THE PRESIDENT'S MESSAGE.

By SPECIAL and EXTRAORDINARY EXPRESS.

To the NEW ORLEANS BEE---Extra Edition.

MESSAGE.

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...the Mail

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PRESIDENT'S MESSAGE.

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

The annual meeting of Congress is always an interesting event. The Representatives of the States and of the people come fresh from their constituents to take counsel together for their common good. After an existence of near three-fourths of a century as a free and independent republic, the problem no longer remains to be solved, whether man is capable of self-government. The success of our admirable system is a conclusive refutation of the theories of those in other countries who maintain that a 'favored few' are born to rule, and that the mass of mankind must be governed by force. Subject to no arbitrary or hereditary authority, the people are the only sovereigns recognized by our constitution. Numerous emigrants of every lineage and language, attracted by the civil and religious freedom we enjoy, and by our happy condition, annually crowd to our shores, and transfer their hearts, not less than their allegiance, to the country whose dominion belongs to the people.

No country has been so much favored, or should acknowledge with deeper reverence the manifestations of the Divine protection. An all wise Creator directed and guarded us in our infant struggle for freedom, and has constantly watched over our surprising progress, until we have become one of the great nations of the earth.

It is in a country thus favored, and under a government in which the executive and the legislative branches hold their authority for limited periods, alike from the people, and where all are responsible to their respective constituencies, that it is again my duty to communicate with Congress upon the state of the Union, and the present condition of public affairs.

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[illegible] occasion to say, that [illegible] rights of person and pro[illegible] by Mexico, her re[illegible] through a long series of [illegible] solemn treaties, stipula[illegible] injured citizens, not only [illegible] war on our part, but [illegible] aggravated character as would [illegible] the whole world in resorting [illegible] remedy. With an anxious desire [illegible] between the two countries, we [illegible] to assert our clear rights by force, [illegible] to seek redress for the wrongs we [illegible] amicable negotiation, in the hope [illegible] might yield to pacific counsels and the [illegible] In this hope we were disap[illegible] of peace sent to Mexico [illegible] rejected. The Mexican government [illegible] the territory of [illegible] the first blow and [illegible] citizens, on our own soil.

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

On learning that hostilities had been commenced by Mexico, I promptly communicated that fact, accompanied by a succinct statement of our other causes of complaint against Mexico, to Congress; and that body, by the act of the thirteenth of May, 1846, declared that "by the act of the republic of Mexico, a state of war exists between that Government and the United States"—this act declaring "the war to exist by the act of the republic of Mexico," and making provision for its prosecution "to a speedy and successful termination," was passed with great unanimity by Congress, there being but two negative votes in the Senate and but fourteen in the House of Representatives.

The existence of the war having thus been declared by Congress, it became my duty, under the Constitution and the laws, to conduct and prosecute it. This duty has been performed; and though, at every stage of its progress, I have manifested a willingness to terminate it by a just peace, Mexico has refused to accede to any terms which could be accepted by the United States, consistently with the national honor and interest.

The rapid and brilliant successes of our arms, and the vast extent of the enemy's territory which had been overrun and conquered, before the close of the last session of Congress were fully known to that body. Since that time, the war has been prosecuted with increased energy, and, I am gratified to state, with a success which commands universal admiration. History presents no parallel of so many glorious victories achieved by any nation within so short a period. Our army, regulars and volunteers, have covered themselves with imperishable honors. Whenever and wherever our forces have encountered the enemy, though he was vastly superior in numbers, and often entrenched in fortified positions of his own selection, and of great strength, he has been defeated. Too much praise cannot be bestowed upon our officers and men, regulars and volunteers, for their gallantry, discipline, indomitable courage and perseverance, all seeking the post of danger, and vieing with each other in deeds of noble daring.

