

THE PROTOCOL.

MESSAGE OF THE PRESIDENT.

Sent to the House of Representatives February 8. To the House of Representatives of the U. S.:

In reply to the resolutions of the House of Representatives of the 5th inst., I communicate herewith a report from the secretary of state, accompanied with all the documents and correspondence relating to the treaty of peace concluded between the United States and Mexico, at Guadalupe Hidalgo, on the 2d of February, 1848, and to the amendments of the Senate thereto, as requested by the House in the said resolutions.

Among the documents transmitted will be found a copy of the instructions given to the commissioners of the United States who took to Mexico the treaty as amended by the Senate, and ratified by the President of the United States. In my Message to the House of Representatives, of the 29th of July, 1848, I gave as my reason for declining to furnish these instructions in compliance with a resolution of the House, that "in my opinion it would be inconsistent with the public interests to give publicity to them at the present time."

I still entertain the opinion, expressed in the message referred to, "that, as a general rule, applicable to all our important negotiations with foreign powers, it could not fail to be prejudicial to the public interest to publish the instructions to our Ministers, until some time had elapsed after the conclusion of such negotiations."

In these instructions of the 18th of March, 1848, it will be perceived "that the task was assigned to the commissioners of the United States of consummating the treaty of peace, which was signed at Guadalupe Hidalgo, on the second day of February last, between the United States and the Mexican Republic; and which on the 10th of March last, was ratified by the Senate with amendments."

They were informed "that this brief statement will indicate to you clearly the line of your duty. You are not sent to Mexico for the purpose of negotiating any new treaty, or of changing in any particular the ratified treaty which you will bear with you. None of the amendments adopted by the Senate can be rejected or modified, except by the authority of our body. Your whole duty will, then, consist in using every honorable effort to obtain from the Mexican government a ratification of the treaty in the form in which it has been ratified by the Senate and this with the least practicable delay."

"For this purpose, and most probably will become necessary that you should explain to the Mexican minister for foreign affairs, or to the authorized agents of the Mexican government, the reasons which have influenced the Senate in adopting these several amendments to the treaty. This duty you will perform, as far as possible, by personal conferences. Diplomatic notes are not to be avoided, unless in case of necessity. These might lead to endless discussions and indefinite delay. Beside, they could not have any practical result, as your mission is confined to procuring a ratification from the Mexican government of the treaty as it came from the Senate, and does not extend to the slightest modification in any of its provisions.

The Commissioners were sent to Mexico to procure the ratification of the treaty as amended by the Senate. Their instructions confined them to this point. It was proper that the amendments to the treaty adopted by the United States should be explained to the Mexican Government, and explanations were made by the secretary of state, in his letter of the 18th of March, 1848, to the Mexican minister of foreign affairs, under my direction. This dispatch was communicated to Congress with my message of the 6th of July last, communicating the treaty of peace, and published by their order. This dispatch was transmitted by our commissioners from the City of Mexico to the Mexican government, then at Queretaro, on the 17th of April, 1848, and its receipt acknowledged on the 19th of the same month. During the whole time that the treaty, as amended, was before the Congress of Mexico, these explanations of the secretary of state, and these alone, were before them.

The President of Mexico, on these explanations, on the 8th day of May, 1848, submitted the amended treaty to the Mexican Congress, and on the 25th of May that Congress approved the treaty as amended without modification or alteration. The final action of the Mexican Congress had taken place before the commissioners of the United States had been officially received by the Mexican authorities, or held any conference with them, or had any other communication on the subject of the treaty except to transmit the letter of the secretary of state.

In their dispatch transmitted to Congress, with my message of the 6th of July last, communicating the treaty of peace, dated "City of Queretaro, May 25, 1848, 9 o'clock P. M." the commissioners say: "We have the satisfaction to inform you that we reached this city this afternoon at about 5 o'clock, and that the treaty as amended by the Senate of the United States, passed the Mexican Senate about the hour of our arrival, by a vote of 33 to 5. It having previously passed the house of Deputies, nothing now remains but to exchange the ratifications of the Treaty."

