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CONGRESSIONAL.

DEFERRED DEBATE.

THURSDAY, JANUARY 19, 1854.

SENATE.

THE SONORA EXPEDITION.

Mr. GWIN. Mr. President, I ask the unanimous consent of the Senate to offer a resolution personal in its bearing upon the State which I in part represent here. I desire it to be considered now, and I wish to give the reasons why it should be adopted. I will detain the Senate but a very few moments. I think that when honorable senators hear the resolution read, they will see the reason why I should be granted the courtesy:

Resolved, That the President of United States be requested to communicate to the Senate the number of ships of war on the coast of California, Oregon, and Washington, whether in active service or lying in port unemployed; also, the number on the whole Pacific coast of North and South America, and their cruising grounds; also, whether, in his opinion, the naval force of the United States on the Pacific coast in the year 1853 was sufficient to prevent the departure by sea to a foreign territory of any "unlawful expedition" that might be hastily formed from the adventurous persons usually to be found at all points of great commercial activity and enterprise, either in the United States or Europe; also, the number of ships-of-war on the Atlantic coast, and their cruising grounds, whether in active service or lying in port unemployed; also, the number of troops in California, Oregon, and Washington.

Mr. GWIN. Mr. President, I am induced to offer the resolution from seeing in the morning papers a proclamation which I wish the Secretary to read.

The Secretary read it, as follows:

A PROCLAMATION,

By the President of the United States.

Whereas information has been received by me that an unlawful expedition has been fitted out in the State of California with a view to invade Mexico—a nation maintaining friendly relations with the United States—and that other expeditions are organizing within the United States for the same unlawful purpose; and whereas certain citizens and inhabitants of this country, unmindful of their obligations and duties, and of the rights of a friendly power, have participated, and are about to participate, in these enterprises, so derogatory to our national character, and so threatening to our tranquillity, and are thereby incurring the severe penalties imposed by law against such offenders:

Now, therefore, I, Franklin Pierce, President of the United States, have issued this my proclamation, warning all persons who shall connect themselves with any such enterprise or expedition that the penalties of the law denounced against such criminal conduct will be rigidly enforced; and I exhort all good citizens, as they regard our national character, as they respect our laws or the law of nations, as they value the blessings of peace and the welfare of their country, to discountenance, and by all lawful means prevent, such criminal enterprises; and I call upon all officers of this government, civil and military, to use any efforts which may be in their power to arrest for trial and punishment every such offender.

Given under my hand and the seal of the United States, at Washington, this eighteenth day of January, [L. S.] in the year of our Lord one thousand eight hundred and fifty-four, and the seventy-eighth of the independence of the United States.

FRANKLIN PIERCE.

By the President:
W. L. MARCY, Secretary of State.

Mr. GWIN. Mr. President, this proclamation was issued against persons who are said to be citizens of the State of California. I wish to bring to the notice of the Senate and the country a fact which I think it is proper should go out to the country with that proclamation, and it is this: that at the time this expedition is said to have been gotten up in the State of California, the United States had no force there to prevent the sailing of such expeditions. I wish to bring to the notice of the Senate and the country that at the very time the first expedition went from California, a single steamship-of-war, with a single gun, could have prevented it. And, sir, is there no allowance to be made for the state of the country which was its destination—Lower California and Sonora?

Sir, here was an expedition of forty-five men that passed out without obstruction from the Golden Gate, less than a mile wide, and which any one gun can command, as against a ship without cannon; and they went to a country as large as half a dozen States of this confederacy, took possession of it, and issued a proclamation proclaiming a republic.

If the President of the United States intends to prevent such expeditions there or elsewhere, he should have a force of the United States to prevent their departure. At the time that this vessel left the harbor of San Francisco, there were but two ships-of-war in active service on the whole Pacific coast of South and North America—one at the Sandwich Islands, having been ordered there for the purpose of preventing the consummation of one of the expeditions referred to in the proclamation; the other, as we all supposed, was cruising at the mouth of the Gulf of California, but subsequent information informs us that it had been ordered to the coast of Peru, to look after some difficulties which our government has had with that republic.

Now, on a coast of over five thousand miles we had but two ships-of-war to protect our commerce and maintain our neutrality obligations. Is it not a farce to say that such a force can accomplish these objects?

There was also a second expedition reported to have sailed from San Francisco, in a vessel with two hundred and fifty men on board, which was towed out of the harbor by a steamship without the slightest obstacle on the part of the government of the United States. And why? Because it had no force there. When we ask for a steamship in the revenue service to prevent smuggling on that coast, we are told that it costs too much; and when I ask that appropriations shall be made to put that coast in a state of defence, I am almost scouted at, because it costs so much money. This miserable system of economy has left us without government power, either to defend us from an enemy or prevent the sailing of unlawful expeditions from our ports.

