one o'clock, p. m., the following described piece of land, to wit: a lot of land situate in the county of Susquehanna and State of Pennsylvania, the first bounded and described as follows, to wit: on the north by land of B. H. Wagoner, on the east by land of C. G. Carmalt, containing about fifteen and a half acres, more or less, with the appurtenances, one barn and all improved. [Taken in execution at the suit of Seth Warner vs. David L. Meeker.]

Also—By an order of the Orphans' Court, the following described real estate, to wit: Estate of Daniel Lyon, deceased, to wit: the lot situate in G. Bend township, Susquehanna county and State of Pennsylvania, on which the Baptist church is erected, and described as follows: beginning at the south corner of lot, number ten of the Township survey of the village; thence along Pine street south, fifty-six degrees, forty feet to a post; thence north, fifty-six degrees east, forty-eight feet to the southwest corner of a lot, number ten, on the north side of the same south, thirty-two and one-half degrees east, eighty feet to the place of beginning, containing eleven perches and seven tenths, more or less.

Also—All the undivided half part of that tract or parcel of land situate in the township of Great Bend, county of Susquehanna and State of Pennsylvania, bounded and described as follows, to wit: on the north by land of W. S. Wagoner, on the east and south by land of Truman and Daniel Baldwin, and west by the Great Bend and Cliffton Turnpike road, containing about two acres, more or less, with the appurtenances, one framed house, one barn and all improved. [Taken in execution at the suit of Chanancy Gurney, to the use of Thomas & Whiting, vs. Henry D. Kay.]

Also—All the certain piece or parcel of land situate in the borough of Montrose, in the county of Susquehanna and State of Pennsylvania, bounded and described as follows, to wit: on the north by Turnpike street, on the south east by land of Mrs. J. B. Wagoner, on the north west by land of Mrs. J. B. Wagoner, on the east and south by land of Dr. E. Patrick, being six rods in front, and measuring back twelve rods, containing seventy-two square rods, more or less, with the appurtenances, one large framed dwelling house, one 1/2 house, one barn, some fruit trees, and all improved. [Taken in execution at the suit of John F. Danvers vs. Chapman Baldwin, and E. W. Rice, Terre Tenant.]

### THE MONTROSE DEMOCRAT.

**\$1.50 Per Annum in Advance.**  
A. J. GERBITION, Editor.  
MONTROSE, SUSQUEHANNA COUNTY, PA.  
Thursday, Jan. 5, 1860.

### Democratic COUNTY MEETING.

Pursuant to notice, the Democratic County Committee of Susquehanna County met at the Keystone Hotel, in Montrose, January 4th, 1860, and organized by electing Darius Dyer, Esq., of Montrose, Chairman, and S. W. Tewksbury, Esq., of Lathrop, Secretary.

### Names of Co. Com.

O. L. Carpenter, P. M. Govern, H. Hill, A. Clark, J. W. Curtis, J. N. Baker, E. Clark, G. M. Denison, C. C. Church, A. Carr, J. Mead, H. L. Blowers, A. B. Whiting, C. N. Miller, J. Blanding, W. Lyon, L. Norton, M. B. Wileator, J. Faurer, N. Tingley, S. W. Tewksbury, S. Whitely, S. Taggart, D. Brewer, W. Hayden, O. Phelps, G. Picket, W. S. Handrick, T. Harner, C. Stoddard, E. N. Smith.

### LECTURE COURSE.

**DIMOCK ACADEMY.**  
The Second Course for the Winter 1859 & 60.  
First Lecture Tuesday eve, Jan. 3d, 1860, by Dr. F. H. Farley.  
Second Lecture Thursday eve, Jan. 12th, 1860, by Dr. B. Bentley, Esq.  
Third Lecture Monday eve, Jan. 23d, 1860, by O. C. Tiffany, Esq.  
Fourth Lecture Tuesday eve, Jan. 31st, 1860, by Dr. J. W. L. M. Tarkenton, and Dr. J. W. L. M. Tarkenton.  
Fifth Lecture Thursday eve, Feb. 9th, 1860, by C. W. Tyler.  
A. C. Dikess, M. D., has been engaged to teach the class in Physiology, and lecture on the subject. Dr. J. is a thorough and skillful practitioner, and has a faculty of explaining the human system in its most minute particulars and relations, and students wishing to pursue this important branch cannot receive better instruction outside of a Medical College.

### WANTED.

At the house of the bride's father in Meeshopon, on Thursday, Dec. 29th, by the Rev. A. W. Wagoner, M. A. CARVER of New Milford, to Miss S. C. Moway of Meeshopon, Wyoming Co.

### REGISTERED.

At the