

We find, on our arrival here to-day, that the unpleasant rumors that have been current for a few days, implicating Mr. Peck, our Treasurer of State, in improper, and as it seems highly culpable financial transactions, in which the money of the State has been used by him in private speculations are, in the main correct. There are many stories told respecting the nature and extent of these transactions, and it was not without difficulty that we were able to get at the material facts of the case.

Unfortunately for Mr. Peck, in an evil hour, he was drawn into the snare of some men in Bangor, the most prominent of whom are leading Buchanan Democrats in that city, and federal office holders, who have victimized him, and plucked him to a large extent, by drawing him into an extensive lumbering concern in Canada, to support which and to carry on its extensive operations, he has used the money of the State to the amount of some \$75,000 or \$80,000. This money he has used unbeknownst to Mr. Caldwell his assistant Treasurer in the office, when he has been away from Augusta, checking it from the Banks in which it was deposited as his own property, and managing it as such a way as to prevent its coming to the knowledge of the assistant Treasurer, who keeps the books and does the general office business. The books, which are all straight, show an apparent balance of \$104,000 or thereabouts distributed among quite a number of Banks in the State. The enquiry of the Bank Commissioners into the affairs of the Norumbega Bank revealed evidences of his improper conduct, and the Governor and Council were immediately apprized of the facts, and they took measures at once to enquire of the trustee of affairs. It turns out on enquiry that of this \$104,000, perhaps there may be \$20,000 on deposit, and that the balance has been improperly used, and in addition to this, Mr. P. in some instances has overdrawn large amounts, placing his official signature on checks for that purpose, and what is equally reprehensible, he has accepted private drafts in his official capacity. On his bond there are nine names, several of them men of reputed wealth, some residing in Bangor and some in Portland. On being apprized of these facts, a portion of them who are extensively engaged in business, as it is said to gain time to learn more fully the amount for which they are responsible, transferred their property to other creditors.

I learn to-day that the property in Canada for which Mr. Peck used the money, consisting of timber limits and large steam saw-mills, has been transferred to the signers of the bond, and that the State will in the end suffer no loss. We have nothing to say in extension of Mr. P.'s conduct, and shall not, because he sympathized with us in political opinion, palliate or defend it. There is not a member of the Republican party here, or can there be found one in the State who will do so. Mr. Peck was in some measure entrusted with the honor and integrity of the party, and the excuse that he fell "a den of thieves" who have used him as a stool-pigeon to pluck the treasury is of no avail in our view. The men in whose company he is found were a portion of them his political opponents, and he ought not to have been there. It would have been fair at least to have looked upon their political position as presumptive evidence of their being unsuitable men with whom to have pecuniary transactions. Then again the law of the State expressly forbids the Treasurer from using the public money for private purposes, and makes him criminally responsible for any improper use thereof. Mr. Peck knew this and he must take the consequences of his conduct. The Republican party has no sympathy with public plunderers, and no matter whether penitence is found within its own ranks, or the ranks of its opponents, its press and its leading men will denounce it and will not screen offenders from the consequences of their acts.

This much we have to say. Regretting as every Republican will the culpability of one who has received at their hands honors and emoluments, and one from whom they had a right to expect different things, they will not conclude that the individual conduct of one man can depreciate the value of the principles they profess, or lessen their anxiety to promote them.

The affair will suggest to the Representatives additional legislative safeguards to prevent a recurrence of like character, and the exercise of great caution in the selection of another man to fill the office hereafter.

L. O. C.

AGUSTA, Jan. 4, 1850.

The republican members of the legislature in their caucus last evening, made the following nominations for officers of the two branches. SENATE.—Thomas H. Marshall, President; James M. Lincoln, of Bath, Secretary; E. C. Brett of Oldtown, assistant Secretary; Blake of Farmington Messenger; Hall, assistant.

HOUSE.—Frederick A. Pike, Galois, Speaker; Charles A. Miller, Clerk; Frank A. Drew of Fort Fairfield, assistant clerk; E. P. Parcher, of Biddeford, Messenger; Norton, assistant members.

