

The annual meeting of Congress is always an interesting event. The representatives of the States and of the people, come fresh from their constituents, to take counsel together for the common good, after an existence of near three fourths of a century, as a free and independent republic.

During the past year, the most gratifying proofs are presented, that our country has been blessed with a wide spread and universal prosperity. There has been no period, since the government was founded when all the industrial pursuits of our people have been more successful, or when labor in all branches of business has received a fairer or better reward.

No change has taken place in our relations with Mexico since the adjournment of the last Congress. The war in which the United States were forced to engage with the government of that country, still continues.

I deem it unnecessary, after the full exposition of them contained in my message of the 15th of May, 1846, and my annual message at the commencement of the session of Congress in December last, to reiterate the serious causes of complaint which we had against Mexico before she commenced hostilities.

Though the United States were the aggrieved nation, Mexico commenced the war, and we were compelled, in self-defense, to repel the invader, and to vindicate the national honor and interests, by prosecuting it with vigor until we should obtain a just and honorable peace.

On learning that hostilities had been commenced by Mexico, I promptly communicated that fact, accompanied with a succinct statement of our other causes of complaint against Mexico, to Congress, and that body, by the act of 13th May, 1846, declared, that by the act of the Republic of Mexico, a state of war existed between that Government and the United States.

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fully known to that body. Since that time the war has been prosecuted with increased energy, and I am gratified to state, with a success which commands universal admiration. History presents no parallel of so many glorious victories achieved by any nation, within so short a period.

Shortly after the adjournment of the last session of Congress, the gratifying intelligence was received of the battle of Buena Vista, and of the fall of the city of Vera Cruz, and with it the strong Castle of San Juan d'Ulloa, by which it was defended.

Believing that after these and other successes, so honorable to our arms, and so disastrous to Mexico, the period propitious to afford her an opportunity, if she thought proper so embrace it, to enter into negotiations for peace, a Commissioner was appointed to proceed to the headquarters of our army, with full powers to enter on negotiations, and conclude a just and honorable peace.

The Commissioner was also directed, on reaching the army, to deliver to the General in command, the despatch which he bore from the Secretary of State to the Minister of Foreign Affairs of Mexico, and, on receiving it, the General was instructed, by the Secretary of War, to cause it to be transmitted to the commander of the Mexican forces, with a request that it might be communicated to his government.

The Commissioner did not reach the headquarters of the army until another brilliant victory had crowned our arms at Cerro Gordo.

The despatch which he bore from the Secretary of War to the General in command, was received by that officer, then at Jalapa, on the 7th day of May, 1847, together with the despatch of the Secretary of State to the Minister of Foreign Affairs in Mexico, having been transmitted to him from Vera Cruz. The Commissioner arrived at the headquarters of the army a few days afterwards. His presence with the army and his diplomatic character, were made known to the Mexican Government from Puebla, on the 12th of June, 1847, by the transmission of the despatch from the Secretary of State to the Minister of Foreign Affairs of Mexico.

Our army pursued its march upon the capital, and, as it approached, it was met by a formidable resistance. Our forces first encountered the enemy, and achieved signal victories in the contested battles of Contreras and Churubusco. It was not until after these actions resulted in decisive victories, and the capital of the enemy was in our power, that the Mexican Government manifested any disposition to enter into any negotiations for peace, and even

then, events have proved, there is too much reason to believe, they were insincere, and that in agreeing to go through the forms of negotiation, the object was to give time to strengthen the defenses of the capital and prepare for fresh resistance.

The General in command of the army deemed it expedient to suspend hostilities, temporarily entering into an armistice, with a view to the opening of negotiations—and commissioners were appointed on the part of Mexico to meet the Commissioners on the part of the United States. The result of the conferences which took place between these functionaries of the two governments, was a failure of a treaty of peace. The Commissioner of the United States took with him the project of a treaty, prepared, by the terms of which the indemnity required by the United States was a cession of territory.

It is well known, that the only indemnity which it is in the power of Mexico to make, in satisfaction of the just and long deferred claims of our citizens against her, and the only means by which she can reimburse the United States for the expenses of the war, is a cession to the United States of a portion of her territory. Mexico has no money to pay, and no other means of making the required indemnity. If we refuse it, we can obtain nothing else. To reject indemnity, by refusing a cession of territory, would be to abandon all our just demands—and to wage the war, bearing all its expenses, without a purpose or definite object.

