

# SUNBURY AMERICAN.

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By Messrs. A. E. Kelly.

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### MESSAGE

#### PRESIDENT POLK.

To the Senate and House of Representatives of the United States.

(Concluded.)

If Spain had continued until the present period to assert that Mexico was one of her colonies in rebellion against her, this would not have made her so, or changed the fact of her independent existence. Texas, at the period of her annexation to the United States, bore the same relation to Mexico that Mexico had borne to Spain for many years before Spain acknowledged her independence, with this important difference—that, before the annexation of Texas to the United States was consummated, Mexico herself by a formal act of government, had acknowledged the independence of Texas as a nation.

It is true, that in the act of recognition she described a condition which she had no power to impose, that Texas should not annex herself to any other Power; but this could not detract in any degree from the recognition which Mexico then made of her actual independence. Upon this plain statement of facts, it is absurd for Mexico to allege as a pretext for commencing hostilities against the United States, that Texas is still a part of her territory.

But there are those who, conceding all this to be true, assume the ground that the true Western boundary line of Texas is the Neches, instead of the Rio Grande; and that, therefore, in marching our army to the east bank of the river, we passed the Texan line, and invaded the territory of Mexico. A simple statement of facts, known to exist, will conclusively refute such an assumption. Texas, as ceded to the United States by France in 1803, has been always claimed as extending west to the Rio Grande, or Rio Bravo. This fact is established by the authority of our most eminent statesmen a period when the question was as well if not better understood than it is at present.

During Mr. Jefferson's administration, Messrs. Monroe and Pinckney, who had been sent on a special mission to Madrid, charged, among other things, with the adjustment of boundary between the two countries, in a note addressed to the Spanish Minister of Foreign Affairs, under date of the 28th of January, 1805, assert that the boundaries of Louisiana, as ceded to the United States by France, "are the river Perdido on the east, and the river Bravo on the west," and they add, that "the facts and principles which justify this conclusion are so satisfactory to our government as to convince it that the United States have not a better right to the island of New Orleans, under the cession referred to, than they have to the whole district of territory which is above described."

Down to the conclusion of the Florida treaty, in February, 1819, by which this territory was ceded to Spain, the United States asserted and maintained the territorial rights to this extent. In the month of June, 1818, during Mr. Monroe's administration, information having been received that a number of foreign adventurers had landed at Galveston, with the avowed purpose of forming a settlement in that vicinity, a special messenger was despatched by the government of the United States, with instructions from the Secretary of State to warn them a desist, should they be found there "or any other place north of the Rio Bravo, and within the territory claimed by the United States."

He was instructed, should they be found in the country north of that river, to make known to them "the surprise with which the President is seen possession thus taken, without authority from the United States, of a place within their territorial limits, and upon which no lawful settlement can be made without their sanction." He was instructed to call upon them to "avow under what national authority they propose to act," and to give them due warning "that he place is within the United States, who will offer no permanent settlement to be made here, under any authority other than their own."

As late as the 8th of July, 1842, the Secretary of State of the United States, in a note addressed to our minister in Mexico, maintains that, by the Florida treaty of 1819, the territory as far west as the Rio Grande was confirmed to Spain. In that note he states that, "by the treaty of the 22d of February, 1819, between the United States and Spain, the Sabine was adopted as the line of boundary between the two Powers."

Up to that period, no considerable colonization had been effected in Texas; but the territory between the Sabine and the Rio Grande being confirmed to Spain by the treaty, applications were made to that Power for grants of land, and such grants, or permissions of settlement, were in fact made by the Spanish authorities in favor of citizens of the United States desiring to emigrate to Texas in numerous families, before the declaration of independence of Mexico.

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 Neches 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 Neches.

The Congress of Texas, on the 10th of December, 1836, passed an act to define the boundaries of the Republic of Texas, in which he 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 every act of sovereignty and jurisdiction over the territory and inhabitants west of the Neches. She organized and defined the limits of counties extending to the Rio Grande. She established courts of justice, and extended her judicial system over the territory. She established custom houses, and collected duties, and also set offices and post-roads, in it. She established

ed a land office, and issued numerous grants for land, within its limits. A Senator and a Representative reading 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 Neches, who took part in the act of annexation itself.

This was the Texas which, by the act of our Congress of the 26th 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 Neches, 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 Neches, 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 that 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 duty. 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 routes," extending west of the Neches. 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 the 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 Neches 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 Neches to Mexico, or of refusing to protect or defend this territory and its inhabitants, including Corpus Christi, as well as the remainder of Texas, against the threatened Mexican invasion.

