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DEMOCRATIC BANNER.

"UNITED WE STAND—DIVIDED WE FALL."

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PRESIDENT'S MESSAGE.

[*Continued.*]

Emigrants from foreign countries, including the United States, were invited by the colonization laws of the State and the General government to settle in Texas, and advantageous terms were offered to induce them to leave their own country and become Mexican citizens. This invitation was accepted by many of our citizens, in the full faith that in their new dwellings they would be governed by laws enacted by representatives elected by themselves, and that their lives, liberty and property would be protected by constitutional guarantees similar to those which existed in the republic they had left. Under such auspices they organized themselves as a State in 1824, and in the year 1827, when a military revolution took place in the city of Mexico, which subverted the federal and State constitutions and placed the military dictator at the head of the government.

By a sweeping decree of a Congress subservient to the will of the dictator, the sovereignty of the States composing the Mexican confederacy was declared to be forfeited, and the States themselves were reduced to the condition of mere provinces, to be governed by officers appointed by the military dictator at the city of Mexico. The people of Texas refused to submit to this despotism, and, in the exercise of their sovereignty, they declared their independence and established a government for themselves. Mexico then attempted to reduce them to subjugation by the sword, but after a long and bloody struggle of more than nine years, she finally relinquished the attempt, and Texas remained for more than five years an independent nation, exercising the functions of a sovereign power, and maintaining her boundary to the Rio Grande, as she had done from the time of her first revolution in 1827. During all this period of time, Mexico never attempted to exercise her authority over any portion of the territory of Texas east of the Nueces, nor west of the Rio Grande in any other direction than along the coast in her attempts to blockade the ports of Texas. The people of Texas established a government for themselves, made war upon their own account, maintained their own ports and navigated the high seas under their own flag, without molestation from any quarter, for more than five years, during which period they were recognized as a sovereign power by the United States and other nations of the world, and treated with as such by Mexico herself, in the treaty of April, 1832, by which her own officers were released from their imprisonment in Texas.

In the month of May, 1836, Santa Anna, a prisoner in Texas, acknowledged, by treaty, the independence of Texas, and pledged himself that he would use his influence with his countrymen to induce them to acknowledge the independence of Texas. In violation of these solemn pledges, and of the usages of civilized warfare, he led a military force into Texas for the purpose of subjugating the country, but met with signal defeat, and was himself taken prisoner. It is true he was then a prisoner of war, but it is equally true that he had invaded Texas while she was at peace with Mexico, had attempted her subjugation, and had been defeated and taken prisoner in his own territory. While in this situation, and under the influence of the terror inspired by the massacre of his countrymen at the Alamo and Goliad, he executed a treaty with the President of Texas, by which the hostilities then existing between the two countries were to cease, and he was released from his imprisonment. He returned to the City of Mexico, and, instead of carrying into execution the stipulations of his treaty, he declared that he had been released from his imprisonment by duress, and that the treaty was not binding upon Mexico. He then collected an army and marched into Texas for the purpose of subjugating the country, but was again defeated, and his army driven back beyond the Rio Grande. During the period of these events, the Texan army had taken possession of the town of Matamoras, situated upon the east bank of the Rio Grande, and had held it for a short time, when it was withdrawn by its commander upon the approach of a superior force of the enemy. During the period that the Texan army was in possession of Matamoras, a small force of the Mexican army crossed to the east bank of the river, and burned a small village called Refugio, situated upon that bank of the river, and then returned to the west bank of the river and burned the village of Matamoras, situated upon that bank of the river. For these two village burnings, the Mexican government has since manifested a willingness to pay the full value of the property thus destroyed, on the ground that the officers who ordered the burnings had exceeded their authority. The Texan army then crossed to the west bank of the Rio Grande, and took possession of the town of Matamoras, which they held for a short time, when they withdrew to the east bank of the river, and burned the town of Matamoras, situated upon that bank of the river, and returned to the west bank of the river, and there encamped their army, and there it remained at the breaking out of the war with Mexico. The Mexican army then crossed the river in force, and drove back the Texan army, and invaded the territory of Mexico. A simple statement of the facts known to exist, will conclusively refute such an assumption. Texas was ceded to the United States by France, in 1803, and has always claimed as extending west, to the Rio Grande, or Rio Bravo. This fact is established by the authority of our most eminent statesmen, during a period when the question was unmolested, or not better understood than it is at present.

During Mr. Jefferson's administration, Messrs. Monroe and Pinkney, who had been ministers to Madrid, were joined to the Spanish Minister, under date of the 12th of June, 1805, in a report that the boundaries of Louisiana ceded to the United States by France, were the river Perdido, the Mississippi, and the river Bravo or Rio Grande, and they add, that "the Texas and pretend that the United States have no more right to the Rio Bravo than to the Rio Colorado, or any other river in the country of Louisiana." Down to the conclusion of the Florida treaty, in February, 1819, by which this territory was ceded to Spain, the United States never claimed the Rio Bravo as the western boundary of Louisiana. In June, 1815, during Mr. Madison's administration, a number of foreigners had assembled at Nacogdoches, with the avowed purpose of making a settlement in that country, and a special messenger was dispatched by the Government of the United States, with a letter from the Secretary of State to warn them to desist, and if they be found there "or any other place north of the Rio Bravo, and within the territory claimed by the United States," he was instructed, should they be found in the country north of that river, to make known to them the surprise with which the President beheld their presumption in thus daring, without authority from the United States, to place themselves at a place, within their territorial limits, and upon which no lawful settlement could be made without their sanction." He was instructed to call upon them to "avow under what national authority they profess to act," and to give them due warning "that the place is within the United States, who will suffer no permanent settlement to be made there, under any authority other than their own." As late as the eight of July 1842, the Secretary of State of the United States, in a note addressed to our Minister in Mexico, maintains, that by the Florida treaty of 1819, the territory as far west as the Rio Grande, was confirmed to Spain.—In that note he states that, "by the treaty of the 22d of February, 1819, between the United States and Spain, the Sabine was adopted as the line of boundary between the two Powers. Up to that period no considerable colonization had been effected in Texas; but the territory between the Sabine and the Rio Grand, being conferred to Spain by the treaty, applications were made to that Power for grants of land; and such grants, or permissions of settlement, were in fact made by the Spanish authorities in favor of citizens of the United States proposing to emigrate to Texas in numerous families, before the Declaration of Independence by Mexico."