A state of war abrogates treaties previously existing between the belligerents, and a treaty of peace puts an end to all claims for indemnity for tortuous acts committed under the authority of one government against the citizens and subjects of another. A treaty of peace which would terminate the existing war without providing for indemnity, would enable Mexico, an acknowledged debtor, and herself the aggressor in the war, to relieve herself of her just liabilities.

By such a treaty, our citizens, who hold just demands against her, would have no remedy for them, either against Mexico or their own government. Our duty to these citizens must ever prevent such a peace, and no treaty which does not provide ample means of discharging those demands, can receive my sanction.

A treaty of peace should settle all existing differences between the two countries. If an adequate cession of territory be such a treaty, the U. S. should release Mexico from all her liabilities, and assume their payment to our own citizens. If, instead of this, the United States now consent to a treaty by which Mexico should again engage to pay the heavy amount of indebtedness which a just indemnity to our government and citizens would impose upon her, it is notorious that she does not possess the means to meet such an undertaking.

It is further manifest, that Congress contemplated territorial indemnity, from the fact, that at their last session, an act was passed, upon the Executive recommendation, appropriating three millions of dollars, with that express object. The appropriation was made to enable the President to conclude a treaty of peace, limits and boundaries, with the Republic of Mexico, to be used by him in the event that said treaty, when signed by the authorized agents of the two governments, and duly ratified by Mexico, shall call for the expenditure of the same, or any part thereof.

The object of asking this appropriation was distinctly stated, in the several messages on the subject which I communicated. Similar appropriations, made in 1803 and 1806, which were referred to, were applied in part consideration for the cession of Louisiana and the Floridas. In like manner, it was anticipated, that, in settling the terms of a treaty of limits and boundaries with Mexico, a cession of territory, estimated to be of greater value than the amount of our demands against her, might be obtained, and that the prompt payment of this sum, in part consideration for the territory ceded, on the conclusion of a treaty, and its ratification on her part, might be an inducement, with her, to make such a cession of territory as would be satisfactory to the United States: and, although the failure to conclude such a treaty has rendered it unnecessary to use any of the three millions appropriated by that act, and the entire sum still remains in the Treasury, it is still applicable to that object, should the contingency occur making such appropriation proper.

The doctrine of no territory is the doctrine of no indemnity, and if sanctioned, would be a public acknowledgment that our country was wrong, and that the war declared by Congress, with extraordinary unanimity, was unjust and should be abandoned; an admission unfounded in fact and degrading to the national character. The terms of the treaty proffered by the United States were not only just to Mexico, but, considering the character and amount of our claims, the unjustifiable and unprovoked commencement of hostilities by her, the expenses of the war to which we have been subjected, and the success which had attended our arms, were deemed to be of a most liberal character.

authorized to agree to the establishment of the Rio Grande as the boundary, from its entrance into the Gulf, to its intersection with the southern boundary of New Mexico in north latitude about twenty-two degrees, and to obtain a cession to the United States of the province of New Mexico and the Californias, and the privilege of the right of way across the isthmus of Tehuantepec.

The boundary of the Rio Grande and the cession to the United States of New Mexico and Upper California, constituted an ultimatum which our commissioner was, under no circumstances, to yield; that it might be manifest, not only to Mexico, but to all other nations, that the United States were not disposed to take advantage of a feeble power, by insisting upon wresting from her all her other provinces, including many of her principal towns and cities, which we had conquered and held in our military occupation, but were willing to conclude the treaty in a spirit of liberality. Our commissioner was also authorized to stipulate for the restoration to Mexico of all our other conquests.

As the territory to be acquired by the boundary proposed might be estimated to be of greater value than a fair equivalent for our just demands, our commissioner was authorized to stipulate for the payment of such additional pecuniary consideration as was deemed reasonable.

The terms of a treaty proposed by the commissioners on the part of the Mexican Government, were wholly inadmissible. They negotiated as if Mexico were the victorious, and not the vanquished party, or they must have known their ultimatum could never have been accepted. It required the United States to dismember Texas, by surrendering to Mexico that part of the Territory of that State lying between the Nueces and the Rio Grande, included within her limits, by her laws, when she was an independent Republic, and when she was annexed to the United States, and admitted by Congress, as one of the States of our Union. It contained no proposition for the payment, by Mexico, of the just claims of our citizens. It required indemnity to Mexican citizens for injuries they may have sustained by our troops in the prosecution of the war. It demanded the right for Mexico to levy and collect the Mexican duties levied on goods imported into her ports while in our military occupation, and the owners of which had paid to officers of the United States the contributions which had been levied upon them; and it offered to cede to the United States, as a pecuniary consideration, that part of Upper California lying north of latitude 37 degrees. Such were the unreasonable terms proposed by the Mexican commissioners.

