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CONGRESSIONAL.

SPEECH OF MR. BROCKENBROUGH, OF FLORIDA,

In the House of Representatives, February 13, 1847—On the three million bill.

[*Concluded from last night's "Union."*]

Our opponents charge that the march to the Rio Grande was not only cause of war, but war itself. The ground so often and so ably occupied, I will not again argue at length—showing that the whigs always contended that the annexation of Texas was cause of war, and even the adoption of the war with Mexico; or that it was the President's constitutional right and duty to defend every inch of Texas as claimed by her when admitted; or that the governor of Texas was bound to defend with his militia all the country his State had solemnly claimed, and wherever he was bound to carry his militia, the President was bound to carry the regulars upon a similar emergency; or that the President was justified in apprehending invasion, by repeated threats and the accumulation of troops on the border—by the new hostile attitude of Mexico—she having had a revolution to place Paredes in power, because Herrera was inclined to treat with us; or the fact, since known, that Paredes ordered his general, before he knew of the march to the Rio Grande, to begin the war, and pass that river; or the fact that Mexico has not pretended that that march caused the war, but always based it upon her claim to the whole of Texas. These matters have been thoroughly discussed. I propose to consider only the conduct of our adversaries on their own pretence, that the march to the Del Norte caused the war, and, upon that supposition, propose to show that they are almost as responsible as the President, even for the battles of the 8th and 9th of May, and jointly with us entirely responsible for *all* that has since occurred.

Those gentlemen have abused the President for gross ignorance in not knowing what they say "*any old map or geography would have taught him*," namely—that Tamaulipas extended to the Nueces, and that the march to the Rio Grande was an invasion of Mexican soil, and a cause of war, which rendered war inevitable. I shall inquire into that question presently; but whatever the gentlemen knew on the subject, they did not give the country the benefit of that information. They knew the army was at Corpus Christi long before Congress met—they knew this was west of the Nueces, and, by their "geography and old maps," in Tamaulipas in Mexico, and by their law an invasion—a beginning of war; but they were silent. When Congress met, they learned that the President and his cabinet did not consider Corpus Christi as the limit of their power and duty, or of the State of Texas. They were distinctly informed at their meeting in December, 1845, that the President and cabinet considered the Rio Grande our boundary, and the line of our defence. If we look to the message and documents of 1845, we find that the President urges the immediate necessity of the extension of our revenue laws and judicial system over the people of Texas. He says:

"The jurisdiction of the United States, which, at the formation of the federal constitution, was bounded by the St. Mary's on the Atlantic, has passed the capes of Florida and been peacefully extended to the DEL NORTE."

The Secretary of the Navy spoke of defending our coasts to the *Del Norte*. The President says:

"Our army was ordered to take position between the Nueces and the Del Norte, and to repel any invasion of the Texan territory which might be attempted by the Mexican forces. Our squadron in the gulf was ordered to co-operate with the army. But though our army and navy were placed in a position to defend our own and the rights of Texas, they were ordered to commit no act of hostility against Mexico, unless she declared war, or was herself the aggressor by striking the first blow."

The Secretary of War states in his report that:

"The ready acceptance, on the part of Texas, of the terms of annexation proffered by this government, excited the ill-will of the government of Mexico. That republic menaced the immediate commencement of hostilities against the United States, and set on foot, as it was said, extensive preparations to invade and subjugate Texas.

"Pursuant to your directions, an army of occupation was assembled in that State, and Brigadier General Taylor assigned to the command of it. *He was instructed to repel Mexican aggressions and protect the country from Indian incursions, to regard the Del Norte as its western boundary*, and to select a position for his forces with reference to this frontier, but to leave unmolested Mexican settlements, and also military posts, should there be any such posts on the east bank of that river, which were in the occupation of Mexican forces previously to the period when Texas assented to the terms of annexation.

"Though no movement as yet has been made on the part of Mexico to carry into effect her often-repeated menaces, or to change the relations of peace between her and the United States, she still continues to manifest hostile feelings, and threatens an invasion of Texas. This attitude, as long as it shall continue, will require the presence of a military force in that quarter at least equal to that now stationed there. It is presumed that this equivocal state, which has not the settled character of peace or war, will not be much longer continued.

"Should Mexico deny our right to possess the country up to the Del Norte, to the extent justly claimed by Texas before annexation, and the free common use of the waters of that river, it is presumed that authority will be given to enforce it in both respects. In the event of resistance, there may be occasion to employ an additional force, and authority should be given for raising it in that contingency. In a more desirable state of our relations with Mexico, her unsettled political condition will suggest, as a wise precaution, the guarding of that frontier by a considerable body of troops."

Surely here was language strong enough to open the lips of the patriot, to give timely warning to the Executive. It was enough to put all upon the inquiry at least. They were told by the President that the Del Norte was the boundary; by the War and Navy Departments that it was the boundary, and the boundary which our general was instructed to defend. And, had they inquired, they would have obtained those orders and instructions which now accompany the war message.

Thus Mr. Bancroft, in temporary control of the War Department, writes to General Taylor on the 15th of June, 1845:

"The point of your ultimate destination is the western frontier of Texas, where you will select and occupy, on or near the Rio Grande del Norte, such a site as will consist with the health of the troops, and will be best adapted to repel invasion, and to protect what, in the event of annexation, will be our western border. You will limit yourself to the defence of the Territory of Texas, unless Mexico should declare war against the United States."

And Mr. Marcy, July 8, 1845:

"SIR: This department is informed that Mexico has some military establishments on the east side of the Rio Grande, which are, and for some time have been, in the actual occupancy of her troops. In carrying out the instructions heretofore received, you will be careful to avoid any acts of aggression unless an actual state of war should exist. The Mexican forces at the posts in their possession, and which have been so, will not be disturbed as long as the relations of peace between the United States and Mexico continue.

Again, on the 30th of July:

"The Rio Grande is claimed to be the boundary between the two countries, and up to this boundary you are to extend your protection, only excepting any posts on the eastern side thereof, which are in the actual occupancy of Mexican forces, or Mexican settlements over which the republic of Texas did not exercise jurisdiction at the period of annexation, or shortly before that event. It is expected that, in selecting the establishment for your troops, you will approach as near the boundary line—the Rio Grande—as prudence will dictate. With this view, the President desires that your position, for a part of your forces at least, should be west of the river Nueces."