But Mexico herself has never placed the war which she has waged upon the ground that our army occupied the intermediate territory between the Neches and the Rio Grande. Her repeated pretension that Texas was not in fact an independent State, but a rebellious province, was obstinately persevered in; and her avowed purpose in commencing a war with the United States was to reconquer Texas, and to restore Mexican authority over the whole territory—not to the Neches only, but to the Sabine.

In view of the proclaimed menace of Mexico to this effect, I deemed it my duty as a measure of precaution and defence, to order our army to occupy a position on our frontier as a military post, from which our troops could best resist and repel any attempted invasion which Mexico might make.

Our army had occupied a position at Corpus Christi, west of the Neches, as early as August, 1845, without complaint from any quarter. Had the Neches been regarded as the true western boundary of Texas, that boundary had been passed by our army many months before it advanced to the eastern bank of the Rio Grande.

In my annual message of December last, I informed Congress that upon the invitation of both the Congress and Convention of Texas, I had deemed it proper to order a strong squadron to the coast of Mexico, and to concentrate an efficient military force on the western frontier of Texas to protect and defend the inhabitants against the invasion of Mexico. In that message I informed Congress that the moment the terms of annexation offered by the United States were accepted by Texas, the latter became so far a part of our own country as to make it our duty to afford such protection and defence; and further purpose our squadron had been ordered to the Gulf, and our army to "take a position between the Neches and the Del Norte," or Rio Grande, "to repel any invasion of the Texas Territory which might be attempted by the Mexican forces."

It was deemed proper to issue this order, because, soon after the President of Texas, in April 1845, had issued his proclamation convening the Congress of that Republic, for the purpose of submitting to that body the terms of annexation proposed by the United States, the government of Mexico made serious threats of invading the Texas territory. These threats became more apparent as it became more apparent, in the problems of the question, that the people of Texas would decide in favor of accepting the terms of annexation; and, finally, they had assumed such a formidable character, as induced both the Congress and Convention of Texas to request that a military force should be sent by the United States into her territory for the purpose of protecting and defending her against the threatened invasion.

It would have been a violation of good faith towards the people of Texas to have refused to afford the aid which they desired against a threatened invasion, to which they had been exposed by their free determination to annex themselves to our Union, in compliance with the overture made to them by the joint resolution of our Congress.

Accordingly, a portion of the army was ordered to advance into Texas. Corpus Christi was the position selected by General Taylor. He encamped at that place in August, 1845, and the army remained in that position until the 11th of March, 1846, when it moved westward, and on the 28th of that month reached the east bank of the Rio Grande opposite to Matamoros.

This movement was made in pursuance of orders from the War Department, issued on the 19th of January, 1846. Before these orders were issued, the dispatch of our minister in Mexico, transmitting the decision of the Council of Government of Mexico, advising that he should not be received, and also the dispatch of our consul residing in the city of Mexico—the former bearing date on the 17th and the latter on the 18th of December, 1845, copies of both of which accompanied my message to Congress of the 11th of May last—was received at the Department of State.

These communications rendered it highly probable, if not absolutely certain that our minister would not be received by the government of

General Herrera. It was also well known that but little hope could be entertained of a different result from General Paredes in case the revolutionary movement which he was prosecuting should prove successful, as was highly probable. The partition of Paredes, as our minister, in the dispatch referred to, stated, breathed the fiercest hostility against the United States, denounced the proposed negotiation as treason, and openly called upon the troops and the people to put down the government of Herrera by force.

The reconquest of Texas, and war with the United States, were openly threatened. These were the circumstances existing, when it was deemed proper to order the army under the command of General Taylor to advance to the western frontier of Texas, and occupy a position on or near the Rio Grande.

The apprehension of a contemplated Mexican invasion, have been since fully justified by the event. The determination of Mexico to rush into hostilities with the United States was afterwards manifested from the whole tenor of the note of the Mexican Minister of Foreign Affairs to our minister, bearing date on the 12th of March, 1846.

Paredes had then revolutionized the government, and his minister, after referring to the resolution for the annexation of Texas, which had been adopted by our Congress in March, 1845, proceeds to declare that "a fact such as this, or, to speak with greater exactness, so notable an act of usurpation, created an imperious necessity that Mexico, for her own honor, should repel it with proper firmness and dignity. The Supreme Government had beforehand declared that it would look upon such an act as *casus belli*; and, as a consequence of this declaration, negotiation was, by its very nature, at an end, and war was the only recourse of the Mexican government."