On the next day, (the 26th May,) the commissioners were for the first time presented to the President of the Republic and their credentials placed in his hands. On this occasion the commissioners delivered an address to the President of Mexico, and he replied. In their despatch of the 30th of May, the commissioners say: "We enclose a copy of our address to the President and also a copy of his reply. Several conversations afterwards took place between Messrs. Rosa, Cuernas, Couto, and ourselves, which it is not thought necessary to recapitulate, as we enclose a copy of the protocol which contains the substance of the conversations. We have now the satisfaction to announce that the exchange of ratifications was effected to-day." This dispatch was communicated with my message of the 6th of July last, and published by order of Congress.

The treaty, as amended by the Senate of the U. States, with the accompanying papers, and the evidence that in that form it had been ratified by Mexico, was received at Washington on the 4th day of July, 1848, and immediately proclaimed as the supreme law of the land. On the 6th of July I communicated to Congress the ratified treaty, with such accompanying documents as were deemed material to a full understanding of the subject, to the end that Congress might adopt the legislation necessary and proper to carry the treaty into effect. Neither the address of the commissioners, nor the reply of the President of Mexico on the occasion of their presentation, nor the memorandum of conversations embraced in the paper called a protocol, nor the correspondence now sent were communicated, because they were not regarded as in any way

material; and in this I conformed to the practice of our government. It rarely, if ever happens that all the correspondence, and especially the instructions to our ministers, is communicated. Copies of these papers are now transmitted, as being within the resolutions of the House calling for all such "correspondence as appertains to said treaty."

When these papers were received at Washington, peace had been restored, the first instalment of three millions paid to Mexico, the blockades were raised, the city of Mexico evacuated, and our troops on their return home. The war was at an end, and the treaty, as ratified by the U. States, was binding on both parties, and already executed in a great degree. In this condition of things it was not competent for the President alone, or for the President and Senate, or for the President, Senate and House of Representatives combined to abrogate the treaty, to annul the peace, and restore a state of war, except by a solemn declaration of war.

Had the protocol varied the treaty as amended by the Senate of the United States, it would have had no binding effect. It was obvious that the commissioners of the U. States did not regard the protocol as in any degree a part of the treaty, nor as modifying or altering the treaty as amended by the Senate. They communicated it as the substance of conversations held after the Mexican Congress had ratified the treaty and they knew that the approval of the Mexican Congress was essential to the validity of a treaty in all its parts as the advice and consent of the Senate of the United States. They knew, too, that they had no authority to alter or modify the treaty in the form in which it had been ratified by the United States, but that if failing to procure the ratification of the Mexican government, otherwise than with amendments, their duty by express instructions was to ask of Mexico to send without delay a commissioner to Washington to exchange ratifications here, if the amendments of the treaty proposed by Mexico, on being submitted, should be adopted by the Senate of the United States.

It was equally well satisfied that the government of Mexico had agreed to the treaty as amended by the Senate of the United States, and did not regard the protocol as modifying, enlarging or diminishing its terms or effect.

The President of that Republic, in submitting the amended treaty to the Mexican Congress, in his message on the 8th of May, 1848, said: "If the treaty could have been submitted to your deliberation precisely as it came from the hands of the plenipotentiaries, my satisfaction at seeing the war at last brought to an end would not have been lessened, as it this day is, in consequence of the modifications introduced into it by the senate of the U. States, and which have received the sanction of the President." At present it is sufficient for us to say to you, that if in the opinion of the government justice had not been evinced on the part of the senate and government of the United States, in introducing such modifications, it is presumed, on the other hand, that they are not of such importance that they should set aside the treaty. I believe on the contrary, that it ought to be ratified upon the same terms in which it has already received the sanction of the American government. My opinion is also greatly strengthened by the fact that a new negotiation is neither expected nor considered possible; much less could another be brought forward upon a basis more favorable for the Republic."