And on the 23d of August:

"There is reason to believe that Mexico is making efforts to assemble a large army on the frontier of Texas, for the purpose of entering its territory and holding forcible possession of it. Of their movements you are doubtless advised, and we trust have taken, or early will take, prompt and efficient steps to meet and repel any such hostile incursion. Should Mexico assemble a large body of troops on the Rio Grande, and cross it with a considerable force, such a movement must be regarded as *an invasion of the United States* and the commencement of hostilities. You will, of course, use all the authority which has been or may be given you, to meet such a state of things. Texas must be protected from hostile invasion, and for that purpose you will of course employ to the utmost extent all the means you possess or can command."

* * * * * * *

"An order has been this day issued for sending one thousand more men into Texas to join those under your command. When the existing orders are carried into effect, you will have with you a force of four thousand men of the regular army. We are not enabled to judge what auxiliary force can, upon an emergency, be brought together from Texas, and as a precautionary measure you are authorized to accept volunteers from the States of Louisiana and Alabama, and even from Mississippi, Tennessee, and Kentucky. Should Mexico declare war, or commence hostilities by crossing the Rio Grande with a considerable force, you are instructed to lose no time in giving information to the authorities of each or any of the above-mentioned States as to the number of volunteers you may want from them respectively. Should you require troops from any of these States, it would be important to have them with the least possible delay. It is not doubted that at least two regiments from New Orleans and one from Mobile could be obtained and expeditiously brought into the field. You will cause it to be known at these places what number and description of troops you desire to receive from them in the contemplated emergency. The authorities of these States will be apprized that you are authorized to receive volunteers from them, and you may calculate that they will promptly join you when it is made known that their services are required. Arms, ammunition, and camp equipage for the auxiliary troops that you may require, will be sent forward subject to your orders. You will so dispose of them as to be most available in case they should be needed, at the same time with a due regard to their safety and preservation. Orders have been issued to the naval force on the Gulf of Mexico to co-operate with you."

Again, on the 30th August, 1845:

"The instructions heretofore issued enjoin upon you to defend Texas from invasion and Indian hostilities; and, should Mexico invade it, you will employ all your forces to repulse the invaders, and drive all Mexican troops beyond the Rio Grande. Should you judge the forces under your command inadequate, you will not fail to draw sufficient auxiliary aid from Texas, and, if there be need, from the States, pursuant to your previous instructions. It is not to be doubted that, on your notification, volunteer troops, to the number you may require, will rally with alacrity to your standard. You have been advised that the assembling a large Mexican army on the borders of Texas, and crossing the Rio Grande with a considerable force, will be regarded by the Executive here as an invasion of the United States, and the commencement of hostilities. An *attempt* to cross that river with such a force will also be considered in the same light."

And on October 16, 1845, he writes:

"SIR: The information which we have here, renders it probable that no *serious attempts* will at present be made by Mexico to invade Texas, although she continues to *threaten incursions*. Previous instructions will have put you in possession of the views of the *government of the United States, not only as to the extent of its Territorial claims*, but of its determination to assert them. In carrying out these instructions, you will be left much to *your own judgment*, by reason of your superior knowledge of localities, and the earlier notice you may receive of the probable views of Mexico, and the movement of her troops. On the supposition that no active operations on your part will be required during the approaching winter, an important question to be decided is the position or positions to be occupied by your forces. This must be determined mainly with reference to the objects for which the army under your command was sent into Texas. You will approach as near the western boundary of Texas (the Rio Grande) as circumstances will permit; having reference to reasonable security; to accommodations for putting your troops into winter huts, if deemed necessary; to the facility and certainty of procuring or receiving supplies; and to checking any attempted incursions by the Mexican forces or the Indian tribes. Ought your present position to be changed? the forces which are, or soon will be, assembled under your command, be kept together or divided? and, if divided, what positions are to be taken, and how are they to be divided? These are questions which must be in a measure left to your judgment, or, at least, the decision upon them here, if there be time, will be influenced in no inconsiderable degree by the information and views which you may furnish the department. You need not, therefore, wait for directions from Washington, to carry out what you may deem proper to be done. Upon all the points above enumerated, and others not suggested, your reports and views in full are desired, not only with reference to the continuance of the present aspect of affairs between the United States and Mexico, but in the contingency of your selecting, or being directed to take, a position on the banks of the Rio Grande near its mouth, or places above, or even in the vent of open hostilities."

Nor was this all. With the same message of 1845, they had evidence that Mr. Donelson, our minister to Texas, pledged the faith of the United States *to all parties* in Texas that this government would maintain the Rio Grande del Norte as the boundary. Letter to Mr. Buchanan, July 11, 1845:

"But whilst from such views I encouraged no aggressive movement on the part of Texas to take forcible possession of the Rio Grande, I have, nevertheless, *omitted no opportunity of satisfying all parties here that the United States would, in good faith, maintain the claim, and that I had every reason to believe they would do so successfully*."

And this was not without the previous distinct authority of Mr. Buchanan of June 15, 1845, in which he declares the United States under the most *stringent obligation* to maintain that boundary, and avows it as the true boundary of Texas. He says:

"Under these circumstances, you may properly ask the question, Should Mexico take possession of the country between the Nueces and the Rio Grande, or come still further east, within the Texas territory, before a convention can express the requisite ratification of our proposals, are the United States to stand still and see the country thus invaded without interposing protection?

"In answer to this important question, I shall proceed to present to you the views of the President upon the subject.