It appears, also, that on the 4th of April following, General Paredes, through his minister of war, issued orders to the Mexican general in command on the Texan frontier, to "attack" our army "by every means which war permits." To this, General Paredes had been pledged to the army and people of Mexico during the military revolution which had brought him into power. On the 16th of April, 1846, General Paredes addressed a letter to the commander on that frontier, in which he stated to him, "at the present date I suppose you at the head of that valiant army, either fighting already, or preparing for the operations of a campaign;" and "supposing you already on the theatre of operations, and with all the forces assembled, it is indispensable that hostilities be commenced, yourself taking the initiative against the enemy."

The movement of our army to the Rio Grande was made by the commanding general under positive orders to abstain from all aggressive acts towards Mexico, or Mexican citizens, and to regard the relations between the two countries as peaceful, unless Mexico should declare war, or commit acts of hostility indicative of a state of war; and these orders faithfully executed. Whilst occupying his position on the east bank of the Rio Grande, within the limits of Texas, then recently admitted as one of the States of our Union, the commanding general of the Mexican forces, who, in pursuance of the orders of his government, had collected a large army on the opposite shore of the Rio Grande, crossed the river, invaded our territory, and commenced hostilities by attacking our forces.

Thus, after all the injuries which we had received and borne from Mexico, and after she had insultingly rejected a minister sent to her on a mission of peace, and whom she had solemnly agreed to receive, she consummated her long course of outrage against our country by commencing an offensive war and shedding the blood of our citizens on our own soil.

The United States never attempted to acquire Texas by conquest. On the contrary, at an early period after the people of Texas had achieved their independence, they sought to be annexed to the United States.

At a general election in September, 1836, they decided with great unanimity in favor of "annexation;" and in November following, the Congress of the Republic authorized the appointment of a minister, to bear their request to this government, however, having remained neutral between Texas and Mexico during the war between them, and considering it due to the honor of our country, and our fame among the nations of the earth, that we should not at this early period consent to annexation, nor until it should be manifested to the whole world that the reconquest of Texas by Mexico was impossible, refused to accede to the overtures made by Texas.

On the 12th of April, 1845, and after more than seven years had elapsed since Texas had established her independence, a treaty was concluded for the annexation of that Republic to the United States, which was rejected by the Senate. Finally, on the 1st of March, 1845, Congress passed a joint resolution for annexing the United States, upon certain preliminary conditions to which her assent was required. The solemnities which characterized the deliberations and conduct of the government and people of Texas, on the deeply interesting questions presented by these resolutions, are known to the world.

The Congress, the Executive, and the people of Texas, in a convention elected for that purpose, accepted with great unanimity the proposed terms of annexation; and thus consummated on her part the great act of restoring to our Federal Union a vast territory which had been ceded to Spain by the Florida treaty more than a quarter of a century before.

After the joint resolution for the annexation of Texas to the United States had been passed by our Congress, the Mexican Minister at Washington addressed a note to the Secretary of State, bearing date on the 6th of March, 1845, protesting against it as "an act of aggression, the most unjust which can be found recorded in the annals of modern history, namely, that of despoiling a friendly nation, like Mexico, of a considerable portion of her territory;" and protesting against the resolution of annexation, as being an act "whereby the province of Texas, an integral portion of the Mexican Territory, is agreed and admitted into the American Union;" and he announced that, as a consequence, his mission to the United States had terminated, and demanded his passports, which were granted.

It was upon the absurd pretext, made by Mexico, (herself indebted for her independence to a successful revolution,) that the Republic of Texas continued to be, not a rebellious province, but a free and independent State; and this step was taken by the Mexican minister.

Every honorable effort had been used by me to avoid the war which followed but all had proved vain. All our attempts to preserve peace have been met by insult and resistance on the part of Mexico. My efforts to this end, commenced in support of the Secretary of State of the 19th of

March, 1846, in answer to that of the Mexican minister.

Whilst declining to reopen a discussion which had already been exhausted, and proving again what was known to the whole world, that Texas had long since achieved her independence, the Secretary of State expressed the regret of his government that Mexico should have taken offence at the resolution of annexation passed by Congress, and gave assurances that our "most strenuous efforts should 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."

That I have acted in the spirit of this assurance, will appear from the events which have since occurred. Notwithstanding Mexico had abruptly terminated all diplomatic intercourse with the U. States, and ought, therefore, to have been the first to ask for its resumption, yet, waiving all ceremony, I embraced the earliest favorable opportunity "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." In September, 1845, I believed the propitious moment for such an overture had arrived. Texas, by the enthusiastic and almost unanimous will of her people, had pronounced in favor of annexation.