The cession to the United States by Mexico, of the province of New Mexico and the Californias, proposed by the commissioner of the United States, it was believed, would be more in accordance with the convenience and interests of both nations, than any other cession of territory which it was probable Mexico could be induced to make. It is manifest to all who have observed the actual condition of the Mexican government for some years past, and at the present, that if these provinces should be retained by her, she could not long continue to hold and govern them. Mexico is too feeble a power to govern these provinces, lying as they do, at a distance of more than a thousand miles from her capital, and if attempted to be retained by her, they would constitute, but for a short time, even nominally, a part of her dominions. This would be especially the case with Upper California. The sagacity of powerful European nations, has long since directed their attention to the commercial importance of that province, and there can be little doubt, that the moment the United States shall relinquish their present occupation of it, as indemnity, an effort would be made by some foreign power to possess it, either by conquest or purchase. If no foreign government should acquire it by either of these modes, an independent revolutionary government would probably be established by the inhabitants and such foreigners as may remain in, or remove to the country, as soon as it shall be known that the United States have abandoned it. Such a government would be too feeble long to retain its separate independent existence, and would finally become annexed to, or a dependent colony of, some more powerful State.

Should any foreign government attempt to possess it, or as a colony or otherwise to incorporate it with itself, the principle announced by President Monroe, in 1823, and reaffirmed in my first annual message, that no foreign power shall, with our consent, be permitted to plant or establish any new colony or dominion on the North American continent, must be maintained. In maintaining this principle, and in resisting its invasion by any foreign power, we might be involved in other wars more expensive and more difficult than that in which we are now engaged. The provinces of New Mexico and the Californias are contiguous to the territories of the United States, and if brought under the Government of our laws, their resources, mineral, agricultural, manufacturing and commercial, would soon be developed.

Upper California is bounded on the north by our Oregon possessions, and if held by the United States, would soon be settled by an enterprising and intelligent portion of our population. The Bay of San Francisco, and other harbors along the California coast, would afford shelter for our navy. Our numerous whale ships, and other merchant vessels employed on the Pacific ocean, would, in a short period, become marts of an extensive and profitable commerce with China, and other countries of the East.

These advantages, in which the whole commercial world would participate, would at once be secured to the United States by the cession of this territory, while it is certain, that as long as it remains a part of the Mexican dominions they can be enjoyed neither by Mexico herself nor by any other nation.

New Mexico is a frontier, and has never been of any considerable value to Mexico. From its locality, it is naturally connected with our western settlements. The territorial limits of the State of Texas, too, as defined by her laws before her admission into the Union, embraced all that portion of New Mexico lying east of the Rio Grande, while Mexico still claims to hold this territory as a part of her dominions.

There is another consideration which induced the belief, that the Mexican government might even desire to place this province under the protection of the government of the United States. Numerous bands of ferce, warlike savages wander over it and upon its borders. Mexico has been, and must continue to be too feeble to re-

strain them from committing depredations, robberies, and murders, not only upon the inhabitants of New Mexico itself, but upon those of the other northern States of Mexico. It would be a blessing to these Northern States to have their citizens protected against them by the power of the United States. At this moment, many Mexicans, principally females and children, are in captivity among them. If New Mexico were held and governed by the United States, we could effectually prevent these tribes from committing such outrages, and compel them to release these captives and restore them to their families and friends. In proposing to acquire New Mexico and the Californias, it was known that but an inconsiderable portion of the Mexican people would be transferred with them, the country embraced within these provinces being chiefly an uninhabited region.

These were the leading considerations which induced me to authorize the terms of peace which were proposed to Mexico. They were rejected, and negotiations being at an end, hostilities were renewed, and an assault was made by our gallant army upon the strongly fortified places near the gates of the city of Mexico and upon the city itself; and after several days of severe conflicts, the Mexican forces, vastly superior in numbers to our own, were driven from the city, and it was occupied by our troops.