The caucuses were entirely harmonious, and the best of feeling prevailed among the republican members.

The Democrats nominated Mr. Ludwig, of Thomaston, for Speaker.

L. O. C.

AGUSTA, Jan. 4, 1850.

A public installation of the officers elect of the Socy Lodge of Odd Fellows, took place at the Town Hall here, on Tuesday evening last. A large number were present to witness the ceremonies, which were of a very interesting character.

THE IRREPRESSIBLE CONFLICT.—A letter dated Cynthia, Ky., says: "Three persons (preachers) were arrested for tampering with negroes in Madison county Ky., last week. They were tarred and feathered and sent back to the North from whence they came. They are considered rascals here. A Rev. gentleman has been notified to leave the State. The people here are determined to drive all such persons out."

Monday was the coldest of the season—30 to 31 below zero at sunrise.

Fernando Wood and his immediate friends have engaged rooms for a hundred persons in Charleston, at the time of the Convention's meeting. This indicates a braving position assumed by the President that slavery under the constitution is extended into the territories, and that if the present Judicial power is insufficient for its protection, legislative aid must be granted. The position is considered the lowest bid yet, for Southern support of the Presidency, and a direct cut to the doctrines of Douglas.

SHOCKING CASUALTY.—Eight females were burned to death on Tuesday morning, by the destruction of a factory in Simsbury, Conn. They were in the second story and the flames spread so rapidly that they could not escape. Two of them were badly burned and two men were seriously injured.

CONGRESSIONAL.—Since our last, Congress has been going on in the usual way—a great deal of talking, and a little voting, both arriving at the same result—nothing.

NEAL DOW, C. A. STACEY, LEONARD ANDREWS, FREDERICK ROBBIE, D. B. HANDALL, S. L. CARLTON, JOHN S. CARLTON, DARIUS ROBBIE, Sec'y.

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to exercise complete and exclusive sovereignty within the fairly defined limits." In acknowledging the receipt on the next day of Mr. Marcy's note, the British Minister expressed his entire confidence in the propriety of the arrangement, and recommended to Mr. Marcy's instructions to that officer, and stating that he had "no time to transmit a copy of that document to the Governor General of British North America," and had "earnestly recommended to his Excellency to take such measures as to him may appear best calculated to secure, on the part of the British local authorities and the inhabitants of the neighborhood of the line in question, the exercise of the same rights of forbearance which is incalculated by you (Mr. Marcy) on the authorities and citizens of the United States."

Thus matters remained upon the faith of this arrangement until the 9th of July last, when Gen. Harney paid a visit to the Island. He found upon the island, the British residents with their families, and also an establishment of the Hudson's Bay Company for the purpose of raising sheep. A short time before his arrival one of these residents had shot an animal belonging to the company, whilst trespassing upon its premises, in which, however, he was refused to pay twice its value; but that was offered. Soon after the chief factor of the company at Victoria, Mr. Dalles, son-in-law of Governor Douglas, came to the Island in the British schooner, the *Satellite*, and thereon, by force of a Mexican citizen, (Cutter) by force of Victoria, to answer for the trespass he had committed. The American seized his rifle, and told Mr. Dalles if any such attempt was made he would kill him on the spot. The affair then ended.

Under these circumstances the American settlers presented a petition to the General through the United States Inspector of Customs, Mr. Hubbs, to place a force upon the island, to protect them from the depredations as well as the oppressive interference of the authorities of the Hudson Bay Company at Victoria, with their rights as American citizens. The General immediately responded to this petition, and ordered Capt. Geo. B. Pickett, 9th Infantry, to proceed to the island, on San Juan Island, on some suitable position near the harbor at the southeastern extremity. This order was promptly obeyed, and a military post was established at the place designated. The force was increased, so that by the last return the whole number of troops then on the island amounted in the aggregate to 601 men.