Mexico herself had agreed to acknowledge the independence of Texas, subject to condition it is true, which she had no right to impose and no power to enforce. The last lingering hope of Mexico, if she still could have retained any, that Texas would ever again become one of her provinces, must have been abandoned.

The consul of the United States of the city of Mexico, was, therefore, instructed by the Secretary of State on the 15th of September, 1845, to discharge the duties of a minister to the Mexican government, in a note addressed to our consul, gave, a favorable response, requesting, at the same time, that our naval force might be withdrawn from Vera Cruz while negotiations should be pending. Upon the receipt of this note, our naval force was promptly withdrawn from Vera Cruz. A minister was immediately appointed and departed to Mexico. Every thing that was in my power to do, to promote peace and good adjustment of all our difficulties.

At the date of my annual message to Congress, in December last, no doubt was entertained but that he would be received by the Mexican government, and the hope was cherished that all causes of misunderstanding between the two countries would be speedily removed. In the confident hope that such would be the result of his mission, I informed Congress that I forbore at that time to reorganize such a minister, in view of the wrongs and injuries we had so long borne, as it would have been proper to make had no such negotiation been instituted." To my surprise and regret, the Mexican government, though solemnly pledged to do so, upon the arrival of our minister in Mexico, refused to receive and accredit him.

When he reached Vera Cruz, on the 30th of November, 1845, he found that the aspect of affairs had undergone an unhappy change. The government of General Herrera, who was at that time President of the Republic, was "adhering to its fall. General Paredes (a military leader) had manifested his determination to overthrow the government of Herrera, by a military revolution; and one of the principal means which he employed to effect his purpose, and render the government of Herrera odious to the army and people of Mexico, was by loudly condemning its determination to receive a minister of peace from the United States, alleging that it was the intention to dismember the territory of the United States, by ceding away the department of Texas.

The government of Herrera is believed to have been well disposed to a pacific adjustment of existing difficulties; but probably alarmed for its own security, and in order to ward off the danger of the revolution led by Paredes, violated its solemn agreement, and refused to receive or accredit our minister; and this, although informed that he had been invested with full power to adjust all questions in dispute between the two governments. Among the frivolous pretexts for this refusal, the principal one was, that our minister had not gone upon a special mission, confined to the question of Texas alone, leaving all the outrages upon our flag and our citizens undressed.

The Mexican government well knew that both our national honor and the protection due to our citizens imperatively required that the two questions of boundary and indemnity should be treated together, as naturally and inseparably blended, and they ought to have seen that this course was best calculated to enable the United States to extend them the most liberal justice. On the 30th of December, 1845, General Herrera resigned the presidency, and yielded up the government to General Paredes without a struggle. Thus the revolution was accomplished solely by the army commanded by Paredes, and the supreme power in Mexico passed into the hands of a military usurper, who was known to be bitterly hostile to the United States.

Although the prospect of a pacific adjustment with the new government was unpromising, from the knowledge of its head, the United States, yet, determined that nothing should be left on our part to restore friendly relations between the two countries, our minister was instructed to present his credentials to the new government, and ask to be accredited by it in the diplomatic character in which he had been commissioned. These instructions he executed by his note of the 1st of March, 1846, addressed to the Mexican Minister of Foreign Affairs, but his request was indignantly refused by that minister in his answer of the 12th of the same month. No alternative remained for our minister but to demand his passports, and return to the United States.

Thus was the extraordinary spectacle presented to the civilized world, of a government, in violation of its own express agreement, having twice rejected a minister of peace, invested with full powers to adjust all the existing differences between the two countries in a manner just and honorable to both. I am not aware that modern history presents a parallel case, in which, in time of peace, no man has refused even to hear propositions from another for terminating existing difficulties between them.

Scarcely a hope of adjusting our difficulties, even at a remote date, or of preserving peace with Mexico, could be cherished while Paredes remained at the head of the government. He had acquired the supreme power by a military revolution, and upon the most solemn pledge to engage to respect the United States, and to re-

conquer Texas, which he claimed as a revolted province of Mexico. He had denounced as guilty of treason all those Mexicans who considered Texas as no longer constituting a part of the territory of Mexico, and who were friendly to the cause of peace.