The deliberations of the Mexican Congress, with no explanation before that body from the United States except the letter of the secretary of state, resulted in the ratification of the treaty as recommended by the President of that Republic, in the form in which it had been amended and ratified by the United States. The conversations embodied in the paper called a protocol took place after the action of the Mexican Congress was complete; and there is no reason to suppose that the government of Mexico ever submitted the protocol to Congress, or ever treated it or regarded it as in any sense a new negotiation, or as operating any modification or change of the amended treaty. If such had been its effect, it was a nullity until approved by the Mexican Congress; and such approval was never made or intimated to the United States. In the final consummation of the ratification of the treaty by the President of Mexico, no reference is made to it.

On the contrary, this ratification which was delivered to the commissioners of the United States, and is now in the state department, contains a full and explicit recognition of the amendments of the Senate just as they had been communicated to that government by the secretary of state, and been afterward approved by the Mexican Congress. It declares that, "having seen and examined the said treaty and the modifications made by the senate of the United States of America, and having given an account thereof to the general Congress, conformably to the requirement in the 14th paragraph of the 10th article of the Federal Constitution of these United States, that body has thought proper to approve the said treaty with the modifications thereto, in all its parts; and in consequence thereof, exerting the power granted to me by the Constitution, I accept, ratify, and confirm the said treaty with the modifications and promise, in the name of the Mexican Republic, to fulfill and observe it, and cause it to be fulfilled and observed."

Upon an examination of this protocol, when it was received with the ratified treaty, I did not regard it as material, or as in any way attempting to modify or change the treaty, as it had been amended by the Senate of the United States.

The first explanation which it contains is, "that the American government, by suppressing the 9th article of the treaty of Guadalupe, and substituting the 3d article of the treaty of Louisiana, did not intend to diminish in any way, what was agreed upon by the aforesaid article (ninth) in favor of the inhabitants of the territories ceded by Mexico. Its understanding is, that all of that agreement is contained in the third article of the treaty of Louisiana. In consequence, all the privileges and guarantees, civil, political and religious, which would have been possessed by the inhabitants of the ceded territories, if the ninth article of the treaty had been retained, will be enjoyed by them without any difference under the article which has been substituted."

The ninth article of the original treaty stipulated for the incorporation of the Mexican inhabitants of the ceded territories, and their admission into the Union, "as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights of citizens of the United States." It provided also, that in the mean time they should be maintained "in the enjoyment of their liberty, their property, and the civil rights now vested in them, according to the Mexican laws." It secured to them similar political rights with the inhabitants of the other territories of the United States, and at least equal to the inhabitants of Louisiana and Florida, when they were in a territorial condition. It then proceeded to guaranty that ecclesiastics and religious corporations should be protected in the discharge of the offices of their ministry, and the enjoyment of their property of every kind, whether individual or corporate; and, finally, that there should be a free communication between the Cath-

olics of the ceded territories and their ecclesiastical authorities, "even although such authorities should reside within the limits of the Mexican Republic, as defined by this treaty."

The ninth article of the treaty as adopted by the senate is much more comprehensive in its terms, and explicit in its meaning, and it clearly embraces, in comparatively few words, all the guarantees inserted in the original article. It is as follows:—"Mexicans who in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted, at the proper time, (to be judged of by the Congress of the United States,) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution, and in the meantime shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction." This article, which was substantially copied from the Louisiana treaty, provides equally with the original article for the admission of these inhabitants into the Union; and in the meantime, while they shall remain in a territorial state, by one sweeping provision declares that they "shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction."