Here, now, we are proclaimed to the world as going to and disturbing the peace of other nations, by expeditions got up on that coast, when we are given a *carte blanche* to go where we please and violate any law we please, so far as the power of the government is concerned; for the only law rigidly executed there is the law of taxing us, and collecting the revenue from us.

Now, Mr. President, I am opposed to all unlawful expeditions of this sort; but it must be known that in a new country like California, where there are so many adventurous spirits, and where the countries adjoining us are offered to us simply for the going and taking them, the power of the United States must be vigilantly and properly executed, if such expeditions are not to be carried out.

Mr. President, it must be known to the people of this country that when there are some of the richest mineral countries in the world adjoining the State of California, with a population utterly unable to defend them against the Indian tribes in their neighborhood, expeditions of this kind will proceed from California, unless the force of the United States there is sufficient to prevent them. Wherever our people go they carry wealth, power, and prosperity with them, and never forget the principles of liberty they have inherited from our forefathers; and, although such expeditions should not be encouraged or allowed, if they succeed, the present inhabitants will be more powerful and prosperous through the change of government than they are now, or can expect to be without a change.

What is the condition of our army on the Pacific coast? It is not, and never has been, efficient, from local causes that we have failed to remedy by legislation, although urged to do so. These expeditions can go by land to Sonora, and in my opinion, have gone, or will go; and this paper proclamation of the President will have no effect in stopping any such expedition, because we have no force there to enforce it.

It is useless for the Chief Magistrate of these United States to attempt, by proclamation, to stop any such expedition. As long as the principle of territorial expansion is recognised, and such countries lay on our border as Lower California, Sonora, and the Sandwich Islands, just for the taking, and the government of the United States opposes no effective preventive force, you will find citizens of the United States engaged in such enterprises; and they will be successful.

Proclamations without efficient force will not stop them.

Why have we not had a steamship-of-war on the Pacific coast? Because it is said to be too expensive on a sea-coast of sixteen hundred miles! Coal there costs thirty or forty dollars per ton, when here we can get it for about six. Here we see again that miserable system of economy, penny wise and pound foolish, that destroys all of the efficiency of government, and my constituents are to be branded with infamy for violating laws that there is no power to enforce.

I warn the country that unless the power of the government is exercised efficiently on that coast, they cannot expect us to stand still when we are invited into these magnificent countries which lie around us, and see the Indians take possession of them, when we can get them at the will of the inhabitants.

I am very much surprised at the issuing of this proclamation at this time, because it comes too late. I am anxious to aid the President of the United States in observing our neutrality laws; and if it is true that a treaty has been negotiated lately by which a large portion of Mexico is to come into our possession, it shows inevitably that the public sentiment of the people of the United States, as reflected by the Executive, desires possession of the territory negotiated for, whether in the way of purchase or otherwise.

I hope that treaty embraces all the territory on our border which Mexico is not able to protect from such incursions and Indian depredations, and that we will have a mountain or desert boundary between the two governments that can be defended by each. If it does not embrace such an extent of country, I shall favor such a modification of it as will accomplish this desirable object.

Mr PETTIT. I do not know, Mr. President, that I have any objection to the proposition contained in the resolution which has just been submitted by the honorable senator from California, nor am I disposed to cast any reflections upon his constituents whom he defends so ably; but I must be allowed to say that I think his remarks afford the strangest defence that ever was given of any man's constituents. Sir, he in effect says that if you surround his constituents with bolts and bars—with war steamers, and with soldiers with arms in their hands—they will cease stealing and marauding. They will be honest, forsooth, if you compel them to be honest! Sir, who would not be honest under such circumstances? The honorable senator says his constituents are invited to go on these expeditions, because that is a land of gold, rich in mineral wealth, and containing broad acres that are desirable to the eye. Where are desirable possessions not to be found? And the gentleman would make you believe that his constituents—intelligent and worthy and peaceable as they are—cannot restrain their own greedy, grasping, appetites from appropriating that which belongs to their neighbors, unless you surround them with strong walls. Sir, such constituents no man ought to be proud of, however proud of them he may be. And I must say that I am sorry to hear it alleged on the floor of the Senate of the United States that any portion of our citizens, in order to keep them within the bounds due to themselves as individuals and as constituent portions of this republic, in their intercourse with other countries and with other men, must be constrained by force, in a body. I know, sir, that in all communities there are law-breakers, and those who will not abide by the laws must be restrained; but I do not suppose that can be said of whole bodies of men, or whole communities or localities. In my opinion, Mr. President, nations in their intercourse with each other are bound by the same moral rules as are individuals living under one government; and individuals in their intercourse with other nations should conduct themselves in the same manner as a peaceable man who is a member of a local society would conduct—maintaining his own rights, and at the same time respecting those of his neighbors—neither suffering his own to be trampled upon, nor infringing those of his neighbors—neither allowing his own property to be wantonly and lawlessly appropriated by another, nor by violence and rapine laying his own hands upon the property of others. A man who is a good citizen in these respects should conduct himself in like manner as an individual member of a government in his intercourse with the citizens of other governments. But the honorable senator has said what amounts to nothing more or less than this: That these men—his constituents, for he calls them such—if their neighbors' houses lay open and treasures of gold and valuable commodities were to be found in them, while no watch-dog or sentinel guarded the door, would forget all laws, and all the principles of moral right, and wantonly seize upon what they could secure for their own use. Sir, I am sorry to hear it said that any portion of my fellow-citizens, or great masses, at any rate, are so disposed. I could not believe that this was so, and I am sorry to hear the honorable gentleman, upon the floor of the Senate of the United States, announce that his constituents are so inclined—that nothing but bars and bolts—not laws, not constitutions, not moral instructions or moral suasion, not regard for duties, either public or private—will restrain them from this rapacity; but that the military force of the United States must be employed to prevent it. Sir, it may be very true, as the honorable senator tells us, that there is not sufficient force upon our Pacific coast; but I maintain that it ought to be there for other and for different purposes. The Golden Gate should be fortified and defended; there should be more men-of-war and steamers belonging to the military marine upon the Pacific coast and in that ocean; but I protest against the idea that they should be there for the purpose of preventing our own citizens from stealing and robbing their neighbors—not that they ought to be at liberty to do it, but the moral force and intelligence that should govern all portions and every constituent of this great republic should alone be sufficient for this purpose, and your guns should be used to guard and protect the integrity and security of our own territory.

