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President's Message.

Fellow Citizens of the Senate and of the House of Representatives:

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. An assault was made by our gallant army, upon the strongly fortified palaces near the gates of the city of Mexico, and upon the city itself. After several days of severe conflict, 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 of 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 propositions 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 fellow citizens has been shed in the prosecution of this 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 arose, 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 for this purpose, we should hold and occupy, by our naval and military forces, all the ports, 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 could be accepted by the United 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 mean time, 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 California 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 United States 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, therefore, 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 apprehensions 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.

Beside New Mexico and the California, there are other Mexican provinces which have been reduced to our possession by conquest. These other Mexican provinces are now governed by our naval and military commanders, under the general au-

thority which is conferred upon a conqueror by the laws of war. They should continue to be held as a means of coercing Mexico to accede to just terms of peace. Civil as well as military officers are required to conduct such a government.—Adequate compensation, to be drawn from contributions levied upon the enemy, should be fixed by law, for such officers as may be thus employed. What further may become necessary, and what final disposition it may be proper to make of them, must depend on the future progress of the war, and the course Mexico may think proper hereafter to pursue.

With the views I entertain, I cannot favor the policy which has been suggested, either to withdraw our army altogether, or to retire to a designated line, and simply hold and defend it. To withdraw our army altogether from the conquests they have made, by deeds of unparalleled bravery, and at the expense of so much blood and treasure, in a war just on our part, and one which, by the act of the enemy, we could not honorably have avoided, would be to degrade the nation in its own estimation, and in that of the world. To retire to a line, and simply hold and defend it, would not terminate the war.—On the contrary, it would encourage Mexico to persevere, and tend to protract it indefinitely.

It is not to be expected that Mexico, after refusing to establish such a line as a permanent boundary when our victorious armies are in possession of her capital, and heart of her country, would permit us to hold it without resistance. That she would continue it, 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 necessarily waged. It would require a large army, to be kept continually in the field, stationed at posts and garrisons along such a line, to protect and defend it. The enemy, relieved from the presence of our armies, on his coasts, and in the populous parts of the interior, would direct, 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 favorite 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 wait his approach, being in constant uncertainty at what point of the line, or at what time he may make the assault. He may assemble and organize an overwhelming force in the interior, or his own side of the line; and, concealing 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 reinforcement, and, in this way, our gallant army would be exposed to the danger of being cut off in detail, or if, by their unrivalled bravery and prowess, every where exhibited during this war, they should repel the enemy, their numbers, stationed at any one point may be too small to pursue him. If the enemy be repulsed in an attack, we will have nothing else to do but retreat to his own side of the line, and, being in no fear of a pursuing enemy, may reinforce himself at leisure for another attack on the same, or some other point. He may, too, cross the line between our posts, make incursions into the country which we hold, murder the inhabitants thereof, and then retreat 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 with attack, 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 interests, and of bringing the war to an honorable close, will be to prosecute it, with increased energy and power, in the final part of the enemy's country. In my annual message to Congress I declared, that the war 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 expense of the war as well as to our much injured citizens,

who hold a large pecuniary demand 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;—and in its prosecution we seek only 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 alive branch of peace in their hand; 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 so long held in subjection by one faction of military usurpers after another; 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 from that 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 an official correspondence which took place in the month of August last, between him and his government,—a copy of which is herewith communicated. For this cause alone, a revolution which displaced him from power, was set on foot by General 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 the true interest of their country to 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 apprehensions, would probably cause them to speak their sentiments, and to adopt the means necessary for the restoration of peace. With a people 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 establishing 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 relative duties in the great family of nations, and promoting her own happiness by wise laws, and their faithful execution.

If after affording this encouragement and protection,—after all the persevering 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 to pursue of peace, and must continue to occupy her territory 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 things in Mexico, and to withdraw our army without a peace,—would not only leave all the wrongs of which we complain undressed, but would be the signal for new and fierce civil dissensions, and new revolutions, all along hostile to peaceful relations with the United States. Besides there is danger, if our troops should be withdrawn before the peace should be

concluded, that the Mexican people, wearied with successive revolutions, and deprived of protection for their persons and property, might be inclined to yield to foreign influence, and to cast themselves upon some European Monarchy for protection from the anarchy and suffering which would ensue. This, for our own safety, and in pursuance of established policy, we should be compelled to resist.

We could never consent that Mexico should be thus converted into a monarchy, governed by a foreign prince.

Mexico is our next neighbor, and her boundaries are continuous with our own, through the whole extent across the North American continent from ocean to ocean. Born politically and commercially, we have the deepest interest in her regeneration and prosperity;—indeed it is impossible, that, with a just regard to our own safety, we can become indifferent to her fate. It may be that the Mexican government and people have misconceived, or misunderstood, our forbearance, and our objects in desiring to conclude an amicable adjustment of the existing difficulties between the two countries. She may have supposed that we should submit to terms degrading to the nation; or they may have drawn false inferences from the supposed division of opinion in the United States, on the subject of the war; and may have calculated to gain much by protracting it,—and indeed, that we might ultimately abandon it altogether, without any indemnity—territorial or otherwise. Whatever may be the false impressions under which they have acted; the adoption and prosecution of the energetic policy proposed, must undeceive them.