"There are many reasons why it is preferable that Texas herself should drive the intruders from her territory, until after the convention shall have accepted the terms of our joint resolution. Of her ability and her will to perform this service, no man acquainted with her history can doubt. Her citizens are brave; they can endure the climate at this hot season of the year; and it will redound to their glory to ask no aid in defending her territory, until this duty shall clearly devolve upon the United States. Besides, it is impossible that our troops can now reach the scene of action in time to render her any assistance in expelling the intruders before the 4th of July, the day of the meeting of the convention. The expenses of such an expedition must eventually be borne by the United States. If an attempt should be made to dismember the territory of Texas, as it existed when the joint resolution for annexation passed Congress, at the moment when her people and authorities are deliberating upon these proposals, most certainly the strongest obligation would be imposed on the American Congress to indemnify her for the charges of repelling the intruders. In performing this duty, she will be acting for the benefit of our whole country, and preserving her territory in the same condition it was when we offered to receive her into the American Union. The President cannot doubt for a moment but that, after annexation, the troops employed in this service will be placed upon precisely the same footing as troops would be who had been regularly called out under the authority of the act of Congress to repel an invasion of any of the existing States."

Thus had this House the most positive evidence of the opinions of the executive as to its duties, and that it was bound to defend the country up to the Rio Grande, and that the general had orders to that effect from the beginning, and might march when he pleased. And he was distinctly authorized to take position as near as convenient to the Rio Grande, and with a view to defending *that line;* and that its passage by the enemy would be an invasion. No word of dissent or disapprobation was heard from Congress. It admitted *Texas as it stood*, with the pledged faith of this republic, by its minister, authorized by its Secretary of State, made *to all parties*, that we would defend and maintain the line of the Rio Grande. This pledge was upon our tables in innumerable forms, and franked by members every day through the whole country, without dissent from any quarter. Congress having so admitted Texas, and sanctioned this pledge, adopted the recommendation of the President by extending our revenue laws, and judicial system, and post-routes into Texas—Texas as it stood—the Texas which we admitted with a pledge to defend to the Rio Grande—the Texas which the President said, in recommending these measures which were adopted, extended the jurisdiction of the Union to the Del Norte. Could the President, then, understand from any "old maps or geography," or other source, that Congress understood and considered Texas as extending only to the Nueces, and that the army was already invading Mexico, and war existed? Or could he suppose that there was some other imaginary line, unknown to him, or to any one in this House, and not laid down in any "old map or geography," or anywhere else but in imaginative speeches *since made* in this hall, which was the line understood by Congress? Did any one, anywhere, at any time, ever see or hear of such a line? or can they now tell who established it, or where it runs? Will any candid man say that the President could be justified in supposing that Congress considered the Nueces the line, or that there was any other line between the Nueces and Del Norte, which, though unheard of, was the true one, or that there was any more impropriety in his being at any one point between the Del Norte and the Nueces, than at Corpus Christi, or any other?

How will gentlemen reconcile this long silence with the duty of patriotism? They were full of information as to the true boundary. They have discovered several true boundaries, unknown before, between the Nueces and the Del Norte, they were fully advised of what they now suppose the erroneous views of the President and cabinet. They were advised of the impending danger of disastrous, and, they say, unjust war, and gave no warning. There was no call to the rescue. They were not withheld by feelings of kindness to the administration, whose whole policy they felt it their special duty to oppose, and this would be but a bad reason if *they* could plead it. It is no defence to say they were in a minority, and could effect nothing; because the very duty of a minority is to endeavor to check and restrain what they suppose to be the excesses of a majority, and not to give their own sanction to mischief by silence. Had they spoken out, they might at least have exempted themselves from responsibility. They might even have influenced a majority, by turning only a few democrats. They cannot say it was because the responsibility of measures was upon us. For that would justify them in silent acquiescence to any measure, however unconstitutional or preposterous, and be in effect a total abandonment of affairs into the hands of a majority. The excuse would be worse than the offence, to say we let you blindly and madly involve the country in the evil and crime of hazardous and unjust war, because the responsibility was not upon us, and we felt justified in silence, that we might break you down. A man can scarcely justify himself for not warning his worst enemy of danger, when on the brink of a precipice; but when he is the representative of a free people, and he sees his country on the eve of crime and disaster, and does not warn those who hold the helm, "he seems to me (as Mr. ADAMS remarked of Mr. WEBSTER) to have but one step further to go, and that is to join the enemy."

With all this superior information and patriotism—with this keen foresight of danger, and snuffing carnage in the evening breeze, our political opponents are silent as death. We find only Mr. ASHMUN moving on the 3d of February for information as to our relations with Mexico, and "whether the army or navy had been moved towards that republic, and what occurrences have come to the knowledge of the President to require such a movement." But, though introduced by leave—that is, *unanimous consent*—it was quietly laid over under the rule, and no attempt made to suspend the rule, or any call of ayes and noes, as is done when members make serious effort to bring to notice an important subject. I have carefully examined the journals from that day till war was declared, and find no motion ever made, or even mention of this resolution, after its introduction. Resolutions thus introduced and *laid* over, always sleep the sleep of death, unless specially called up. This was no effort to arrest the march. It was no information, no warning to the President, the House, or the country, of what was going forward, or the danger of the step. A resolution allowed by unanimous consent was introduced, and slept without a movement or a word from its author. Was it done as an anchor in case of a storm, which they did not intend to prevent? Its introduction *proves notice of the movement*. Notice has been admitted on all sides. It was not concealed. The papers were soon full of it, and of the events of the march. But no movement was made; no effort to arrest this disastrous and terrible march, which was to involve us all in the crime of unjust war. An honorable whig senator from Delaware, of great distinction and consideration with his party, [Mr. J. M. CLAYTON,] admits that he knew it at an early period, but he did not move. He informed Mr. CALHOUN; and he occupied so important and delicate a situation with reference to the administration and the settlement of the Oregon question, that it was dangerous to the peace of the country for him to take any step having even the appearance of a hostile attitude to the government. But what restrained our political opponents? They never have informed us, but only proclaim on the house-tops that it is Mr. Polk's war

We find no further movement upon the journals until the *9th of May*, the very day the battle was fought at Resaca de la Palma, when Mr. DAVIS, of Kentucky, introduced resolutions "inquiring whether any attacks had been made on either side; and whether the killed were slain on Mexican or American territory; and whether any supplies had been taken, and the force guarding them, and what efforts were made to recapture them," &c. This was long after it was known here that Taylor was encamped and entrenched opposite Matamoros, (which took place on the 28th of March.) This was too late; and if earlier, gave no information, and found no fault.