The duration of the war which he waged against the United States was indefinite, because the end which he proposed, of the reconquest of Texas, was hopeless. Besides, there was good reason to believe, from all his conduct, that it was his intention to convert the Republic of Mexico into a monarchy, and to call a foreign European prince to the throne. Preparatory to this end, he had, during his short rule, destroyed the liberty of the press, tolerating that portion of it only which openly advocated the establishment of a monarchy.

The better to secure the success of his ultimate designs, he had, by an arbitrary decree, convoked a Congress—not to be elected by the free choice of the people, but to be chosen in a manner to make them subservient to his will, and to give him absolute control over their deliberations.

Under all these circumstances, it was believed that any revolution in Mexico, founded upon opposition to the ambitious projects of Paredes, would tend to promote the cause of peace, as well as prevent any attempted European interference in the affairs of the North American continent—both objects of deep interest to the United States.

Any such foreign interference, if attempted, must have been resisted by the United States. My views upon that subject were fully communicated to Congress in my last annual message. In any event, it was certain that no change whatever in the government of Mexico which would deprive Paredes of power could be for the worse, so far as the United States were concerned, while it is highly probable that any change must be for the better.

This was the state of affairs existing when Congress, on the 13th of May last, recognized the existence of the war which had been commenced by the government of Paredes; and became an object of much importance, with a view to a speedy settlement of an honorable peace, that Paredes should not retain power in Mexico.

Before that time were symptoms of a revolution in Mexico, favored, as it was understood, by the more liberal party, and especially by those who were opposed to foreign interference and to the monarchical form of government.

Santa Anna was then in exile in Havana, having been expelled from power and banished from his country by a revolution which occurred in December, 1844; but it was known that he had still a considerable party in his favor in Mexico. It was also equally well known that no vigilance which could be exerted by our squadron, would, in all probability, have prevented him from effecting a landing somewhere on the extensive Gulf coast of Mexico, if he desired to return to his country.

He had openly professed an entire change of policy, had expressed his regret that he had subverted the federal constitution of 1824, and avowed that he was now in favor of its restoration. He had publicly declared his hostility, in the strongest terms, to the establishment of a monarchy, and to European interference in the affairs of his country.

Information to this effect had been received, from sources believed to be reliable, at the date of the recognition of the existence of the war by Congress, and was afterwards fully confirmed by the receipt of the despatch of our consul in the city of Mexico, with the accompanying documents, which are herewith transmitted. Besides, it was reasonable to suppose that he must see the ruinous consequences to Mexico of a war with the United States, and that it would be in his interest to favor peace.

It was under these circumstances and upon these considerations that it was deemed expedient not to obstruct his return to Mexico, should he attempt to do so. Our object was the restoration of peace; and with that view, no reason was perceived why we should take part with Paredes, and aid him, by means of our blockade, in preventing the return of his rival to Mexico. On the contrary, it was believed that the intense desire on his part to return to his country, and to anticipate as the fruit of Santa Anna's return to Mexico, and his contest with Paredes, might strongly tend to produce a disposition with both parties to restore and preserve peace with the United States.

Paredes was a soldier by profession, and a monarchist in principle. He had but recently before been successful in a military revolution, by which he had obtained power. He was the sworn enemy of the United States, with which he had involved his country in the existing war. Santa Anna had been expelled from power by the army, was known to be in open hostility to Paredes, and professedly pledged against foreign intervention and the restoration of monarchy in Mexico.

In view of these facts and circumstances, it was, that, when orders were issued to the commander of our naval force in the Gulf, on the 15th of May last, only two days after the existence of the war had been recognized by Congress, to place the coast of Mexico under blockade, he was directed not to obstruct the passage of Santa Anna to Mexico, should he attempt to return.

A revolution took place in Mexico in the early part of August following, by which the power of Paredes was overthrown, and he has since been banished from the country, and is now in exile. Shortly afterwards Santa Anna returned. It remains to be seen whether his return may not yet prove to be favorable to a pacific adjustment of the existing difficulties, it being manifestly in his interest not to persevere in the prosecution of a war commenced by Paredes, to accomplish a purpose as absurd as the reconquest of Texas to the Sabine. Had Paredes remained in power, it is morally certain that any pacific adjustment would have been hopeless.

The Pacific has been placed under blockade, and her territory invaded at several important points. The reports from the Departments of War and the Navy will inform you more in detail of the measures adopted in the emergency in which our country was placed, and of the gratifying results which have been accomplished.