The Texas which was ceded to Spain by the Florida treaty of 1819, embraced all the country now claimed by the State of Texas between the 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 Dec., 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 Judiciary system over the territory. She established custom houses and collected duties, and established post offices and post roads, in it. She established land offices, 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, representatives residing west of the Nueces took part in the act of annexation. The Texas which by the act of our Congress of the 29th Dec., 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 thirty-first 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 Texan 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 the river was represented. In view of all these facts, it is difficult to conceive upon what ground it can be maintained that, in occupying the country west of the Nueces with our army, with a view solely to its security and defence, we invaded the territory of Mexico. But it would have been still more difficult to justify the Executive, whose duty it is to see that the laws be faithfully executed, if, in the face of all these proceedings, both of the Congress of Texas and of the United States, he had assumed the responsibility of yielding up the territory west of the Nueces to Mexico, or of refusing to protect and defend this territory and its inhabitants, including Corpus Christi; as well as the remainder of Texas, against the threatened Mexican invasion.

But *Mexico* her self has never placed the war which she has waged, upon the ground that our army occupied the intermediate territory between the Nueces and the Rio Grande. Her refuted pretension that Texas was not in fact an independent State, but a rebellious province, was obstinately persevered in; and her avowed purpose in commencing a war with the United States was to conquer Texas, and to restore Mexican authority over the whole territory—not to the Nueces only, but to the Sabine. In view of the proclaimed menaces of Mexico to this effect, I deemed it my duty, as a measure of precaution and defence, to order our army to occupy a position on our frontier as a military post, from which our troops could best resist and repel any attempted invasion which Mexico might make.

Our army had occupied a position at Corpus Christi, west of the Nueces, as early as August, 1845, without complaint from any quarter. Had the Nueces been regarded as the true western boundary of Texas, that boundary had been passed by our army many months before it advanced to the eastern bank of the Rio Grande. In my annual message of December last, I informed Congress that, upon invitation of both the Congress and Convention of Texas, I had deemed it proper to order a strong squadron to the coast of Mexico, and to concentrate an efficient military force on the western frontier of Texas, to protect and defend the inhabitants against the menaced invasion of Mexico. In that message I informed Congress that the moment the terms of annexation offered by the United States were accepted by Texas, the latter became so far a part of our own country as to make it our duty to afford such protection and defence; and that for that purpose our squadron had been ordered to the Gulf, and our army to "take a position between the Nueces and the Del Norte," or Rio Grande, and "to repel any invasion of the Texas territory which might be attempted by the Mexican forces."

It was deemed proper to issue this order, because, soon after the President of Texas, in April, 1845, had issued his proclamation convening the Congress of that republic, for the purpose of submitting to that body the terms of annexation proposed by the U. States, the government of Mexico made serious threats of invading the Texas territory. These threats became more imposing as it became more apparent, in the progress of the question, that the people of Texas would decide in favor of accepting the terms of annexation, and, finally, they had assumed such a formidable character as induced both the Congress and Convention of Texas to request that a military force should be sent by the United States into her territory for the purpose of protecting and defending her against the threatened invasion. It would have been a violation of good faith towards the people of Texas to have refused to afford the aid which they desired against a threatened invasion, to which they had been exposed by their free determination to annex themselves to our Union, in compliance with the overture made to them by the joint resolution of Congress.

Accordingly a portion of the army was ordered to advance into Texas. Corpus Christi was the position selected by General Taylor. He encamped at the place in August, 1845, and the army lay in that position until the 11th of March, 1846, when it moved westward, and on the 28th of that month reached the east bank of the Rio Grande, opposite Matamoras. This movement was made in pursuance of orders from the war department, issued on the 13th of January, 1846. Before these orders were issued, the despatch of our minister in Mexico, transmitting the decision of the Council of Government of Mexico, advising that he should not be received and also the despatch of our consul residing in the city of *Mexico*—the former bearing date on the 17, and the latter on the 18th of December, 1845 copies of both of which accompanied my message to Congress of the 11th of *May* last—were received at the Department of State. These communications rendered it highly probable, if not absolutely certain, that our minister would not be received by the Government of General Herrera. It was also well known that little hope could be entertained of a different result from General Paredes, in case the revolutionary movements which he was prosecuting should prove successful, as well as highly probable. The partisans of Paredes, as our minister, in the despatch referred to, states, breathed the fiercest hostility against the United States, denounced the proposed negotiation as treason, and openly called upon the troops and

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