Next, the news of Porter's death and Thornton's capture was received; and then we had the President's message and the recognition of war as made *upon us* by the Mexican republic, and authority to receive 50,000 men to fill the ranks of the army, and placing all—army, navy, and militia of the Union at the disposal of the President, and appropriating $10,000,000. This was done "to enable the President to prosecute said war to a successful and speedy termination." Only fourteen whigs voted in the negative. To them my remarks as to inconsistency do not apply. They have declared their country in the wrong from the beginning, and adhered to it. But after war was thus declared—recognised—inevitable—the President bound to fight and use his utmost efforts against the enemy—after this surpassing unanimity—then, and not till then, all the patriotic streams of burning and indignant eloquence were opened and poured upon the head of the Executive. We then first heard of "old maps and geographies," or the boundaries of Texas, or the river Nueces, and, *some time after*, of the vague and new found and yet undefined line "*somewhere*" between the Nueces and the Rio del Norte. It was not the march of the army—it was not full knowledge of Executive views and determinations—it was not the Executive pledge to Texas sanctioned by Congress—by silence and by acts. It was not the full knowledge that war was coming—that it was unconstitutionally and unjustly to be waged by the President—that could remove the seals from their lips and loosen the tongue of whig patriotism, to utter one warning or one dissenting word. It was only when they had declared war themselves—recognised war—a war as made by Mexico—involved the country in it beyond retreat, and when the President was bound to prosecute it, and the country had no hope or chance to escape it honorably, and when blood had been shed, and the whole atmosphere was filled with war and notes of busy preparation, and the sky was lurid and portentous, that then we have the whole whig phalanx, in one mass, pouring upon the administration a torrent of eloquent indignation. Then they search musty archives and unrol old maps before us, to show us where the line is not, and point out here the spot where the gallant Porter fell; there the lamented Cross was murdered, and here the reckless Thornton cut his way through every obstacle; and raising their eyes to Heaven, with holy horror exclaim, "it is the President's war, an unjust war! We can not avenge the dead; this was Mexican soil. The army should have remained at Corpus Christi. The line ought to be somewhere between the Nueces and the Rio Grande. This battle field *must* and *shall* be in Tamaulipas"

Is there a man living who can read the documents upon this subject who will not say, and who did not at that time think, that war with Mexico was impending—hanging by a thread, and that thread the hopes and fears of military demagogues in Mexico? In all that emergency—pending Taylor's long march, was the opinion once expressed *aloud* in the Capitol or even in the city, that the march would bring on war—still less, as now contended, that it was war itself, and invasion on our part? What was the general opinion in private conversations? Even now I ask what course would now, on the given state of facts, be the most probable course recommended by ninety-nine in every hundred citizens and members of Congress, expressing opinions without peculiar information, or party reasons to be disingenuous? The answer would be, that to remain at Corpus Christi was to invite war, by leaving the frontier open to the thoughtless inroad of any Mexican brigand, who might fancy our inactivity cowardice, or a marauding march a chance for popularity at home. Who would not say march at once to the position you mean to occupy. Plant your foot there with a firm front, and act kindly and civilly, but firmly tell them you will await their attack; but that line you will fight and die upon. This is the best means to avoid war if possible, the best place to meet it if inevitable. You would say your kindness may conciliate, your firmness will overawe anything short of a great and national movement for a war of invasion. And if such is in the heart of Mexico—meet it at the lines, where you can retaliate.

Even now, I think it was the best—the wisest policy. If war could have been prevented, that march would have prevented it. If Taylor had called for volunteers and trebled his force, in my opinion he would have overawed the enemy and prevented war. The wisdom of the move was not doubted at the time by the mass of men; and this gives them a sound and patriotic reason for their silence. They have since become wise overmuch, after the fact, and can *now* easily *foresee* that such a move might produce war, and as easily contend that it was war itself. Even now—anxious as men are for the reputation of superior sagacity—we have heard of but two gentlemen who had foresight enough to think it even a dangerous movement—Mr. CALHOUN and Mr. CLAYTON—and the latter laid a wager with some of his political brethren that there would be "*a fight*"—thus showing that the opinion was anything but unanimous. No one else has even pretended that he thought so, much less adduced evidence that he said it was a dangerous move, or one that must lead to war. And as he won the wager by only *four hours*, it could not have been made till *long after* Taylor was opposite Matamoros! Our troops were opposite Matamoros from the 28th of March till the 24th of April, before hostilities commenced. They commenced moving from Corpus Christi on the 8th of March. How few believed that these events would bring on war! No movement was made here in all that time. That the belief was that there would be no war, is the most charitable and courteous explanation. Mr. CALHOUN, in vindicating himself so promptly and so ably for making no movement, has cast a severe censure upon all who thought as he did and were not fettered by the same difficulties. Who will avow that he thought this movement war? Many of our most gallant officers on the ground thought there would be no war. Citizens of distinguished gallantry—*there* ready to volunteer—left under the opinion that the enemy would not cross the river. Worth was so sure of it, that he resigned, upon a point of etiquette, his high commission, the pride and honor of his life, and came to Washington. What price could have tempted a brave, ambitious, and distinguished officer to be absent on the 8th and 9th of May, had he thought there was possibility of war? Even General Taylor could not have believed it by any means certain. He must have doubted, or he would not have been found in the dangerous position of having Point Isabel taken, because almost unguarded, and his own troops afterwards annihilated by want of supplies. Yet now all exclaim it was certain war; it was war itself. Are we certain there would have been war at all if it had not been for Taylor's security and tempting exposure, leading the enemy to think they might strike a severe and decisive blow, leading to their general's glory and honor, and afterwards to an advantageous peace. The policy of Mr. Polk had at least high military authority. The opinion I advance is well sustained. General Taylor recommended the march, with the very view here presented. The march was ordered at the request, and doubtless for the reasons, stated by the commanding general, in whom a large discretion had been invested. Suppose there had been no march, and war had ensued, would not Mr. Polk have been censured for controlling the general? Indeed, were there not reproaches against him for bad policy in keeping the army so long at Corpus Christi, so distant from the proper line of defence and action. Such seems, at all events, to have been the opinion of Gen. Taylor, when he writes as early as the 4th of October, 1845:

"I have reason to believe, moreover, that a salutary moral effect has been exercised upon the Mexicans. Their traders are continually carrying home the news of our position and increasing numbers, and are confessedly struck by the spectacle of a large camp of well-appointed and disciplined troops, accompanied by perfect security to their persons and property, instead of the impressment and pillage to which they are subject in their own country. For these reasons, our position thus far has, I think, been the best possible; but, now that the entire force will soon be concentrated, it may well be a question whether the views of government will be best carried out by our remaining at this point. It is with great deference that I make any suggestions on topics which may become matter of delicate negotiation; but if our government, in settling the question of boundary, makes the line of the Rio Grande an ultimatum, I cannot doubt that the settlement will be greatly facilitated and hastened by our taking possession at once of one or two suitable points on or quite near that river. Our strength and state of preparation should be displayed in a manner not to be mistaken. However salutary may be the effect produced upon the border people by our presence here, we are too far from the frontier to impress the government of Mexico with our readiness to vindicate, by force of arms, if necessary, our title to the country as far as the Rio Grande. The 'army of occupation' will, in a few days, be concentrated at this point, in condition for vigorous and efficient service. Mexico having as yet made no positive declaration of war, or committed any overt act of hostilities, I do not feel at liberty, under my instructions, particularly those of July 8, to make a forward movement to the Rio Grande without authority from the War Department."

And he writes on the 4th of February, 1846:

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

Even up to the 15th of April, he thought it "*very doubtful*" whether Ampudia would think it prudent to attack him, even when all his force should have arrived.

But if the conduct of our opponents anterior to the war was strange, what shall we say to the war itself? Why did they vote for the bill? Why vote so large a force? Why recognise the war? Why declare that it was made by Mexico? It is no answer to say our men were in danger. We know now that they were not then in danger. It was known then that, in all human probability, they were lost, or safe by their own exertions, possibly aided by such troops of the States near by as might reach them in time for the hour of peril. It was certain that 50,000 men, and the whole army and navy, including the "ships on the stocks," were not necessary to relieve them from peril. and could not reach them in time, though dragons' teeth had been sown, and sprung up armed men in battle array, or, like Roderick Dhu's, at his whistle.

In truth, they did spring at their country's call with an alacrity unexampled, and which we will never see in an unjust war. Such a force was not necessary for relief? Neither was the recognition or the declaration that war was made by Mexico. The vote was not for a *rescue;* it was a war, and a war of invasion was contemplated. The militia, the army, navy, and 50,000 men, and $10,000,000 *to save Gen. Taylor!* What did Taylor require in his letter then before us, the very letter showing the commencemeet of hostilities? He wanted but 5,000 men, not to defend himself, but to invade Mexico.

He says he had ordered some regiments from Texas, but, "as some delay must occur in collecting these troops, I have also desired the governor of Louisiana to send out four regiments of infantry as soon as practicable. *This will constitute an auxiliary force of nearly* FIVE THOUSAND MEN, *which will be required to prosecute the war with vigor, and carry it, as it should be*, INTO THE ENEMY'S COUNTRY."

Thus, neither the force nor the declaration was necessary for Taylor. You might have sent force, and required him to retreat; you might have refused to recognise a war—or to say Mexico began it—or voted against the bill You were not cut off from amendments, but proposed none. You voted on all proposed on our side. You declare the allegation in the bill that war was made by Mexico to be *false*, and that it was made by the President. Every gentleman is not responsible, as a matter of personal veracity, for facts stated in a bill for which he votes. But when he votes knowingly for a palpable and gross falsehood, he should at least be prepared to sustain his vote upon the justice, wisdom, and patriotism of the measure, apart from the false fact. But upon what principle of ethics will gentlemen justify themselves before God and the country in voting a false fact, a vile slander upon a neighboring republic, as they say, when the main measure was a declaration of war, itself unjust, disastrous, infamous, and voted under circumstances and with means and resources, adequate and expected, to conduct it with spirit, and aggressive retaliation and conquest, and only necessary for such purposes—a measure fraught with every moral and political evil, and false in all its facts? The country will ask hard questions, and the stale and stupid cry of "*Mr. Polk's war*," will be no answer.

You have made it your war—the people's war. You have not required the President to retreat, but advance. You have sanctioned his acts And from the 13th May, the war is entirely your own. He is bound to prosecute it with vigor to "a speedy and successful termination." You may impeach him, if he wilfully neglects it. On the 13th May Congress had power to declare war, or to order the President to rescue and withdraw our troops. It chose the former. Can Congress declare peace? There is now another party, and peace cannot be made except by Mexico and the United States, or the utter extinction of one or other party. The responsibility of this, if it lasts a century, is upon us, unless you can show that advantageous terms of peace have been offered and refused by the Executive. But we know that his pacific overtures have been refused by Mexico. If your act was *a rescue*, why did you not repeal it when you heard of the battles of the 8th and 9th, and knew Taylor was safe and pursuing the enemy, about to pass the river, and take Matamoros? If wicked now, was it innocent then? You adhered to your war.

Mr. Polk, with the silent acquiescence of Congress, with war impending, advanced to the boundary we were bound to defend, to avert or meet it. And Congress, by declaring the war begun by Mexico, has nearly unanimously ratified his act. But *James Madison*, whose memory we delight to honor, in profound peace, with not a speck of war in the horizon, with Spain—indeed, when she was herself overrun by the French—did not hesitate to take forcible possession of a much larger tract of country, which was not within the limits of any State, not expressed to be in the limits of any Territory, upon a title acknowledged to be much more doubtful, on all hands, then in the peaceable possession of Spain, acknowledged so to be and contemplated by Congress so to continue; of which the United States never had possession, and never dared ask the delivery of the possession. Yet, Mr. Madison admits that Congress *contemplated a present possession by Spain*, but speaks of "*his* determination to take possession;" and thinks the "legality and necessity of the course pursued assure him of the favorable light in which it will be viewed by the legislature." I quote his message of December 6, 1810:

"Among the events growing out of the state of the Spanish monarchy, our attention was imperiously attracted to the change developing itself in that portion of West Florida, which, though of right appertaining to the United States, had remained in the possession of Spain, awaiting the result of negotiations for its actual delivery to them.