Mr. GWIN. Mr. President, the senator from Indiana states that I got up here to defend my constituents for committing acts of lawless robbery, thieving, and stealing, because the United States did not put bolts and bars around them to prevent them from doing it.

Mr. PETTIT. If the senator will allow me, I will correct him. I did not say that he had got up to defend them for that, but that he had got up, undertaking to defend his constituents, not for that act, but admitting that they were of that class who would rob and steal if not prohibited or prevented by bolts and bars.

Mr. GWIN. That is not true. I made no such statement, and no such legitimate inference can be drawn from what I did state. I said that the President had issued a proclamation against certain expeditions which had passed from California for the purpose of invading a foreign territory; and I gave as a reason why these expeditions had passed from our territory that the government of the United States had failed to put such a force there as would prevent their sailing. He says this is defending stealing, and that I am in favor of having bolts and bars put around my constituents. Why, sir, what do his constituents have at home to prevent lawless acts? Stealing, perhaps, is as frequent there as in any State in the Union.

Mr. PETTIT. Their senators do not complain of it on the floor here.

Mr GWIN. The senator shall not interrupt me.

THE PRESIDENT. Order!

Mr. GWIN. There are jails and penitentiaries, and a private police for culprits in Indiana. The State authorities protect the citizens against acts of depredation. But who but the government of the United States has control of the foreign police of the country? How is the President to enforce his proclamation unless by using the arm of the United States?

Sir, I was not defending these expeditions, but I was saying that the President of the United States could have prevented them by placing the effective force of the United States on that coast. I do not charge this President with neglect, more than the administration which preceded him; but I said if the government of the United States had put a sufficient force there, and had used it efficiently, such expeditions could not have sailed from our ports. Is this defending them? I do not say that there are not lawless men in California as well as in other sections of the country; but I should like to know where is the community which does not require that important precept of the Holy Book, "lead us not into temptation."

Why, Mr. President, I have a distinct recollection when the drum and the fife summoned volunteers to go to Texas from the various portions of the Atlantic coast, that the government was censured for not preventing such movements. Nor am I defending them. No, sir; but I say, when the President issues such a proclamation, it is the duty of this government to provide means for its enforcement, and to have that kind of force on the spot which is necessary to prevent the organization of such expeditions. That is the ground which I take. With what justice and truth can any senator charge me with defending any lawless acts?

Why is not California entitled to have upon her border a sufficient force to prevent the sailing of such an expedition, as well as to guard us from encroachment from abroad? My constituents pay taxes to keep up an army and navy, and we are entitled to the benefit of them, either for protection against a foreign enemy or to enforce our neutrality laws, if that be necessary. As to surrounding the country with bolts and bars, I asked for no such thing. All I ask is, that the foreign police may be as effective as the domestic police, and sufficient to enforce the duties imposed upon this country under the constitution; and that before such a proclamation is issued there may be the means adopted to prevent such expeditions sailing from our border; that steps may be taken to prevent such breaches of the peace in future.

There is at present but one point on the Pacific coast where such an expedition could be fitted out—the harbor of San Francisco—and, as I stated before, a single steamship with one gun could effectually prevent such an expedition from sailing out of the Golden Gate. I am not interfering at all in regard to these expeditions, nor defending them, but I say that such a proclamation, backed by no force, will have no other effect but to irritate the people of that State.