This guarantee embraces every kind of property, whether held by ecclesiastics or laymen, whether belonging to corporations or individuals. It secures to these inhabitants the free exercise of their religion without restriction, whether they choose to place themselves under the spiritual authority of pastors resident within the Mexican Republic or the ceded territories. It was, it is presumed, to place this construction beyond all question, that the senate superadded the words "without restriction" to the religious guarantee contained in the corresponding article of the Louisiana treaty. Congress itself does not possess the power, under the constitution to make any law prohibiting the free exercise of religion. If the ninth article of the treaty, whether in its original or amended form, had been entirely omitted in the treaty, all the rights and privileges which either of them confers would have been secured to the inhabitants of the ceded territories by the constitution and laws of the United States.

The protocol asserts that the "American government by suppressing the tenth article of the treaty of Guadalupe, did not in any way, intend to annul the grants of land made by Mexico in the ceded territories;" that "these grants, notwithstanding the suppression of the article of the treaty, preserve the legal value which they may possess; and the grantees may cause their legitimate titles to be acknowledged before the American tribunals;" and then proceeds to state, "that conformably to the law of the United States, legitimate titles to every description of property personal and real, existing in the ceded territories, are those which were legitimate titles under the Mexican law in California and New Mexico, up to the 13th of May, 1846; and in Texas, up to the 2d of March, 1836." The former was the date of the declaration of war against Mexico, and the latter that of the declaration of independence by Texas.

The objection to the tenth article of the original treaty was, not that it protected legitimate titles which our laws would have equally protected without it, but that it most unjustly attempted to resuscitate grants which had become a mere nullity, by allowing the grantees the same period after the exchange of the ratifications of the treaty to which they had been originally entitled after the date of their grants for the purpose of performing the conditions on which they had been made. In submitting the treaty to the senate, I had recommended the rejection of this article. That portion of it in regard to lands in Texas did not receive a single vote in the senate.

This information was communicated by the letter of the secretary of state to the minister for foreign affairs of Mexico, and was in possession of the Mexican government during the whole period the treaty was before the Mexican Congress, and the article itself was reprobated in that latter in the strongest terms. Beside, our commissioners to Mexico had been instructed that "neither the President nor the senate of the United States can ever consent to ratify any treaty containing the 10th article of the treaty of Guadalupe Hidalgo in favor of grantees of land in Texas or elsewhere." And again: "Should the Mexican government persist in retaining this article, then all prospect of immediate peace is ended; and of this you may give them an absolute assurance."

On this point the language of the protocol is free from ambiguity; but if it were otherwise, is there any individual, American or Mexican, who would place such a construction upon it as to convert it into a vain attempt to revive this article which had been so often and so solemnly condemned? Surely no person could for one moment suppose that either the commissioners of the United States, or the Mexican minister for foreign affairs, ever entertained the purpose of thus setting at naught the deliberate decision of the President and the senate, which had been communicated to the Mexican government with the assurance that their abandonment of this obnoxious article was essential to the restoration of peace.

But the meaning of the protocol is plain. It is simply that the nullification of this article was not intended to destroy valid legitimate titles to land which existed and were in full force independently of the provisions and without the aid of this article. Notwithstanding it has been expunged from the treaty, these grants were to "preserve the legal value which they may possess." The refusal to revive grants which had become extinct was not to invalidate those which were in full force and vigor.

That such was the clear understanding of the senate of the United States and this in perfect accordance with the Protocol, is manifest from the fact, that whilst they struck from the treaty this unjust article, they at the same time sanctioned and ratified the last paragraph of the eighth article of the treaty, which declares that, "In the said Territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract shall enjoy with respect to it guarantees equally ample as if the same belonged to citizens of the United States."

Without any stipulation in the treaty to this effect, all such valid titles under the Mexican Government would have been protected under the Constitution and laws of the United States.

The third and last explanation contained in the Protocol is that, "the Government of the United States, by suppressing the concluding paragraph of article twelfth of the treaty, did not intend to deprive the Mexican Republic of the free and unrestricted faculty of ceding, conveying or transferring, at any time, (as it may judge best,) the sum of \$12,000,000 which the same Government of the United States is to deliver in the places designated by the amended article."