Immediately after information was received of the unfavorable result of negotiations, believing that his continued presence could be productive of no good, I determined to recall our Commissioner. A despatch to this effect was transmitted to him on the 6th October last. The Mexican Government will be informed of his recall, and that, in the existing state of things, I shall not deem it proper to make any further overtures of peace—but shall be, at all times, ready to receive and consider any proposals which shall be made by Mexico.

Since the liberal proposition of the United States was authorized to be made in April last, large expenditures have been incurred, and the precious blood of many of our patriotic fellow citizens has been shed, in the prosecution of the war. This consideration, and the obstinate perseverance of Mexico in protracting the war, must influence the terms of peace which it may be deemed proper hereafter to accept. Our arms having been everywhere victorious—having subjected to our military occupation, a large portion of the enemy's country, including his capital, and negotiations for peace having failed, the important question arises, in what manner the war ought to be prosecuted and what should be our future policy? I cannot doubt, that we should secure and render available the conquests we have already made, and that for this purpose, we should hold and occupy, by our naval and military forces, all the forts, towns, cities and provinces now in our occupation, or which may hereafter fall into our possession—that we should press forward our military operations, and levy such military contributions on the enemy as may, as far as practicable, defray the future expenses of the war.

Had the government of Mexico acceded to the favorable and liberal terms proposed, that mode of adjustment would have been preferred. Mexico having declined to do this, and failed to offer any other terms which would be accepted by the U. States, the national honor, no less than the public interests, requires that the war should be prosecuted with increased energy and power, until a just and satisfactory peace can be obtained.

In the meantime, as Mexico refuses all indemnity, we should adopt measures to indemnify ourselves, by appropriating permanently a portion of her territory.

Early after the commencement of the war, New Mexico and the Californias were taken possession of by our forces. Our military and naval commanders were ordered to conquer and hold them, subject to be disposed of by a treaty of peace.

These provinces are now in our undisputed occupation, and have been so for many months. All resistance on the part of Mexico having ceased within their limits, I am satisfied that they should never be surrendered to Mexico. Should Congress concur with me in this opinion, and that they should be retained by the United States as indemnity, I can perceive no good reason why the civil jurisdiction and laws of the U. S. should not at once be extended over them.

To wait for a treaty of peace, such as we are willing to make, by which our relations to them would not be changed, cannot be good policy, whilst our interests and that of the people inhabiting them, require that a stable, responsible and free government, under our authority should be, as soon as possible, established over them. Should Congress determine to hold these provinces permanently, and that they shall hereafter be considered constituent parts of our country, the early establishment of territorial government over them will be important for the more perfect protection of persons and property, and I recommend that such territorial governments be established. It will promote peace and tranquility among the inhabitants, by allaying all apprehension that they may entertain of being subjected again to the jurisdiction of Mexico. I invite the early and favorable consideration of Congress to this important subject.

session of her capital and the heart of her country, would permit us to hold it would resistance. That she would continue the war, and that in the most harassing and annoying forms, there can be no doubt. A border warfare, of a most savage character, extending over a long line, would be incessantly waged. It would require a large army to be continually in the field, stationed at ports and garrisons along such a line, to protect and defend it. The enemy, relieved from the pressure of our arms on his coast and in the populous parts of the interior, would direct the operations, and, selecting an isolated post for attack, would concentrate his forces upon it. This would be a condition of affairs which the Mexicans, pursuing their favorable system of guerrilla warfare, would probably prefer to any other. Were we to assume a defensive attitude, on such a line, all the advantages of such a state of war would be on the side of the enemy. We could levy no contributions upon him, or in any other way make him feel the pressure of the war; but must remain inactive and await his approach, being in constant uncertainty at what point of the line, or at what time, he might make the assault. He may assemble and organize an overwhelming force in the interior, on his own side of the line, and, consulting his purpose, make a sudden assault upon some one of our posts, so distant from any other as to prevent the possibility of timely succor or reinforcements, and in this way, our gallant army would be exposed to the danger of being cut off in detail, or, by their unparalleled bravery and prowess, everywhere exhibited during the war, they should repulse the enemy, the numbers stationed at any point, might still be too small to pursue him. If the enemy be repulsed in one attempt, he will have nothing else to do but retreat to his own side of the line, and, being in no fear of a pursuing army, may reinforce himself at leisure for another attack on the same, or some other point. He may, too, cross a line between our posts—make incursions into the country we hold—murder the inhabitants thereof, and then return to the interior, before a sufficient force can be concentrated to pursue him. Such would probably be the harassing character of a mere defensive war on our part. If our forces, when attacked or threatened, be permitted to cross the line, drive back the enemy and conquer him, this would be again to invade the enemy's country after having lost all the advantages of the conquests we have already made, by having voluntarily abandoned them. To hold such a line successfully, and in security, it is far from being certain that it would not require as large an army as would be necessary to hold all the conquests we have already made, and to continue the prosecution of the war in the heart of the enemy's country. It is also far from being certain that the expenses of the war would be diminished by such a policy.