I wish to call the attention of the Senate and the country to the fact that there is not a gun mounted on the Pacific coast; that there was not a ship-of-war, when these expeditions sailed, within thousands of miles of our coast. I wish to get this information before the American people, to show the necessity of having some means of defence there, against foreign enemies as well as lawless expeditions.

Mr. BADGER. Mr. President, I agree with the honorable senator from California, [Mr. GWIN,] that there ought to have been a force upon the Pacific coast sufficient to have enabled the officers of the United States to prevent the setting out of this lawless expedition—an expedition, the successful prosecution of which from one of the ports of the United States is calculated to inflict a deep reproach upon our national character. But I must be permitted to say that I think the honorable senator from California is mistaken in attributing blame, on account of the omission to have such a force there, either to the present or to the late administration. That senator and myself well know that the system of cutting down the estimates, which obtained during the last Congress and the Congress before, left both the late and the present administration without the pecuniary means of maintaining such a force there as should make the government at all times prepared to execute its laws and to vindicate the character of the country against these lawless depredators upon peaceable States adjoining to us.

Now, sir, it is possible—nay, it is probable—that it may have been in the power of the present Secretary of the Navy, the late Secretary, or his immediate predecessor in office, to have placed sufficient force upon the Pacific coast; but my friend from California knows that in order to do that with the existing means of the government, and the amount of naval force at his command, he would have been necessarily obliged to weaken the naval power which the interest of the country requires should be maintained in other parts of the world. Therefore, I think that so far as any blame upon this subject can be attributed to the government, we of the two houses of Congress must assume to foot the bill.

The administration present and the administration past, so far as I see, are both blameless upon this subject. They have stated to us in their messages and estimates what the necessities of the country require. They have asked that it might be voted, and Congress has refused. There are no means by which the President of the United States can raise money but through the instrumentality of an act of Congress. He cannot levy ship-money as the kings of England once did. He cannot make involuntary contributions under the denomination of "benevolences." He can only apply what you place at his disposal to maintain the honor and to enforce the laws of the United States.

I feel strongly persuaded that if the senator from California and myself, who have always resisted, in the Naval Committee and on this floor, this capricious and arbitrary system of cutting down the appropriations, could have been successful in our views, this late transaction, which we all deplore, and which will be considered abroad as a great reproach upon our national character—as if we were disposed to look with toleration, if not with favor, upon such lawless adventurers upon the dominion of peaceable and defenceless neighboring States—would not have happened.

I thought it right to say thus much, because I think that when speaking, in just terms of indignation, of such a procedure, it is right not to inflict blame where the blame does not properly lie.

Mr. SHIELDS. Mr. President, I shall not protract this debate. What has been said by my honorable friend from Indiana [Mr. PETTIT] and my distinguished friend from North Carolina [Mr. BADGER] makes it unnecessary that I should say a word. But I regretted exceedingly to see the senator from California [Mr. GWIN] arise in his seat and charge, in this case, the President of the United States with the neglect of duty—for it amounts to that—that he had not furnished a sufficient force to prevent these depredations.

Mr. GWIN. The senator is mistaken. I made no such charge. I merely stated the fact.

Mr. SHIELDS It amounts to that.

Mr. GWIN. No, sir; it does not. I did not intend it as a charge.

Mr. SHIELDS. Mr. President, as I understand him, he charges the government with blame and censure for not having a naval force there to prevent this unlawful expedition. Yet he, as the chairman of the Naval Committee, whose especial duty it is to furnish that force, has either neglected or been unable to furnish to the President a sufficient force to enable him to prevent this unlawful expedition. The military force of the country is also insufficient, and we cannot blame the President because he has not furnished a force that does not exist. Our navy is insufficient to protect our coast. The senator also blames the President because he has issued this proclamation. Sir, I think that the President would be unworthy of the position that he now holds had he not issued such a proclamation. He must, so far as he can, as the Executive head of this nation, absolve the nation from the disgrace of these lawless, unprincipled, and vagabond expeditions. The senator seems to justify this pitiful expedition of forty-five men, as I understand him——

Mr. GWIN. Mr. President, I do not want the senator to misunderstand me at all. I did not begin to justify, or pretend to justify, the expedition, and have not from the first. I simply stated the fact that the expedition sailed, and that there was no force there to resist them.

Mr. SHIELDS. I am glad that he does not. I am glad that there is not a senator here to justify or defend such an expedition as that. But I should like that honorable senator to rise in his place and tell us where to find vessels that could have been sent to protect that coast.

Mr. GWIN, (in his seat.) I will do it when you get through.