While every patriot's heart must exult, and a just national pride animate every bosom, in beholding the high proofs of courage, consummate military skill, steady discipline, and humanity to the vanquished enemy, exhibited by our gallant army, the nation is called to mourn over the loss of so many brave officers, and soldiers who have fallen in defence of their country's honor and interests. The brave dead met their melancholy fate in a foreign land, nobly discharging their duty, and with their country's flag waving triumphantly in the face of the foe. Their patriotic deeds are justly appreciated, and will long be remembered by their grateful countrymen. The parental care of the government they loved and served should be extended to their surviving families.

Shortly after the adjournment of the last session of Congress, the gratifying intelligence was received of the signal victory of Buena Vista and of the fall of the city of Vera Cruz, and with it the strong castle of San Juan de Ulloa, by which it was defended. Believing that after these and other successes so honorable to our arms, and so disastrous to Mexico, the period was propitious to afford her another opportunity, if she thought proper to embrace it, to enter into negotiations for peace, a commissioner was appointed to proceed to the headquarters of our army, with full powers to enter upon negotiations, and to conclude a just and honorable treaty of peace. He was not directed to make any new overtures of peace, but was the bearer of a despatch from the Secretary of State of the United States to the Minister of Foreign Affairs of Mexico, in reply to one received from the latter of the 22d of February, 1847, in which the Mexican government was informed of his appointment, and of his presence at the headquarters of our army, and that he was invested with full powers to conclude a definitive treaty of peace, whenever the Mexican government might signify a desire to do so. While I was unwilling to subject the United States to another indignant refusal, I was yet resolved that the evils of the war should not be protracted a day longer than might be rendered absolutely necessary by the Mexican government.

Care was taken to give no instructions to the commissioner which could in any way interfere with our military operations, or relax our energies in the prosecution of the war. He possessed no authority in any manner to control those operations. He was authorized to exhibit his instructions to the General in command of the army; and in the event of a treaty being concluded and ratified on the part of Mexico, he was directed to give him notice of that fact. On the happening of such contingency, and on receiving notice thereof, the General in command was instructed by the Secretary of War to suspend further active military operations until further orders. These instructions were given with a view to intermit hostilities, until the treaty thus ratified by Mexico could be transmitted to Wash[illegible] the government [illegible]

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

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

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

Many weeks elapsed after its receipt, and no overtures were made, nor was any desire expressed by the Mexican government to enter into negotiations for peace.

Our army pursued its march upon the capital, and, as it approached it, was met by formidable resistance. Our forces first encountered the enemy, and achieved signal victories in the severely contested battles of Contreras and Churubusco. It was not until after these actions had resulted in decisive victories, and the capital of the enemy was within our power, that the Mexican government manifested any disposition to enter into negotiations for peace; and even then, as events have proved, there is too much reason to believe they were insincere, and that in agreeing to go through the forms of negotiation, the object was to gain time to strengthen the defences of their capital and to prepare for fresh resistance.

The General in command of the army deemed it expedient to suspend hostilities temporarily, by entering into an armistice with a view to the opening of negotiations. Commissioners were appointed on the part of Mexico to meet the commissioner on the part of the United States. The result of the conferences which took place between these functionaries of the two governments, was a failure to conclude a treaty of peace.

The commissioner of the United States took with him the project of a treaty already prepared, by the terms of which the indemnity required by the United States was a cession of territory.

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

A state of war abrogates treaties previously existing between the belligerents, and a treaty of peace puts an end to all claims for indemnity—for tortious acts committed, under the authority of one government against the citizens or subjects of another, unless they are provided for in its stipulations. A treaty of peace which would terminate the existing war, without providing for indemnity, would enable Mexico—the acknowledged debtor, and herself the aggressor in the war—to relieve herself from her just liabilities. By such a treaty, our citizens, who hold just demands against her, would have no remedy either against Mexico or their own government. Our duty to these citizens must forever prevent such a peace, and no treaty which does not provide ample means of discharging these demands can receive my sanction.