Whilst I do not deem it proper on the present occasion to go further into the subject, and discuss the rights which ought to be attached to the statements of the British colonial authorities contesting the accuracy of the information on which the gallant General acted, it was due to him that I should thus present his own reasons for issuing the order to Capt. Pickett, and the steps which he took to prevent the British authorities on Vancouver's Island from exercising jurisdiction over American residents on the Island of San Juan, as well as to protect them against the incursions of the British. Much excitement was called for some time throughout that region, and serious danger of collision between the parties was apprehended. The British had a large naval force in the vicinity; and it is an act of simple justice to the admiral on that station to state that he wisely and discreetly forbore to interfere with the act, but determined to refer the whole affair to his Government and await their instructions.

This aspect of the matter, in my opinion, demanded serious attention. It would have been a great calamity if the British had been precipitated into acts of hostility, not on the question of title to the island, but merely concerning what should be its condition during the intervening period whilst the two governments might be employed in settling the question. For this reason Lieutenant Gen. Scott was despatched on the 17th September last to Washington Territory, to take immediate command of the United States forces on the Pacific coast should he deem this necessary.

The main object of his mission was to carry out the spirit of the precautionary arrangement between the late Secretary of State and the British Minister, and thus to preserve the peace and prevent collision between the British and American authorities in the vicinity. Entertaining no doubt of the validity of our title, I need scarcely add that, in any event, American citizens were to be placed on a footing at least as favorable as that of the subjects of the British Government. Captain Pickett's company should remain on the island. It is proper to observe that, considering the distance from the scene of action, and in ignorance of what might have transpired on the spot before the General's arrival, it was necessary to leave much to his discretion, and I am happy to state the event has proven that this discretion could not have been entrusted to more competent hands. General Scott has recently returned from his mission, and he has fully complied with its objects, and there is no longer any good reason to apprehend a collision between the forces of the two countries during the pendency of the existing negotiations.

**Message Affairs.** I regret to inform you that there has been no improvement in the affairs of Mexico since my last annual message, and I am obliged to ask the earnest attention of Congress to the unhappy state of that country.

The constitutional Convention of Mexico, which adjourned on the 17th of February, 1850, adopted a constitution and provided for a popular election. This took place in the following July (1850), and a General Convention was chosen for almost without opposition. At the same election a new Congress was chosen, whose first session commenced on the 16th of September, 1850. By the constitution of 1850 the Presidential term was to begin on the 1st of December, 1850, and to last for four years. On the 1st day General Comonfort appeared before the assembled Congress in the city of Mexico, took the oath to support the new constitution, and was duly inaugurated as President.

Within a month afterwards he had been driven from the capital, and a military rebellion had assigned the supreme power of the Republic to Gen. Zalozaga. The constitution provided that in the absence of the President his office should devolve upon the Chief Justice of the Supreme Court. General Comonfort having left the country, this functionary, General Juarez, proceeded to form, at Guanajuato, a constitutional government. Before this was officially known to the United States, the government of Zalozaga had been recognized by the entire country, including the Minister of the United States, as the de facto government of Mexico. The constitutional President, nevertheless, maintained his position with firmness, and was soon established with his cabinet at Vera Cruz. Meanwhile, the government of Zalozaga was earnestly resisted in many parts of the republic, and even in the capital, a portion of the army having pronounced against it, its functions were declared terminated, and an assembly of a new President. This assembly elected General Miramon, but that officer repudiated the plan under which he was chosen, and Zalozaga was thus restored to his previous position. He assumed it, however, only to withdraw from it, and to assume having become, by his appointment, "President Substitute," continues, with that title, at the head of the insurgent party.

In my last annual message I communicated to Congress the circumstances under which the late Minister of the United States sent his official relations with the central government, and withdrew from the country. It was impossible to maintain friendly intercourse with a government, like that at the capital, under whose usurped authority no one was constitutionally recognized, but never redressed. Here is then an established government, with its power extending, by the consent of the people, over the whole of Mexico, a resort to hostilities against it would have been justifiable, and indeed necessary; and it was hoped that the success of the constitutional President might lead to a condition of things less injurious to the United States. This success became so probable

that, in January last, I employed a reliable agent to visit Mexico, and report to me the actual condition and prospects of the contending parties. In consequence of the success of this mission, I was enabled to receive from other sources, favorable to the prospects of the constitutional cause, I felt justified in appointing a new minister to Mexico, who might embrace the earliest suitable opportunity of restoring our diplomatic relations with that republic.