Mr. SHIELDS. I should like to ascertain that fact. Now, sir, as for this expedition on that poor, helpless, defenceless, unsuspecting population—this Walker expedition—I have more than contempt for such an expedition. And my opinion is, that the men who could go to that place and intrude upon the poor, defenceless inhabitants, such as are the frontier inhabitants of Mexico, and by surprise, as it were, attack them as this expedition did, would, when they met with resistance, do what they have done—run to their vessels again. I think, as has been said by the honorable senator from North Carolina, that they are bringing reproach upon the country; and the President would share that reproach if he did not pursue some course to arrest them.

Mr. GWIN. Mr. President, the senator from Illinois might have withheld his reproaches upon these men who are now in their graves. The last intelligence informs us that they have all been put to death. It was uncalled for to reproach men who have suffered for the crimes which he alleges they have committed. Sir, it is one of the charges which I bring against the efficiency of this government that it has not been able to stop such expeditions and prevent such catastrophes.

Mr. SHIELDS. Will the honorable senator tell us wherein the dereliction of the government consists?

Mr. GWIN. If the gentleman had listened to the resolution, he would have seen that it asked the President of the United States to inform us where the naval forces of the country are. I can tell him where some of our ships-of-war are.

I do not pretend to say that the expedition to Japan has not had beneficent, useful, and important purposes to accomplish. I do not pretend to say that the naval force in that expedition is not properly and usefully employed; but, sir, if the President of the United States cannot maintain our neutrality, and keep so large a squadron in that service, the question presents itself whether it would not be better to order one of the steamships-of-war accompanying and composing part of that squadron to the coast of California

Sir, I was in favor of the Japan expedition; but I simply wish to know whether it is not the duty of the Chief Magistrate of this nation to place the naval force of the United States—inefficient as I acknowledge it to be—so as to see that the laws are faithfully executed, and that our commerce, and our honor as a nation, are not infringed upon; and if he has done so, I do not, and have no cause to, complain.

Again, sir, we have a surveying expedition to Behring's straits, in which five vessels-of-war are employed. I was in favor of that expedition, and it was upon my motion that it was organized; but is it of more importance to survey unknown seas, or to so place our naval force as to do away with the necessity of such proclamations? My inquiry is, whether the navy of the United States is properly distributed to protect our neutrality, our commerce, and national honor? That is the inquiry which I propose by this resolution, and it it is, then it will be more imperatively our duty to increase the navy, and thus enable the Executive to execute his whole duty to the people of the United States as well as to foreign nations. I have attached no blame to the President. I have simply stated a fact which should be recorded in the history of this country—that inefficient as our navy is, we have great and grand expeditions in remote portions of the globe, away from our territory, within which such expeditions as are referred to in the proclamation are being fitted out, and there is not a ship-of-war to prevent their sailing. The object of my resolution is to get information as to where the navy, inefficient as it is, was distributed when these expeditions sailed from California; and I wish to know what power the President has at his command to execute with effect the proclamation which he has issued? He threatens punishment against the persons engaged in such expeditions. What power has he to bring those thus engaged before the courts—for you cannot punish except where the crime is committed—and what forces, military or naval, is there on the Pacific to execute that proclamation? For what practical purposes is the proclamation issued, when there is no power within the control of the Executive on that coast to have it respected?

It is well known to the senator from Illinois, and to every member of this body, that ever since I have been at the head of the Committee on Naval Affairs I have been for increasing the navy. It is known that I have, in my place, time and again, brought forward and urged upon the Senate the necessity of appropriating the amount asked for in the estimates of the Navy Department. Here, in my place, as the organ of the Committee on Naval Affairs, I asked last session for the building of five or six additional steamships-of-war; and during this session, by the unanimous approval of the committee, brought forward a report endorsing the recommendation of the Secretary of the Navy to add six additional ships-of-war to our navy. I have at all times, and on all occasions, advocated the increase of the navy; and why should the senator refer to me, as chairman of the Naval Committee, when he says Congress is to blame for our inefficient navy, when he knows the fault does not lie with me, but with the other house of Congress?

I censure no one, nor any branch of the government, but state a fact, which cannot be controverted, that so long as that coast of one thousand six hundred miles in extent is filled up with an adventurous people, who have the privilege of gathering the rich fruits which lie alongside them, you cannot keep down these expeditions without an efficient naval force. And I say, further, that, when the President issues a proclamation of this nature, he should ask Congress for power to enable him to see that proclamation executed. It is our duty to prevent such terrible catastrophes as took place at Havana, where fifty American citizens were shot down like dogs; and as has recently occurred in Mexico, where, according to the last information we have received, these forty-five individuals who invaded Lower California were put to death.

I know perfectly well that these expeditions are calculated to cast a stain upon the country; and the Executive will, when called upon, do me the justice to state that ever since I have been here I have been urging him to exercise the whole of his power in supplying the deficiency of the navy on the Pacific coast, by chartering vessels to prevent the sailing of such expeditions, and protect those engaged in them from being put to death on a foreign soil without trial. The people of California are no more in favor of lawless expeditions than citizens of other States with the same temptation.