The concluding paragraph, or rather sentence,

of the original twelfth article thus suppressed by the senate, is in the following language: Certificates in proper form, for the said instalments respectively, in such sums as shall be desired by the Mexican Government, and transferrable by it, shall be delivered to the said Government by that of the United States.

From this bare statement of facts the meaning of the Protocol is obvious. Although the senate had declined to create a government stock for the twelve millions of dollars, and issue transferrable certificates for the amount, in such sums as the Mexican Government might desire; yet they could not have intended thereby to deprive that Government of the faculty which every creditor possesses of transferring for his own benefit the obligation of his debtor, whatever this may be worth, according to his will and pleasure.

It cannot be doubted that the twelfth article of the treaty, as it now stands, contains a positive obligation, "in consideration of the extension acquired by the boundaries of the United States," to pay the Mexican Republic \$12,000,000 in four equal annual instalments of \$3,000,000 each. This obligation may be assigned by the Mexican government to any person whatever; but the assignee, in such case, would stand in no better condition than that government. The amendment of the senate, prohibiting the issue of a government transferrable stock for the amount, produces this effect and no more.

The Protocol contains nothing from which it can be inferred that the assignee could rightfully demand the payment of the money in case the consideration should fail which is stated on the face of the obligation. With this view of the whole Protocol, and considering that the explanations which it contained were in accordance with the Treaty, I did not deem it necessary to take any action upon the subject. Had it varied from the terms of the Treaty as amended by the Senate, although it would even have been a nullity in itself, yet duty might have required that I should make this fact known to the Mexican Government. This not being the case, I treated it in the same manner I would have done had these explanations been made verbally by the Commissioners of the Mexican Minister for Foreign Affairs, and communicated in a Dispatch to the State Department.

JAMES K. POLK. Washington, Feb. 8, 1849.

From Punch. "A FEW DAYS IN THE DIGGINS."

Landed at San Francisco, after a "tarnal tossin'" of five months. This is coming the small end of Cape Horn, I reckon, and there ought to be pretty considerable some on the other side to make up leavin' my dry goods store and family fixins in Broadway.

Traded with a Down-Easter, who is makin' tracks for the settlements, with \$30,000 in his carpet bag, for a spade, pick, scamp and washin' trough—givin' \$800 for the plunder, and glad to get it, as Increase Nile Flint of Salem, went \$750, and he is a 'tarnal old hoss at a deal.

Swopped my traps and blankets, a quarter cask of pickled pork, and a demijohn of peach brandy, which I had laid in, for six pounds ginocine gold. Pretty considerable smart tradin'.

Toted my tools to Hiram K. Doughboy's boardin' shanty, and settled with him for blankets and board, at \$30 per diem. Catawampus prices here, that's a fact; but every body's got more dust than he knows what to do with.

Off to the diggins with a party; mighty small potatoes most of 'em; all sorts and colors, and everlasting ragged—Bay-statesmen, Back-woodsmen, Buckeyes from Ohio, Hosses from Kentuck, Cape Cod Whalers, San Francisco Indians, Leperos from Santa Cruz, Texas Volunteers, Philadelphir Quakers, a Lather-day Saint, six Irish Sympathisers, twelve Yankee, as many Britisners, a squad of deserters, a Blackfoot Guide, a Methodist Parson, and a Mormon Elder.

Struck diggin' and sot to serious washin'; parson began to ask a blessin', but seein' Silas T. Forks, of Orangeburgh, N. C., helpin' himself, parson cut it short off, and we went to work like niggers at cane ho'n, 'agreein' to dig in companies and share profits. Cotched the Quaker sunnin' himself, and takin' kink out of his back with a Havana. Convened a meetin', coweded Quaker, and at it again. Gold lyn, about like earth nuts, and ridin' through the water like halibones in a sherry cobbler.