"The Spanish authority was subverted, and a situation produced exposing the country to ulterior events which might essentially affect the rights and welfare of the Union. In such a conjuncture I did not delay the interposition required for the occupancy of the territory west of the river Perdido, to which the title of the United States extends, and to which the laws provided for the territory of Orleans are applicable. With this view the proclamation, of which a copy is laid before you, was confided to the governor of that Territory to be carried into effect. The legality and necessity of the course pursued assure me of the favorable light in which it will present itself to the legislature, and of the promptitude with which they will supply whatever provisions may be due to the essential rights and equitable interests of the people thus brought into the bosom of the American family."

The letter of the Secretary of State, to the governor of Louisiana, begins thus: "From the enclosed proclamation of the President of the United States, you will perceive his determination to take possession of the territory therein specified, in the name and in behalf of the United States." He then tells him what course to pursue, and whence to draw troops, if resisted by force.

In his proclamation, Mr. Madison closes his reasons with these words: "Considering, finally, that the acts of Congress, *though contemplating a present possession by a foreign authority*, have contemplated also an eventual possession of the said territory by the United States, and are accordingly so framed as in *that case* to extend their operation to the same;" and concludes, "Now, be it known that I, James Madison, President of the United States of America, in pursuance of these weighty and urgent considerations [*not as usual, by virtue of the authority vested in me*] have deemed it right and requisite that possession should be taken of the said territory, in the name and in behalf of the United States."—[3 Foreign Relations, 337.]

All the law which Mr. Madison had to sustain him was the act of March 26, 1804, declaring "That all that portion of country ceded by France to the United States, under the name of Louisiana, which lies south of the Mississippi Territory, and of an east and west line to commence on the Mississippi river at the 33d degree of north latitude, to extend west to the western boundary of the said cession, shall constitute a Territory under the name of the Territory of Orleans." Under which act he might have, with more propriety, seized Texas itself, than the Mobile country, which he avows Congress contemplated to continue temporarily in possession of Spain.

[And the act of February 24, 1804, authorizing "the President, [section 11,] whenever he should deem it *expedient*, to erect Mobile bay and its waters into a *separate collection district*, which was protested against by the Spanish minister, and, indeed, carried into effect by Mr. Jefferson in a cautious proclamation, in which he confined its operation to such bays, rivers, &c., *lying within the boundaries of the United States*."

Mr. Madison could not lay hold of the act of October 31, 1803, authorizing the President "to take possession of Louisiana," because that act had long since done its duty, in the time of Mr. Jefferson; and then, as Mr. Madison himself writes to Mr. Livingston, January 31, 1804:

"It does not appear that in the delivery of the province by the Spanish authorities to M. Laussat, anything passed denoting its limits, either to the east, the west, or the north; nor was any step taken by M. Laussat, either whilst the province was in his hands, or at the time of his transferring it to ours, calculated to dispossess Spain of any part of the territory east of the Mississippi. On the contrary, in a private conference, he stated positively that no part of the Floridas was included in the eastern boundary, France having strenuously insisted to have it extended to the Mobile, which was peremptorily refused by Spain."

And on the 31st March, 1804, he further explains to Mr. Livingston:

"In mine of January 31, I informed you that Louisiana had been transferred by the French commissioner to our commissioners on the 20th of December; that nothing had officially passed on the occasion concerning the boundaries of the ceded territory, but that M. Laussat had confidentially signified that it did not comprehend any part of West Florida, adding, at the same time, that it extended westwardly to the Rio Bravo, otherwise called Rio del Norte. Orders were accordingly obtained from the Spanish authority for the delivery of all the posts on the west side of the Mississippi, as well as on the island of New Orleans. With respect to the posts in West Florida, orders for the delivery were neither offered to nor demanded by our commissioners. No instructions have, in fact, been ever given them to make the demand. This silence on the part of the Executive was deemed eligible: First, because it was foreseen that the demand would not only be rejected by the Spanish authority at New Orleans, which had, in an official publication, limited the cession westwardly by the Mississippi and the island of New Orleans; but it was apprehended, as has turned out, that the French commissioner might not be ready to support the demand, and might even be disposed to second the Spanish opposition to it. Secondly, because, in the latter of these cases, a serious check would be given to our title; and, in either of them, a premature dilemma would result between an overt submission to the refusal, and a resort to force. Thirdly, because mere silence would be no bar to a plea at any time that a delivery of a part, particularly of the seat of government, was a virtual delivery of the whole; whilst, in the mean time, we could ascertain the views and claim the interposition of the French government, and avail ourselves of that and any other favorable circumstances for effecting an amicable adjustment of the question with the government of Spain."

And the Spanish minister Onis, in 1816, upon a renewal of diplomatic intercourse, insisted, for a long time, upon the restoration of this country to the rightful party formerly in possession as a preliminary and a *sine qua non* to treating upon the subject of boundary.

The conduct of our opponents has been no less strange upon the subject of the causes of complaint against Mexico and the limits of Texas, than about the origin and conduct of the war.