Mr. BRODHEAD. It seems to me that we already have the information which is called for by this resolution. The honorable senator from California informs us that he desires to know how our naval force and ships-of-war have been employed. The Secretary of the Navy has given us the information, in his report communicated to us by the President of the United States at the opening of the session. I do not object to the senator from California making the statement which he has done to the Senate. That may all be right. It may be necessary for him to call the attention of the Senate to the facts which he has mentioned. But it seems quite unnecessary for us to pass this resolution, because we shall receive no information from the President when he answers the call in addition to that which we already have.

Mr. MASON asked for the reading of the resolution.

The resolution was accordingly read by the Clerk.

Mr. MASON. It is very certain that the honor of the country, as well as its safety from war, is deeply interested in preventing these marauding expeditions from leaving our shores with a view of committing depredations upon foreign powers. But I am not prepared to say, at present at least, that this government is to change its policy in our military and naval affairs, by placing at its disposal there, by sea or by land, a force for the purpose of preventing our people from violating the laws of the land. I had not the pleasure of hearing all that fell from the senator from California; but I think I heard enough to understand his position, which I take to be this—that our navy is to be increased for the purpose of requiring the laws to be executed against our citizens.

Mr. GWIN. If the senator will permit me, the statement I made was this: that if there had been a single ship-of-war in the harbor of San Francisco when this expedition was fitted out, it would have been impossible for them to have sailed; and I claimed that the government of the United States should execute its neutrality laws by preventing the fitting of such an expedition within our own harbors, or within a marine league of the coast of the United States. I did not pretend to say that the navy should be used in the open sea to pursue an expedition gotten up in the United States.

Mr. MASON. I did not refer to that at all; but I understood the drift of his remarks to be, that we ought to increase our navy for some purposes; and among other reasons, because it is shown that the navy is required to prevent the citizens of this country from violating the laws of their country. I deny this absolutely and positively. I am no enemy to the increase of the navy, provided the navy is increased for the legitimate purposes of the navy. I understand the legitimate purpose of the navy in time of peace to be simply the protection of our commerce. I agree in the policy of the late administration, and of the present administration, that whenever they can safely and prudently employ a portion of the navy in the navigation of foreign seas, and the exploration of foreign waters, for the purpose of increasing our commerce, it is a legitimate use; for nothing gives such a stimulus to the productions of a country as the means of commercial exchange abroad. I understood the senator from California further to say—I gather it from what fell from his lips after I came into the Senate chamber—that it was not in the power of the Executive to issue this proclamation until he had provided sufficient force to sustain it.

Mr. GWIN. No, sir; the senator misunderstood me. I stated the fact of the cause of the issuing of this proclamation, from the want of a proper naval and military force to see the laws executed. I want the senator to understand that I am in favor of an increase of the navy for the purpose he has stated, to protect our commerce.

Mr. MASON. I have no doubt of it. The senator from California has well said that from the adventurous character of the citizens of the United States upon our Pacific border, such an expedition would be more likely to be fitted out in that quarter than upon any other part of our coast. And I understood him to say that there was no point upon the Pacific coast where such an expedition could have been fitted out, except San Francisco.

Mr. GWIN. The reason of that is, that there is the largest amount of population and wealth; and to have fitted up an expedition in any other part of that sparsely-settled coast would have failed to give it a notoriety, and would have defeated its object.

Mr. MASON. So I understood the senator; and I certainly meant no reflection upon the people of San Francisco; but from the population there, their numbers and wealth, such facilities would be given that that would be the only point where such an expedition could have been formed. Now, sir, I understand the policy of this country to be this: To rely upon the people of the country to protect each other, by seeing to the due execution of the laws of the land. Our federal government has no police distributed through the country for the purpose of seeing to the execution of the laws; and I will say to the senator and to the Senate, that when the time comes that we must have an armed police, upon land or water, to see to the execution of the laws, the days of liberty will be numbered. I protest against such a policy being avowed in this Senate, or in this country. I read the proclamation of the President this morning, and he has done only what his predecessors have done, from the days of Washington down. Having reason to believe that the existing laws of the land are in danger of being violated by the formation of a combination for the purpose of violating the laws, he issues his proclamation, advising his countrymen of the consequences of such violation. And why is it issued? For the very purpose of giving notice to that portion of the country where such combinations are likely to arise, in order that the people there may put them down. Who ever heard of stationing ships in one of our ports for the purpose of preventing an expedition from going abroad? Were the ships to be stationed in Chesapeake bay, or in Hampton roads, in the State I have the honor in part to represent, for the purpose of teaching that people their duty, I apprehend that they would be false to the reputation acquired from their fathers if they did not demand that that ship should be removed; and if it was not removed, they would remove it themselves. What, sir! The policy of this government to be to station ships in our ports for the purpose of preventing the people from violating the laws of the country, and implicating us with foreign nations? Never! For one, I should be disposed to hold any President to account who should do it. I mean as a general policy—as a measure of safety. Doubtless, when the occasion arises, or when there is proper and substantial reason for believing that such an expedition is about to be fitted out, it is the duty of the President, if he believes it necessary, to use the force of the country to prevent it. But I say that the policy of establishing a ship, and keeping ships in our ports, or anywhere in our waters, lest such a thing should occur, is a policy new and unheard of.