Sounded the conch for grub, and found nobody got anythin', but that cute old con, Zerubbabel W. Peabody, of Stetan Island, who had brought a bag of biscuits, and some ment fixins. The varmint wouldn't sell a notion under an ounce of dust, and saked the whole bilin'.

To work again; trotted up again at sundown, and found we'd averaged \$28 per man. Got back to shanty; but before that darned Hiram K. Doughboy would let me inside his door, forced to pay down \$30 for day's board and lodgin'. So wound up \$2 worse than in the mornin'. Kalkulated to camp out in future, cut Hiram, and work on my own hook, havin' realized that socialism ain't no go in gold diggin'. Asked Hiram why he didn't go out with his bow-knife and washin'-pail. Hiram sniggered, and said he warn't greedy, and preferred helpin' folks in his shanty. Hiram usn't to be such a consarned fool.

Started alone—having swopped the gold I got from Down Easter yesterday, for one blanket, half cask of pork, and half demijohn of brandy. Must convene that I've lost 50 per cent bargains: but a cargo of new diggers havin' just come in from Panama, great demand for such things, and forced to give what that old flint of a Down Easter chose to ask. He's made considerable some by his trade, that's a fact, and I doubt if he could have done better at the diggins.

Made a great day—havin' saked 40 dollars at least. Got sorter lost, and when I tracked back to the tree where I'd coked my plunder, found those tarnal Ingins had absquatulated with blanket, pork, and brandy. Lucky I've got my tools. Spent the night under a cotton tree; mighty sharp set in the mornin', havin' eat nothin' since yesterday at twelve. Struck the trail of Zerubbabel W. Peabody, and traded with him for some bread and pork doin's for which the everlastin' old skinfint made me come down cruel, cleanin' me out of all I'd raised yesterday.

Zerubbabel says he ain't diggin'; but goin' about with a provision and liquor store. It is amazin' how long headed men like Zerubbabel can be such darned idiots. I've got out of the track of the settlement and into prime diggin'—all to myself—where the lamps of gold run as big as piggeon's eggs, and lie as thick as hail-stones in Broadway, after a comin' down in the fall. But I'm darned weak for want of grub, and so rheumatic with campin' out, that it's quite a caution.

Two days without seein' food—gold gets more abundant than ever.

The Lower Sandusky Freeman.

J. S. Fonke, Editor and Publisher.

LOWER SANDUSKY, FEB. 24, 1849.

SALUTATORY.

Upon taking control of a Newspaper, it is expected that the Editor will write what might be termed a "preface," giving a brief exposition of the principles, by which he intends to be governed, in its editorial management.

In following this custom, we shall be brief, as long articles of this kind, like a long preface to a book, are seldom read; besides we prefer letting the paper "speak for itself," rather than to tell what we intend to do.

In assuming the editorial management of this paper, however, we are not unmindful of the arduous and responsible duties we undertake, and cannot but feel distrustful of our fitness and qualifications for discharging so responsible a trust; but feeling assured that our efforts and intentions will be rightly appreciated by a discerning and intelligent people, we shall throw ourself upon their generosity and forbearance, and shall so far as our facilities will admit, endeavor to make the FREEMAN interesting and useful to its readers.

Politically, the paper will be Ware, and it shall be our constant aim to promote and advance the interests and principles of that party. Our forefathers wisely adopted those principles as the only true basis, to advance and elevate man to the high and noble position, which it was designed by a wise Creator he should enjoy while here below.

Recently those principles have most signally and effectually triumphed over those advocated by our opponents, and time will soon determine whether, as in the early days of the Republic, they will tend to the advancement and good of our common country.

But while it is our intention to advocate Whig principles and measures, we shall at the same time have a due regard for the opinions of our opponents. We believe the mass of the people, of all parties, are honest in their opinions, and are striving to obtain the same ends—the interest and good of our glorious Union. To the man who honestly differs with us in opinion, we have the greatest regard, and our bearing towards such shall be courteous and respectful, and shall exercise that degree of liberality which an honest difference of opinion demands.