The various columns of the army have performed their duty under great disadvantages, with the most distinguished skill and courage. The victories of Palo Alto and Resaca de la Palma, and of Monterey, won against greatly superior numbers, and against most decided advantages in other respects on the part of the enemy, were brilliant in their execution, and entitle our brave officers and soldiers to the grateful thanks of their country. The nation deplores the loss of the brave officers and men who have gallantly fallen while vindicating and defending their country's rights and honor.

It is a subject of pride and satisfaction, that our volunteer citizen soldiers, who so promptly responded to their country's call, with an experience of the discipline of a camp of only a few weeks, have borne their part in the hard fought battle of Monterey with a composure and courage equal to that of veteran troops, and worthy of the highest admiration. The privations of long marches through the enemy's country and through a wilderness have been borne without a murmur. By rapid movements, the province of New Mexico, with Santa Fe, its capital, has been captured without bloodshed.

The navy has co-operated with the army, and rendered important services—it not so brilliant, it is because the enemy had no force to meet them on their own element, and because of the defenses which nature has interposed in the difficulties of the navigation on the Mexican coast. Our squadron in the Pacific, with the co-operation of a gallant officer of the army, and a small force hastily collected in that distant country, have acquired bloodless possession of the California, and the American flag has been raised at every important point in that province.

I congratulate you on the success which has thus attended our military and naval operations. In less than seven months after Mexico commenced hostilities, at a time selected by herself, we have taken possession of many of her principal ports, driven back and pursued her invading army, and acquired military possession of the Mexican provinces of New Mexico, New Leon, Coahuila, Tamaulipas, and the California, a territory larger in extent than that embraced in the original thirteen States of the Union, inhabited by a considerable population, and much of it more than a thousand miles from the points at which we had to collect our forces and commence our movements. By the blockade, the import and export trade of the enemy has been cut off.

Well may the American people be proud of the energy and gallantry of our regular and volunteer officers and soldiers. The events of these few months afford a gratifying proof that our country can, under any emergency, confidently rely for the maintenance of her honor, and the defence of her rights, on an effective force, ready at all times voluntarily to relinquish the comforts of home for the perils and privations of the camp. And though such a force may be for the time expensive, it is in the end economical, as the ability to command it removes the necessity of employing a large standing army in time of peace, and proves that our people love their institutions, and are ever ready to protect and defend them.

Whilst the war was in a course of vigorous and successful prosecution, being still anxious to avert its evils, and considering that, after the brilliant victories of our arms on the 6th and 9th of May last, the national honor could not be compromised by it, another measure was deemed expedient, by my direction on the 27th of July last, to terminate hostilities by a peace just and honorable to both countries. On the 31st of August following, the Mexican government declined to accept this friendly overture, but preferred it to the decision of a Mexican Congress, to be assembled in the early part of the present month. I communicate to you, herewith, a copy of the letter of the Secretary of State proposing to reopen negotiations, of the answer of the Mexican Government, and of the reply thereto of the Secretary of State.

The war will continue to be prosecuted with vigor, as the best means of securing peace. It is hoped that the decision of the Mexican Congress, to which our last overture has been referred, may result in a speedy, honorable peace. With our experience, however, of the unreasonable course of the Mexican authorities, it is the part of wisdom not to relax in the energy of our military operations until the result is made known. In this view it is deemed important to hold military possession of all the provinces which have been taken, until a definitive treaty of peace shall have been concluded and ratified by the two countries.

The war has not been waged with a view to conquest; but having been commenced by Mexico, it has been carried into the enemy's country, and will be vigorously prosecuted there, with a view to obtain an honorable peace, and thereby secure ample indemnity for the expenses of the war, as well as to our much injured citizens, who hold large pecuniary demands against Mexico.

By the laws of nations a conquered territory is subject to be governed by the conqueror during his military possession; and until there is either a treaty of peace, or he shall voluntarily withdraw from it. The old civil government being necessarily superseded, it is the right and duty of the conqueror to secure his conquest, and to provide for the maintenance of civil order, and the rights of the inhabitants.

This right has been exercised, and this duty performed, by our military and naval commanders, by the establishment of temporary governments in the name of the conquered provinces, and the free institutions of our own country, in the provinces of New Mexico, and of the California, Utah, &c. Further resistance is apprehended from the inhabitants to the temporary governments which have thus, from the proximity of the case, and according to the laws of war, been established. It may be proper to provide for the security of these important conquests by making an adequate appropriation for the purpose of erecting fortifications and de-

stroying the ports of Mexico on the Gulf and on the Pacific.

It is believed that the Mexican government will not be able to sustain the war, and that a peace will be concluded in the near future. The success of our arms, and the progress of our operations, will, it