Now, sir, in reference to this particular matter. The population of San Francisco I take to be some 60,000 or 80,000, and as well armed or better armed than you can find on any other part of our coast. And if that population have not the ability or the means of preventing these expeditions from being fitted out, it would be useless for the federal government to attempt it, unless they employ a large naval force; and I am against using the navy for any such purpose as preventing our own citizens from violating the laws of the land. I am against its going out to the country that there is a necessity for any such use. And if the purpose of the resolution be to express the sense of the Senate that the navy should be so used, I, for one, must vote against it.

I am not personally informed, but I have no doubt, from what I have seen in the newspapers, that the President has taken efficient measures to prevent the recurrence of this thing, without the use of armed ships stationed at the port to prevent their escaping. All I wish to do is to protest against any such policy as that the navy of the country is to be used for any such purpose as the prevention of our people from violating their own laws.

Mr. DAWSON. The turn which this debate has taken makes it a very important one to the country. I understand the ground which gives rise to it; but I do not understand the senator from California to make any charge against the late administration or the present administration for a want of the discharge of duty. The question which arises is this: Have we the means of defence, subject to the President of the United States, sufficient to meet all the incidents that may occur in this large and widely-extended country? Have we a navy sufficient, and have we an army sufficient? These are the questions which naturally propound themselves. Have we forgotten, sir, that, under the treaty with Mexico, we are bound to protect the frontier, or the line between the United States and Mexico, from Indian depredations? Is it not now well understood that the claims against this government, arising out of that treaty, amount to something in the neighborhood of twenty millions of dollars? And shall it be forgotten that the late administration called upon the Congress of the United States to give it the means of carrying out the treaty, and of protecting the Mexicans and the Americans upon either side of the line? Were the means granted? Were the two mounted regiments asked for by the late President, and by the Secretary of War, allowed? No, sir. The appropriations necessary to carry out that request were denied; and denied by whom? Not by the executive department, but by the legislative department of the country. And if any evil or deleterious consequences have arisen, the fault is here. Have we forgotten what transpired only twelve months since, when the very idea was suggested by my friend from Virginia, the chairman of the Committee on Foreign Relations, [Mr. MASON,] whether the civil power of the country was not sufficient to protect this government, and to put down all attempts at filibustering, whether it was not thought that the courts alone could do it, and whether the mere effort of the late President to stop the Cuban expedition was not to be looked upon as a wrongful interference, as the civil authority alone would be sufficient?

I do not understand the senator from California to make any charge on account of any of these failures. All that he desires to know is whether this government is in an attitude to protect its honor, and its standing, and its obligations to foreign nations. I say that it is not; and why? Our military force is too small. Our army must be increased—not increased in the character of a standing army thrown upon the country for no necessary and immediate purpose, but because on account of the extension of our territories and our seacoast, within the last few years, double the strength in our army is required, compared to that formerly needed. Divisions heretofore existing between sections or parties in this country relative to a standing army and navy should now cease to exist, because the present condition of the army and navy comes not up to the requisitions of either of the great parties of this country. Protection is the only object—not an incubus upon the country, of an overwhelming military for needless purposes, or a navy to rot in the docks. Our character as a nation has grown. Our importance as a nation has grown; and our dignity can alone be maintained with that respect due from it to foreign nations, by possessing the power to enforce any obligation which may rest upon us as a nation, or any duty which may exist upon the part of the citizens towards the government.

Now, sir, we have gradually gone on, disappointing the hopes and expectations of the various administrations. President Fillmore, foreseeing, like a judicious man, what was the growing condition of this country, and what would be its necessities, called upon you, years ago, to increase your navy, to increase your army, to give to the executive department of the government the power to perform all the duties you required of it. Have you done it? Who cut down the appropriations for the military service and for the naval service during the last year? The records of the proceedings of the House of Representatives and of the Senate will tell. The fault is upon the part of the representatives of the people; and is it to be charged upon this administration, or upon the late administration? By no means. The fault is here. I am no friend of a large standing army. I have never given a vote for that purpose; but I have always been ready, as a member of the Military Committee, to which I have belonged ever since my first entry into this body, to act with the committee in asking you from time to time, in the name of the President of the United States, for an increase of your military force. It has not been granted. That committee asked you to give the President two mounted regiments to perform your duties, to carry out honorably and honestly your obligations. They were not given. Look at the line between this country and Mexico. Millions will have to be paid by this government under its treaty with Mexico, on account of our failure to carry out our obligations. When you ask who is to blame, charge it not upon the President of the United States, upon the executive department of the government; but charge it upon the representatives of the people, who, for the purpose of keeping down the appropriations, and voting against them to gratify the people at home who were unacquainted with the facts, have brought these consequences upon the country. Our President has unfortunately been left without the means of preventing it.