I am persuaded that the best means of vindicating the national honor and interest, and of bringing the war to an honorable close, will be to prosecute it with increased energy and power in the vital parts of the enemy's country. In my annual message to Congress, I declared that the country had not been waged with a view to conquest, but having been commenced by Mexico, it has been carried into the enemy's country, and will be vigorously prosecuted there with a view to obtain an honorable peace, and thereby secure ample indemnity for the expenses of the war, as to our much injured citizens who hold large pecuniary demands against Mexico. Such, in my judgment, continues to be our true policy—indeed the only policy which will probably secure a permanent peace.

It has never been contemplated, by me, as an object of the war, to make a permanent conquest of the Republic of Mexico, or to annihilate her separate existence as an independent nation; on the contrary, it has ever been my desire, that she should maintain her nationality, and, under a good government, adapted to her condition, be a prosperous and free republic. The United States were the first among the nations to recognize her independence, and has always desired to be on terms of amity and good neighborhood with her. This she would not suffer. By her own conduct, we have been compelled to engage in the present war—in its prosecution, we seek not her overthrow as a nation, but in vindicating our national honor, we seek to obtain redress for the wrongs she has done us, and indemnity for our just demands against her. We demand an honorable peace, and that peace must bring with it indemnity for the past, and security for the future. Hitherto, Mexico has refused all accommodation by which such a peace could be obtained.

Whilst our armies have advanced from victory to victory, from the commencement of the war, it has always been with the olive branch of peace in their hands, and it has been in the power of Mexico at every step to arrest hostilities by accepting it.

One great objection to the obtaining of peace, has undoubtedly arisen from the fact that Mexico has been long held in subjection by our military and naval forces, and such has been the condition of insecurity in which their successive governments have been placed, that each has been deterred from making peace, lest for this very cause, a rival faction might expel it from power.

Such was the fate of President Herrera's administration in 1845, for being disposed even to listen to the overtures of the United States, to prevent the war, as is fully confirmed by official correspondence which took place, in the month of August last, between him and his government, the copy of which is herewith communicated. For this cause alone, the revolution, which displaced him from power, was set on foot by Gen. Paredes. Such may be the condition of insecurity of the present government.

There can be no doubt, that the peaceable and well disposed inhabitants of Mexico, are convinced that it is their true interest, that the country should conclude an honorable peace with the United States, but the apprehension of becoming the victims of some military faction or usurper, may have prevented them from manifesting their feelings by any public act.

The removal of any such apprehension would probably cause them to speak their sentiments, and to adopt the measures necessary for the restoration of peace with us, properly distracted and divided by contending factions, and a government subject to constant changes by successive revolutions. The continued successes of our arms may fail to secure a satisfactory peace. In such event, it may become proper for our commanding generals in the field to give encouragement and assurance of protection to the friends of peace in Mexico, in the establishment and maintenance of a free republican government of their own choice, always willing to conclude a peace which would be just to them, and secure to us the indemnity we demand.

This may become the only mode of obtaining such a peace. Should such be the result of this war, which Mexico has forced upon us, it would thus be converted into an enduring blessing to herself. After finding her torn and distracted by factions, and ruled by military usurpers, we should then leave her with a republican government, in the enjoyment of real independence and domestic peace and prosperity, performing all her active duties in the great family of nations, and promoting her own happiness by wise laws and their lawful execution.

If, after affording encouragement and protection, after all the perseverance and sincere efforts we have made, from the moment Mexico commenced the war, and prior to that time, to adjust our differences with her, we shall ultimately fail, then we shall have exhausted all honorable means in pursuit of peace and must continue to occupy her country with our troops, taking the full measure of indemnity with our own hands, and must enforce the terms which our honor demands.

To act otherwise, in the existing state of (Continued on 4th page)