On the question of Slavery, as it now exists in the several States, we do not feel disposed to meddle with, rightfully assuming, as we think, that the compact entered into by the States in regard to that question, should be held inviolate. The question of abolishing slavery in the States where it now exists, should be left to the States immediately interested. But to its extension over territory now free, we are opposed, and believe that Congress have the power to confine it to its present limits, and we believe the intelligence of the age will conjoin to political oblivion that man, who shall dare to favor so unnatural and infamous a measure, as that of extending the blighting curse of Slavery over any territory now free.

It shall be the aim of this editor, to publish a free and independent Journal, to be controlled by no man or set of men, besides the editor, and all articles intended for publication in the FREEMAN, must be submitted to his inspection. Short, well-written articles, free from all personal allusions, will be thankfully received.

Gen. Cass passed through this place on Thursday morning last, on his way to Washington. We had the pleasure of taking the old General by the hand, and as we gave it a hearty shake, felt a compunctious misgiving as to its propriety, after the many hard things, though true, we said about him during the last campaign. The General appeared to enjoy good health, and, under the "circumstances," we thought, looked remarkably well. We wish him a safe journey, and an honorable distinction, in his old calling, as United States Senator.

OHIO LEGISLATURE.

The Ohio Legislature has been engaged for some time back in determining who should be the candidate for Senator, Judges, &c., and doing very little legislation of importance to the State. The Locofocos have, for the first time in a number of years, by chicanery and intrigue, got an accidental majority, and going on the principle that to the "victors belong the spoils," they will probably prolong the session to as late a day as possible.

When we commenced this article, we were going to say that the Legislature has passed the bill chartering the Lower Sandusky and Fort Bank Plank Road Company, and authorizing it to open the books and receive stock. The bill to incorporate the Lower Sandusky and Rome, (Seneca Co.,) Company, has not yet been passed.

CEN. TAYLOR.

Gen. Taylor arrived in Wheeling on the 20th inst., on his way to Washington. He was welcomed, as has been the case all along his route, with every demonstration of joy, by the citizens. He left the next day for the Capitol, where it was expected he would arrive about the 23d or 24th, and it is thought that somewhere near the 5th of March he will take possession of the White House, "And old Whitey of the White House Stable."

We send the first number of our paper to a number of persons, who are not now subscribers, hoping that they will lend us their names and influence, in sustaining us in the publication of the Freeman. It is desirable that the patronage of the paper should be increased, and the larger the circulation becomes, the more interesting and useful we will be enabled to make it, and the more good it will accomplish. We hope our friends throughout the county, will interest themselves in obtaining subscribers.

In the hurry consequent upon issuing a paper this week, and the scarcity of help, we have not been able to pay that attention to it, which we could have wished. After we get "fixed" we shall be able to pay more attention to it, and give our readers a greater variety of matter.

We send the Freeman to the former patrons of the Telegraph, and respectfully solicit their names and patronage. Should any of them desire not to take the paper, they can return it to us through the post-office or otherwise.

The weather, on last Monday, was the coldest we have had for a number of years, the mercury, of our Thermometers, falling as low as 24 degrees below zero. We don't think any of our "oldest inhabitants" can recollect when it has been much colder in this county.

Telegraphic reports from Columbus state that the Legislature went into the election of a United States Senator, and Judges of the Supreme Court, on Thursday last.

Mr. Chase was elected Senator, Caldwell and Spalding Supreme Judges, and Bliss of Kyria, one of the President Judges. All Locofocos but Mr. Chase, who is a Free Soiler. So we go.

SPEECH OF GENERAL TAYLOR AT LOUISVILLE.

New York, Feb. 19, 7 P. M.

The Louisville Morning Courier of the 14th inst., received to-day, brings the particulars of the magnificent banquet in honor of the President elect, given on the evening of the 12th inst.