They have denounced the President as grossly false upon the boundary; but no one on this side the Atlantic has ventured to utter one word against the truth of the charges against Mexico, for accumulated wrongs against the persons and property of our people. This is too well known to be denied. Too many have been sufferers to make it popular to deny it. They attempt to break the force of this cause of war with Mexico sometimes, by sneering at extravagant charges set up by actual sufferers for personal maltreatment—the most difficult subject to measure in money—and without adverting to *admitted or adjudicated damages*—and sometimes by speaking of it as a mere debt—we make war upon her because she cannot or will not "*pay her debts;*" and then they make war upon the States of this Union which will not or cannot pay their debts. But it is not a mere debt. There was spoliation, force, wrong, fraud, violence, insult, outrage of every character upon those of our own blood, whom we are bound to defend by every means in our power, and on every principle of law and justice. Instead of making war, we endeavored to procure by treaty some indemnity for the sufferers by a payment of money. The President has related the history of that matter. Mexico would make no treaty till the last call prior to war was made by General Jackson, and since resorted to every subterfuge to delay payment, and has finally refused to pay the adjudicated cases, or make a new agreement for settling the cases left undetermined. This is *no mere debt*. It leaves the *wrong* unredressed; the *outrage* unsatisfied and unavenged. It proves to the nations that the American name and character is no protection; its flag no safeguard. Gentlemen compare this to a suspended debt by contract! There is no analogy. The best defence of the American position argued by the President—the highest compliment to American forbearance—the strongest evidence of the extent and enormity of the outrages—I have lately seen in an English newspaper, which finds our course so unusual that it disbelieves all as a monstrous invention of the President. It proves the extreme force of our position, which can only be overcome by a flat and positive denial of that which every man in the Union knows to be as well substantiated as any fact in history, and much of which has been admitted by Mexico herself by treaty, and by her own commission, and, more, by an impartial umpire, who examined all the testimony. I quote:

From the Manchester Guardian.

"We give in another part of our present number the leading points of the message of President Polk to the Congress of the United States, which reached this country late on Tuesday night, by the Ashburton packet ship from New York. By far the largest portion of this enormous document, which, if given at length, would fill nearly a page and a half of the Guardian—is devoted to an exposition of the circumstances connected with the commencement of the Mexican war, and a defence of the justice and policy of the measures adopted in relation thereto by the government of the United States. Any man deriving his knowledge of the previous relations between the two countries entirely from this message, would be led to conclude that there never had existed a people so aggressive and truculent as the Mexicans, or a country so patient and long suffering, under an uninterrupted succession of grievous outrages, as the United States—two facts, if facts they are, which would certainly cause a little surprise in the minds of those who derive their knowledge on the subject from other sources than Presidents' messages. Most unquestionably, if the government of the United States has, as Mr. Polk asserts, submitted with but little complaint, and without taking any active measures for procuring redress, to the continued and systematic plunder of American vessels and American subjects in the Mexican ports, until these robberies amounted to upwards of six millions of dollars—either the general character of the United States government must have been greatly mistaken by the rest of the world, or that government must have acted towards Mexico in a spirit exceedingly different from that which it displays in its intercourse with other nations, whether week or powerful. But will any man other than an American believe these extraordinary stories? Is it possible that such acts of plunder and confiscation could have been committed at all? and if they had been committed, is it probable that a government so tenacious and so exigent as that of the United States, would have suffered them to go on from year to year without, not merely demanding, but exacting full redress? Mr. Polk, in fact, tries to prove a great deal too much; and his efforts in this way serve to throw a general discredit over his statements and his reasoning on this subject."

But if the subject of the Mexican spoliations has been met by evasion and subterfuge, we cannot say as much for the President's positions upon the subject of the boundary of Texas; that is met with full and unequivocal denial. I cannot better illustrate the spirit in which this is done, or fairly answer without making fuller quotations than my time, and your patience will properly permit. But I must quote the following passages from the speech of the gentleman from Kentucky, [Mr. GARRETT DAVIS:]

"I do not, Mr. Chairman, charge Mr. Polk with promulgating falsehoods in this message; but I do say, that more numerous and palpable misstatements of fact, intentional or unintentional, have never characterized any previous presidential message. Nay, more; in number and grossness, I verily believe they surpass the aggregate error of all preceding messages; and that this paper, in that respect, is entitled to but little credit, indeed. I will not make so grave a charge without substantiating it by irrefragable facts.

"Mr. Polk, in his message, informs us: 'The Congress of Texas, on the 19th of December, 1836, passed 'An act to define the boundaries of the republic of Texas,' in which they declared the Rio Grande, from its mouth to its source, to be their boundary;' and by the said act they extended their 'civil and political jurisdiction over the country up to that boundary.' In another part of the message he says: 'The Texas which was ceded to Spain by the Florida treaty of 1819, embraced all the country now claimed by the State of Texas between the Nueces and the Rio Grande.' Again, he says; 'The republic of Texas always claimed this river as her western boundary, and in her *treaty* made with Santa Anna, in May, 1836, he recognised it as such.' And again: '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.' These are matters of fact relating to most important subjects, laid down by President Polk, in one of the gravest papers which man is called upon to promulge to the world. Let us examine their truth.

"The Rio Grande, from its sources to its mouth, is some two thousand miles in length; and for that extent, according to Mr. Polk, it is, and always has been, the western boundary of Texas. France never ceded Texas to the United States. France ceded us Louisiana, and had contended that this country extended from the sources of the Mississippi to its mouth in the Gulf, embraced the Spanish province of Texas, and extended *westward of it* to the Rio Grande, and run up and comprehended the country upon that river as high as the boundary of New Mexico. The Spanish province of Tamaulipas lay along the Gulf of Mexico, extending eastward of the Rio Grande to the river Nueces, and included Corpus Christi. Coahuila was the next province of Mexico above, which also lay principally west of the Rio Grande, but extended east of that river to the Nueces, and bounded on a section of this stream above Tamaulipas. The province of New Mexico likewise spread on both sides of the Rio Grande, but the larger portion of it, in territory and population, lay east of that river. France asserted that Louisiana extended to the lower Rio Grande, so as to comprehend the portions of the Spanish provinces of Tamaulipas and Coahuila, lying between it and the Nueces; but she never set up any claim whatever to any part of New Mexico. Santa Fé, the capital of New Mexico, and all her principal towns, were east of the Rio Grande, and neither France nor the United States, holding under her by treaty, ever dreamed of a pretension to them, or to a single foot of New Mexico. On the contrary, both these Powers conceded that the eastern boundary of New Mexico was to that extent the western boundary of Louisiana. So far as these facts are geographical, the President of the United States might have learned them from any old atlas or geography; so far as they are diplomatic, our own State Department would have afforded him ample and authentic confirmation of them. Partial information on those points was still more convenient to Mr. Polk. Mr. Donelson, our late Chargé d'Affaires to Texas, in a letter to Mr. Buchanan, dated July 11, 1845, and which Mr. Polk sent with his message to Congress at the beginning of the last session, says: 'The boundary of Texas, as defined by her statutes, runs up the Rio Grande from its mouth in the sea to its source, cutting off portions of Tamaulipas, Coahuila, and New Mexico. Above the point on the Rio Grande, where it enters New Mexico, there has been no occupancy by Texas.' Previous to the agreement entered into by Santa Anna in 1836, after his captivity, and with the authorities of Texas, no geographical division, no diplomatist, no nation, no man, not even Texas herself, had ever set up the position that she extended to the Rio Grande, or any further west than the river Nueces. In 1762 France ceded Louisiana to Spain, and she receded it to France in 1800. All the country, during the intervening period of twenty-eight years, being owned and possessed by Spain, she still adhered to and maintained the old and undisturbed boundary between Texas and the then intendency of Santander to be the Nueces; and that above and to the west of that intendency, now Coahuila, as was always the fact, Texas extended only to the eastern line of New Mexico. France never had a settlement, nor maintained her laws or jurisdiction in the valley of the Rio Grande: and the only people who ever inhabited, and the only authority ever obeyed or known in that country, was Spanish. With great force and reason, *Spain*, in addition to her title, always having exclusive possession, contended that Louisiana did not reach to the Rio Grande. When the United States ceded Texas to Spain in 1819, it was not the country, but merely their old, ever-disputed, and never-possessed claim to it; and that without *any boundary*, and without even a pretension extending beyond Coahuila. Yet President Polk says: '*The Texas* which was ceded to Spain by the Florida treaty of 1819, embraced *all* 'the country now claimed by the State of Texas *between the Nueces and the Rio Grande*,' the Santa Fe country and all."