In relation to the navy, I have voted for every increase of the navy that has been presented in detail. That committee, headed, I believe, by my honorable friend from California, [Mr. GWIN,] has steadily reported, for the last three or four years, in favor of an enlargement of the navy. And for what purpose? To protect our seaboard; to protect our commerce; to interdict any of these fillibustering expeditions so well calculated to dishonor our people abroad. They failed to carry out these measures; for they were voted down by the representatives of the people. Why, then, should any man, upon this floor or anywhere else, charge either the late President or the present President of the United States with having failed to discharge their duty, when they have uniformly, boldly, and strongly recommended to us what they thought essential, and when we, in our wisdom, have turned a deaf ear to every suggestion, lest the people should not like to see so large an appropriation. We have stopped the appropriations for a few millions, and we have opened the flood-gate for claims against this country amounting to three or four times the amount by which we have diminished our appropriations. When that question shall be brought up—when those claims shall be presented, which are already being presented—then will be the proper time, when, if I shall be honored with a seat upon this floor, I shall attempt to give a historical sketch of the history of this government in relation to these appropriations, from the time when the Mexican treaty was ratified down to the present day; and to show who they are who have failed to strengthen the arm of the executive department to carry into execution the obligations incurred under this treaty.

As to this expedition of which my friend from California has been speaking, this is one of the incidents belonging to a republican form of government. It is one of the incidents belonging to the peculiar character of that section of the country where the land is so open, and where we are asked to protect them by giving to them a better government than they have. Men can be found anywhere, not only in California, but in every State of the Union, whose better feelings, and not a disposition to rob or steal, prompt them to go and take the control of a government where it seems likely to give the people a prosperity they never had before. And because they have gone in there, they are censured as citizens of the United States upon an expedition to rob and steal. I am not disposed to degrade them, because they were operated upon by high and magnanimous feelings. I am as much opposed to fillibustering as any man upon this floor; but it will rise, and continue to rise, until you place upon your whole Pacific coast a naval power sufficient to anticipate and prevent these expeditions. Are we not bound to do it? A great nation like ours should stand upon her honor, and discharge all her obligations due to other nations. But we never can do it until both parties in the country concur in giving strength to the Executive arm sufficient to carry out all the liabilities incurred by our international obligations.

Mr. GWIN. I did not expect to occupy the attention of the Senate five minutes when I first offered the resolution. All I have to say in reply to the senator from Virginia, [Mr. MASON,] is, that if this proclamation means anything, it means that the President of the United States has power to execute it. If it is not a mere paper proclamation, he intends to use that power which the constitution and the laws have placed in his hands. And I undertake to say, without any special authority, that the President has issued orders to the naval and military commanders upon the Pacific coast to do the very thing which the senator from Virginia says would be a very great outrage if he was to authorize them to do it.

Mr. MASON.—Will the senator allow me a moment? Do I understand the senator to say that the President of the United States, by virtue of any power in himself, can authorize any portion of the army or navy to proceed to the execution of the laws at all, except as auxiliary civil officers to execute the processes of the courts?

Mr. GWIN. I understand the power of the President of the United States to be, to see that the laws are faithfully executed, and the treaties made with foreign governments enforced by the laws; and therefore I think that if, in his opinion, at any point of the United States there is an expedition fitted out by citizens of the United States against the territory of another government, in violation of the treaties of the United States, he has the right to stop that expedition until it is ascertained by the courts of the country whether it is illegal or not. That is what I mean to say. I have no doubt such is the power that has been conferred on the President. But how can you stop until this investigation takes place in the courts? I do not, however, want to enter upon that question now.

In regard to what the senator from Pennsylvania says about there being no necessity for passing the resolution, I do not wish to continue the discussion. I did not intend to provoke it; but when a proclamation of that sort is issued against citizens of my State getting up expeditions, I wanted to state the acknowledged fact that there was an invitation, if I may say so, from the people of the country invaded to enter into such expeditions; for they have no government, no protection, and the citizens of the United States, wherever they go, afford that protection which those people do not get from their nominal government. There was a great temptation to enter upon the expedition—no doubt about it.

Mr. BADGER. I would very respectfully suggest to the honorable senator from California that I doubt very much whether we should adopt this resolution. I hope, at all events, that he will allow it to remain until another