In the future prosecution of the war, the enemy must be made to feel its pressure more than they have done. At its commencement, it was deemed proper to conduct it in a spirit of forbearance and liberality. With this end in view, early measures were adopted, to conciliate as far as a state of war would permit, the mass of the Mexican population;—to convince them that the war was waged not against the peaceful inhabitants of Mexico, but against their faithless government, which had commenced hostilities,—to remove from their minds false impressions, which their interested rulers had first attempted to make, that the war on our part was one of conquest,—that it was a war against their religion and their churches, which were to be destroyed and overturned,—and that rights of persons and private property would be violated. To remove these false impressions our commanders in the field were directed conspicuously to respect their religion, their churches, and their church property, which were in no manner to be violated. They were directed also to respect the rights of persons and property, of all who should not take up arms against us.

Assurances to this effect were given to the Mexicans by Major General Taylor, in a proclamation, issued in pursuance of instructions from the Secretary of War, in the month of June, 1846; and again, by Major General Scott, who acted upon his own convictions of propriety in issuing it, in a proclamation of the 11th of May, 1847.

In this spirit of liberality and conciliation, and with a view to prevent the body of the Mexican population from taking up arms against us, was the war conducted on our part. Provisions and other supplies furnished to our army by Mexican citizens, were paid for at fair and liberal prices, agreed upon by the parties. After the lapse of a few months, it became apparent that these assurances, and this mild treatment have failed to produce the desired effect upon the Mexican population. The war has been conducted, upon our part, according to the most humane and liberal principles, observed by civilized nations. It was waged in a far different spirit on the part of Mexico. Not appreciating our forbearance, the Mexican people generally became hostile to the United States, and availed themselves of the opportunity to commit the most savage excesses upon our troops. Large numbers of the population took up arms, and, engaging in guerrilla warfare, robbed and murdered, in the most cruel manner, individual soldiers, or small parties, whom accident or other causes had separated from the main body of our army.—Bands of the guerrillas, and robbers infested the roads, harassed our trains, and whenever it was in their power, cut off our supplies.

The Mexican having thus shown themselves to be wholly incapable of appreciating our forbearance and liberality, it was deemed proper to change the manner of conducting the war, making them feel its pressure according to the usages observed under similar circumstances, in all other civilized nations.—Accordingly, as early as the 23d of September 1846, instructions were given by the Secretary of War, to Major Gen. Taylor, to drag supplies for our army from the enemy, paying for them, and to require contributions for its support, if in that way he was satisfied he could get abundant supplies for his forces.—

In directing the execution of these instructions much was necessarily left to the discretion of the commanding officer, who was best acquainted with the circumstances by which he was surrounded—the wants of the army—and the practicability of enforcing the measure. Gen. Taylor, on the 26th of October, 1846, replied from Monterey, that it would have been impossible hitherto, and is so now, to sustain the army by forced contributions or supplies. For reasons assigned by him, he did not adopt the policy of his instructions, but declared his readiness to do so should the army in its future operations reach a portion of the country which may be made to supply the troops with advantage.

He continued to pay for the articles of supply, which were drawn from the enemy's country.

Similar instructions were issued to Maj. General Scott, on the 3d of April, 1847, that if he expected that the army is to support itself by forced contributions levied upon the country, we may ruin and exasperate the inhabitants, and starve ourselves. The same discretion was given to him that had been given to Gen. Taylor, in this respect. General Scott, for the reason assigned by him, still continued to pay for articles of supply for the army, which were drawn from the enemy.

After the army had reached the heart of the most wealthy portion of Mexico, it was supposed that the obstacles which had before that time, prevented, would not be such as to render impracticable the levy of forced contributions for its support; and on the first of September, and on the 6th of October, 1847, the order was repeated in despatches, addressed by the Secretary of War to General Scott; and his attention was again called to the importance of making the enemy bear the burdens of the war, by requiring them to furnish the means of supporting our army; and he was directed to adopt this policy, unless by doing so there was danger of depriving the army of necessary supplies. Copies of these despatches were forwarded to General Taylor, for his government.

On the 31st of March last, I caused an order to be issued to our military and naval commanders, to levy and collect a military contribution upon all vessels and merchandise which might enter any of the ports of Mexico in our military occupations towards defraying the expenses of the war. By virtue of the right of conquest, and the laws of war, the conqueror, consulting his own safety or convenience, may either exclude foreign commerce altogether from all such ports, or permit it upon such terms and conditions as he may prescribe. Before the principal ports of Mexico were blockaded by our navy, the revenues derived from import duties, under the laws of Mexico, were paid into the Mexican treasury. After these ports had fallen into our military possession, the blockade was raised, and commerce with them permitted, upon prescribed terms and conditions. They were open to the trade of all nations, upon the payment of duties, more moderate in their amount, than those which had been previously levied by Mexico; and the revenue, which was formerly paid into the Mexican treasury, was directed to be collected by our military and naval officers and applied to the use of our army and navy. Care was taken that officers, soldiers, and sailors of our army and navy, should be exempted from the operations of this order, and as the merchandise imported, upon which the order operated, must be consumed by Mexican citizens, the contributions were, in effect, the seizure of the public revenues of Mexico, and the application of them to our own use. In directing this measure, the object was to compel the enemy to contribute, as far as practicable, toward the expenses of the war.