For this purpose a distinguished public citizen of Mexico was selected, who proceeded on his mission on the 8th of March last, with discretionary authority to recognize the government of President Juarez, if on his arrival in Mexico he should be enabled to such recognition, according to the established practice of the United States. On the 7th of April following, Mr. McLane presented his credentials to President Juarez, having no hesitation in "pronouncing the government of Juarez to be the only existing government of the republic." He was cordially received by the authorities at Vera Cruz, and they have ever since manifested the most friendly disposition towards the United States. Unhappily, however, the constitutional government has not been established in its power over the whole of the United States. Unhappily, however, the constitutional government has not been established in its power over the whole of the United States.

It is supported by a large majority of the people and the States, but there are important parts of the country where it can enforce no obedience. General Miramon maintains himself at the capital; and in some of the northern provinces there are military governments who pay little respect to the decrees of either government. In the mean time the excesses which always attend upon civil war, especially in Mexico, are constantly recurring. Outrages of the most description are committed upon both persons and property. There is scarcely any form of injury which has not been suffered by our citizens in Mexico during the last few years. We have been nominally at peace with that republic, but so far as the interests of our commerce or our citizens who have resided in that country are concerned, we might as well have been at war. Life has been insecure, property unprotected, and trade impeded, except at a price of loss which has been enormous. Important contracts, involving large expenditures, entered into by the central government, have been set at naught by the local governments. Defection among the residents occupying in their possessions, have been suddenly expelled the country, in defiance of treaties, and by the mere force of arbitrary power. Even the course of justice has not been safe from control, and a recent decree of Miramon permitted the introduction of foreign troops into the territory, and either party is a foreigner. Vessels of the United States have been seized without law, and a consular officer who protested against such seizure has been fined and imprisoned for disrespect to the authorities. Military contributions have been levied in violation of every principle of right, and the American who resisted the lawless demand has had his property forcibly taken away, and has been himself banished. From a conflict of authority in different parts of the country, much excitement has been excited in one place have been expelled over again in another place. Large numbers of our citizens have been arrested and imprisoned without any form of examination or any opportunity for a hearing, and even when released, have only obtained their liberty after much suffering and injury. The whole of the country is in a state of anarchy, and the whole of the country is in a state of anarchy, and the whole of the country is in a state of anarchy.

Under the resolution of June 2, 1850, "for the adjustment of difficulties with the republic of Paraguay," the President is "authorized to adopt such measures and use such force as in his judgment may be necessary to carry out the event of a refusal of just satisfaction by the government of Paraguay." Just satisfaction for what? For the attack on the U. S. steamer *Waterbury* by the Paraguayans, and for the refusal to allow the passage of the *Waterbury* to the United States. Here the power is expressly granted upon the condition that the government of Paraguay shall restore to this "just satisfaction."

tion." In this and other similar cases Congress have conferred upon the President power in addition to any power he may possess, in the happening of contingent future events; and this power is embraced within the power to declare war.

Now, in the case of Paraguay, why may it not be conferred for the purpose of protecting the lives and property of American citizens, the event that they may be violently and unlawfully attacked in passing over the transit route toward California, or assailed by the seizure of their vessels in a foreign port? Is it not a power which is in a great degree useless for the protection of the lives and property of American citizens in countries where neither protection nor redress can be otherwise obtained?

**Post Office Affairs.** The thirty-fifth Congress terminated on the 3d of March, 1850, without having passed the "act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1850." This act is one of the most important of the revenue of the Post Office Department for the year ending the 30th of June, 1850. I believe this is the first instance since the year 1820, when the first Congress was convened, that a bill for the Post Office Department has not been passed by the House of Representatives. This is a serious defect in the administration of the executive branch of the government. It presented a choice of evils. If this omission of duty occurred by the neglect of the House of Representatives, the remedy would have been plain. I might have instantly recalled them to complete their work, and this without expense to the government. If, on the other hand, the bill was not passed by the House of Representatives, the remedy would have been equally plain. I might have immediately recalled them to complete their work, and this without expense to the government.