The Mayor of the city presided. The regular toast was:—General Taylor, by birth a Virginian, in boyhood and early manhood a Kentuckian; his glorious achievements upon his country's battle fields have made him the property of the nation—his wisdom and virtue will render him, as the Chief Magistrate of a great Republic, the benefactor of the world. (Cheers.)

Gen. Taylor replied:— I am sincerely obliged to you for the complimentary toast which has just been received, and for the generous reception it has met with in this assembly. I have not deserved the praises lavished upon my past services, and the suggestion made in relation to the future, is more flattering than any I have found myself enabled to indulge. I am indeed a Virginian by birth, but I removed to this country when it was still a part of that ancient commonwealth. Whilst I venerate the state of my nativity, it is here I spent the days of my youth, and all the associations of boyhood and early manhood are connected with the scenes which surround me. I have always disclaimed a large share of the merit of the achievements upon the battle field, you have so kindly noticed, as justly due to the gallant soldiers—volunteers and regulars, whom I had the good fortune to command.

In regard to the new kind of duties to which I have been assigned, it may be allowed me who have spent more than 40 years in a different kind of service, to distrust my ability to meet the expectations of the public. The intelligent freeman of the Union desire to see the administration of public affairs brought nearer the principles and practices of our first Presidents. It will be my aim to do their will.

Whatever errors I shall commit, in discharge of this high trust, will I hope be attributed to the head and not to the heart; for I rely upon the partiality which conferred the highest station upon earth, to construe with a spirit of forbearance, my acts while filling an office for which I had no aspiration. I declined being a candidate until a sense of duty constrained me to yield to the wishes of the people. May I not hope that those who conferred this great honor upon me, without solicitation on my part, will be satisfied if I shall serve them with an eye simply to the best interests of the whole country. If I shall be able in any degree to equal the expectations of my countrymen, it will amply compensate for any labor I may undergo.

I again thank you, for this generous and enthusiastic demonstration, and in conclusion, allow me to offer the following sentiment: "The people of Kentucky—Unsurpassed by any other in intelligence, virtue and valor."

The General afterwards took an amusing story and took a lively part in the banquet. Gen. Shields was present, and offered a complimentary toast.

PROVISIONAL GOVERNMENT IN CALIFORNIA.— Copies of the "Star and Californian," printed at San Francisco, December 23, have just been received. Among other articles, it contains the proceedings of "The rising of the people—progress of the cause—and meeting in San Jose," for organizing a provisional government; also, the account of an "enthusiastic provisional government meeting," held at San Francisco on the 21st December. In reference to this the Washington Union says:—"And yet Congress still slumbers over the insecure condition, the 'anarcal position,' the representations received of the impunity with which outrage and violence are committed in California!"

SILVER SEVEN CENT PIECES.—An ingenious gentleman of Baltimore publishes a communication demonstrating the great conveniences that would result from the issuing of silver seven cents each. This project is very ingenious for any one who may make a calculation, and find that such coin would entirely supersede the use of copper, provided the payer and payee have each a sufficient quantity of small change. Thus to pay one cent, give three seven cent pieces and receive two ten cent pieces in exchange; to pay two cents give a seven and a five cent piece and receive one dime in change, to pay three cents give ten and receive seven change, &c., &c.

"Mr. Speaker, this is a mighty fine house. Them fillows cost a heap of money, I reckon. Mr. Speaker! all the oxen in Mississippi couldn't haul this house off!"

And being thus happily delivered, the member from M— took his seat, amid the roars of the House. Tradition says the subject incontinently dropped, and no other "bill for the removal of the Capitol" was ever reported.

Life is shortened by indulgence in anger, ill-will, envy, grief, sorrow, and excessive care. The vital powers are wasted by excessive bodily exercise in some cases, and want of a due portion in others.

The first Postmaster General in the U. States, was Dr. Franklin. His salary was \$1000.