Again: at page 14, says Mr. DAVIS:

"But I ask the especial attention of the committee to this passage in Mr. Polk's message:

"'The Texas which was ceded to Spain by the Florida treaty of 1819 embraced all the country now claimed by the State of Texas *between the Nueces and the Rio Grande*. The republic of Texas always claimed this river as her western boundary, and in her treaty made with Santa Anna, in May, 1836, he recognized it as such. By the constitution which Texas adopted in March, 1836, senatorial and representative districts were organized, extending west of the Nueces. The Congress of Texas, on the 19th of December, 1836, passed 'an act to define the boundaries of the republic of Texas,' in which they declared the Rio Grande, from its mouth to its source, to be their boundary, and by the said act they extended their 'civil and political jurisdiction' over the country up to that boundary. During a period of more than nine years, which intervened between the adoption of her constitution and her annexation as one of the States of our Union, Texas asserted and exercised many acts of sovereignty and jurisdiction over the territory and inhabitants west of the Nueces. She organized and defined the limits of counties extending to the Rio Grande. She established courts of justice, and extended her judicial system over the territory. She established a custom-house, and collected duties, and also post-offices and post roads in it. She established a land office, and issued numerous grants for land within its limits. A senator and a representative residing in it were elected to the Congress of the republic, and served as such before the act of annexation took place. In both the Congress and convention of Texas, which gave their assent to the terms of annexation to the United States, proposed by our Congress, were representatives residing west of the Nueces, who took part in the act of annexation itself. This was the Texas which, by the act of our Congress of the 29th of December, 1845, was admitted as one of the States of our Union. That the Congress of the United States understood the State of Texas which they admitted into the Union to extend beyond the Nueces, is apparent from the fact that on the 31st of December, 1845, only two days after the act of admission, they passed a law 'to establish a collection district in the State of Texas,' by which they created a port of delivery at Corpus Christi, situated west of the Nueces, and being the same point at which the Texas custom-house, under the laws of that republic, had been located, and directed that a surveyor to collect the revenue should be appointed for that port by the President, by and with the advice and consent of the Senate. A surveyor was accordingly nominated and confirmed by the Senate, and has been ever since in the performance of his duties. All these acts of the republic of Texas, and of our Congress, preceded the orders for the advance of our army to the east bank of the Rio Grande. Subsequently, Congress passed an act 'establishing certain post-routes,' extending west of the Nueces. The country west of that river now constitutes a part of one of the congressional districts of Texas, and is represented in the House of Representatives. The senators from that State were chosen by a legislature in which the country west of that river was represented.'

"The following statements and conclusions are expressly made in, and fairly deducible from, this remarkable passage: That Texas, binding on the Rio Grande, from its mouth to its source, was in 1819 ceded by the United States to Spain; that Santa Anna had made a *treaty* with Texas recognising the Rio Grande in its whole length as the western boundary of Texas; that by the constitution of Texas of 1836, senatorial and representative districts were organized along the whole of that river line; that Texas exercised her civil and political jurisdiction by a maintenance of her power and an administration of her laws along that entire line; that she organized and defined the limits of countries on this stream, from the sea to its head springs; that she fully occupied that country with courts of justice and her judicial system; with a custom-house, and post-offices and post-roads; with a land office, and with grants and land titles; that her people, clustering along the entire margin of the Rio Grande, had assisted in electing a representative and senator to the Texan Congress before annexation took place; that representatives, both in the Congress and convention of Texas which assented to annexation, had resided in the country upon the Rio Grande; that Texas, up to the entire flow of that long river, had been admitted as a State into our Union; that our Congress had established 'certain post-routes' occupying the country between the Nueces and the Rio Grande; that the entire area between them now formed a part of one of the congressional districts of Texas, and is represented in this House; that her senators in the other end of this Capitol were elected by a legislature who had been chosen in part by the representatives of all the people dwelling between the two rivers; and that the entire population spread over this extent of country, from the Gulf of Mexico to the Spanish peaks, were Texans, and under the authority and protection of that government. I appeal to every candid man if all these propositions are not distinctly stated, or would not be reasonably, fairly concluded by any intelligent mind, uninformed of its various topics, on reading this most extraordinary passage from the President's message? How such a reader would be amazed, on full and accurate examination, to learn that not one of those propositions are true, and especially to learn than Texas had not, nor ever had, civil administration of any kind, nor an officer, nor a resident citizen, in the whole valley of the

[*Continued to fourth page.*]