For the amount of contributions which have been levied in this form, I refer you to the accompanying reports of the Secretary of War, and the Secretary of the Navy, by which it appears that a sum exceeding half a million of dollars has been collected.

The amount would undoubtedly have been much larger, but for the difficulty of keeping open communication between the coast and the interior, so as to enable the owners of the merchandise imported to transport and send it to the inhabitants of the country.

It is confidently expected that this difficulty will, to a great extent, be soon removed, by our increased forces which have been sent to the field.

Measures have recently been adopted, by which internal, as well as external revenues, in all places, in our military possession, will be received, and appropriated to the use of our army and navy. The policy of levying upon the enemy, contributions in every form consistent with the laws of nations, which it may be practicable for our military commanders to adopt, should be rigidly enforced, and officers to this effect have, according to the policy of the war, been directed to be relieved from a heavy drain, the Mexican people will be made to feel, the burthens of the war; and consulting their own interests, may be induced, the more readily to require their rulers to accede to a just peace.

After the adjournment of the last session of Congress, credits transported, in the prosecution of the war, which, in my judgment, required a greater number of

troops in the field than had been anticipated. The strength of the army was accordingly increased, by accepting the services of all the Volunteer forces authorized by the act of the 18th of May, 1846; without putting a construction on that act, the correctness of which was seriously questioned. The volunteer forces now in the field, with those which had been accepted, to serve twelve months, and were discharged at the end of their terms of service, exhausts the fifty thousand men authorized by that act. Had it been clear that a proper construction of the act warranted the services of an addition number, they would have been called, and accepted; but doubts existing upon this point, the power was not exercised.

It is deemed important that Congress should, at an early period of their session, confer authority to raise an additional regular force to serve during the war with Mexico, and to be discharged upon the conclusion and ratification of a treaty of peace. I invite the attention of Congress to the views presented by the Secretary of War, in his report upon this subject.—I recommend that authority be given, by law, to call for and accept, an additional number of volunteers, to be exercised at such times, and to such an extent, as the emergency may require.

In prosecuting the war with Mexico, whilst the utmost care has been taken to avoid every just cause of complaint, on the part of neutral nations, and none has been given, liberal privileges have been granted to their commerce in the ports of the enemy in our military occupation.

The difficulty, with the Brazilian government, which, at that time, threatened to interrupt the friendly relations between the two countries, will, I trust, be speedily adjusted. I have received information that a minister extraordinary and plenipotentiary has been appointed by his Imperial Majesty; and it is hoped he will come prepared to adjust all remaining differences between the two governments, in a manner acceptable and honorable to both. In the meantime I have every reason to believe that nothing will occur to interrupt our amicable relations with Brazil.

It has been my constant effort to maintain and cultivate the most intimate relations of friendship with all the independent powers of South America; and this policy has been attended with the happiest results. It is true that the settlements and payment of many just claims against these nations has long been delayed. The peculiar position in which they have been placed, and the desire on the part of my predecessor, as well as myself, to grant them the utmost indulgence, has hitherto prevented these claims from being urged in a manner strict justice demands. The time has arrived when they ought to be finally adjusted, liquidated, and enforced; and efforts are now making for that purpose.

If proper to inform you that the government of Peru has, in good faith paid the first instalments of the indemnity of thirty thousand dollars each, and the greater portion of the interest due thereon, in execution of the Convention between that government and the United States, the ratifications of which were exchanged at Lima, on the 31st of October, 1846. The Attorney General of the United States, early in August last, completed the adjudication of the claims under convention, and made his report thereon, in pursuance of the act of the 7th of August, 1846. The sums to which the claimants are respectively entitled will be paid, on demand, at the Treasury.

I invite the early attention of Congress to the present condition of our citizens in China. Under our treaty with that power, American citizens are withdrawn from the jurisdiction, whether civil or criminal, of the Chinese Government,—and placed under that of our public functionaries in that country;—for by these alone can our citizens be tried and punished for the commission of any crime.—By these alone can questions be decided between them, involving the rights of person and property; and by these alone can contracts be enforced; into which they may have entered, with the citizens or subjects of foreign powers. The merchant vessels of the United States, lying in the waters of the five ports of China, open to foreign commerce, are under the exclusive jurisdiction of officers of their own government. Until Congress shall establish competent tribunals, to try and punish crimes, and to exercise jurisdiction in China, American citizens there are subject to no law whatever—and crimes may be committed with impunity, and debts contracted without any means to enforce their payment. Incouragements have already resulted from the omission of Congress to legislate upon the subject, and still greater are apprehended. The British authorities in China, have already complained that this government has not provided for the punishment of crimes, or the enforcement of contracts, against American citizens, in that country, while their