It may be said that these measures will, at least indirectly, be inconsistent with our settled policy not to interfere in the domestic affairs of other nations. It is true, but the present case fairly constitutes an exception. An adjoining republic is in a state of anarchy and confusion from which she has proved wholly unable to extricate herself. She is entirely destitute of the power to maintain peace upon her borders, or to prevent the incursions of banditti into our territory. In her late and her present condition, she is unable to maintain a settled government—we have a far deeper interest, socially, commercially, and politically than any other nation. She is now a great source of trouble and expense to our country, and her condition is a constant source of alarm to our citizens. It is our duty to protect our citizens, and to prevent the incursions of banditti into our territory. In her late and her present condition, she is unable to maintain a settled government—we have a far deeper interest, socially, commercially, and politically than any other nation.

**Territory of Arizona.** The population of Arizona, now numbering about 10,000, is a practically destitute of government, law, or of any regular administration of justice. Murder, rapine, and other crimes are committed with impunity. I, therefore, recommend to the President to establish one or more temporary military posts across the Mexican line in Sonora and Chihuahua, where there may be necessary to protect the lives and property of American and Mexican citizens against the incursions and depredations of the Indians, as well as of lawless rovers on that remote region. Life and property are there wholly insecure.

**Treaty with Nicaragua, &c.** The treaty with Nicaragua of the 16th February, 1850, to which I referred in my last annual message, has been ratified by the Senate of the United States. It provides for the settlement of all claims of the United States against that republic, for reasons which I need not enumerate. A similar treaty has already been concluded between the United States and the Republic of Costa Rica, and the Republic of Honduras. These treaties will be immediately submitted to the Senate for their ratification. It provides for the settlement of all claims of the United States against those republics, for reasons which I need not enumerate. A similar treaty has already been concluded between the United States and the Republic of Costa Rica, and the Republic of Honduras.

**Protection of the Transit Routes.** I deem it to be my duty now more earnestly to recommend to Congress the passage of a law authorizing the President to employ the naval force at his command for the purpose of protecting the transit routes of the Panama, Nicaragua, and Tehuantepec routes, against sudden and lawless outbreaks and depredations. I shall not repeat the reasons which I have given in my former messages in support of this measure. Suffice it to say that the lives of many of our people, and the security of vast amounts of property passing through those routes, are in jeopardy. More of these routes between the Atlantic and Pacific, may be deeply involved in the action of Congress on this subject.

**Pacific Railroad.** I would also recommend to Congress that authority be given to the President to employ the naval force to protect American merchant vessels, their crews and cargoes, against sudden and lawless outbreaks and depredations in the ports of Mexico and the Spanish American States when these countries may be in a disturbed and revolutionary condition. The mere knowledge that such an authority exists, and that it is in the hands of the President, will, in a great degree, prevent the evil. Neither would this require any additional appropriation for the naval service.

**Financial Affairs.** We have yet scarcely recovered from the habits of extravagant expenditure, introduced by the late Secretary of the Treasury, during a year or two prior to the commencement of my administration. The financial reverses which we have since experienced ought to have been a salutary lesson, and to induce us to the greatest vigilance, and to reduce them to the lowest possible point. The Executive Departments of the Government have devoted themselves to the accumulation of debt, and to the expenditure of millions of dollars, in the purchase of land, and in the construction of the Pacific Railroad. I have never doubted that the Pacific Railroad, if properly managed, would be a great benefit to the country. But the manner in which it is being constructed, and the manner in which the money is being expended, is a source of great concern to me. I have repeatedly urged upon the Secretary of the Treasury, and upon the Executive Departments, to exercise the greatest vigilance, and to reduce them to the lowest possible point. The Executive Departments of the Government have devoted themselves to the accumulation of debt, and to the expenditure of millions of dollars, in the purchase of land, and in the construction of the Pacific Railroad.

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