A treaty of peace should settle all existing differences between the two countries. If an adequate cession of territory should be made by such a treaty, the United States should release Mexico from all her liabilities, and assume their payment to our own citizens. If, instead of this, the United States were to consent to a treaty by which Mexico should again engage to pay the heavy amount of indebtedness which a just indemnity to our government and our citizens would impose on her, it is notorious that she does not possess the means to meet such an undertaking. From such a treaty no result could be anticipated, but the same irritating disappointments which have heretofore attended the violations of similar treaty stipulations on the part of Mexico. Such a treaty would be but a temporary cessation of hostilities, without the restoration of the friendship and good understanding which should characterize the future intercourse between the two countries.

That Congress contemplated the acquisition of territorial indemnity, when that body made provision for the prosecution of the war, is obvious. Congress could not have meant—when, in May, 1846, they appropriated ten millions of dollars, and authorized the President to employ the militia and naval and military forces of the United States, and to accept the services of fifty thousand volunteers, to enable him to prosecute the war; and when, at their last session, and after our army had invaded Mexico, they made additional appropriations and authorized the raising of additional troops for the same purpose—that no indemnity was to be obtained from Mexico at the conclusion of the war; and yet it was certain that, if no Mexican territory was acquired, no indemnity could be obtained.

It is further manifest, that Congress contemplated territorial indemnity, from the fact that, at their last session, an act was passed, upon the Executive recommendation, appropriating three millions of dollars with that express object. This appropriation was made "to enable the President to conclude a treaty of peace, limits and boundaries with the Republic of Mexico, to be used by him in the event that said treaty, when signed by the authorized agents of the two governments, and duly ratified by Mexico, shall call for the expenditure of the same, or any part thereof." The object of asking this appropriation was distinctly stated in the several messages on the subject which I communicated to Congress. Similar appropriations made in 1803 and 1806, which were referred to, were intended to be applied in part consideration for the cession of Louisiana and the Floridas. In like manner it was anticipated that, in settling the terms of a treaty of "limits and boundaries" with Mexico, a cession of territory estimated to be of greater value than the amount of our demands against her might be obtained; and that the prompt payment of this sum—in part consideration for the territory ceded—on the conclusion of a treaty, and its ratification on her part, might be an inducement with her to make such a cession of territory as would be satisfactory to the United States. And although the failure to conclude such a treaty has rendered it unnecessary to use any part of the three millions of dollars appropriated by that act, and the entire sum remains in the treasury, it is still applicable to that object, should the contingency occur making such application proper.

The doctrine of no territory is the doctrine of no indemnity; and, if sanctioned, would be a public acknowledgment that our country was wrong, and that the war declared by Congress with extraordinary unanimity, was unjust, and should be abandoned; an admission unfounded in fact, and degrading to the national character.

The terms of the treaty proposed by the United States were not only just to Mexico, but, considering the character and amount of our claims, the unjustifiable and unprovoked commencement of hostilities by her, the expenses of the war to which we have been subjected, and the success which had attended our arms, were deemed to be of a most liberal character.

The commissioner of the United States was authorized to agree to the establishment of the Rio Grande as the boundary, from its entrance into the Gulf to its intersection with the Southern boundary of New Mexico, in north latitude about thirty-two degrees, and to obtain a cession to the United States of the provinces of New Mexico and the Californias, and the privilege of the right of way across the Isthmus of Tehuantepec. The boundary of the Rio Grande, and the cession to the United States of New Mexico and Upper California, constituted an ultimatum which our commissioner was, under no circumstances, to yield.

That it might be manifest not only to Mexico, but to all other nations, that the United States were not disposed to take advantage of a feeble power, by insisting upon wresting from her all the other provinces, including many of her principal towns and cities which we had conquered and held in military occupation, but were willing to conclude a treaty in a spirit of liberality, our commissioner was authorized to stipulate for the restoration to Mexico of all our other conquests.

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

The terms of a treaty proposed by the Mexican commissioners were wholly inadmissible. They negotiated as if Mexico were the victorious, and not the vanquished party. They must have known that their ultimatum could never be accepted. It required the United States to dismember Texas by surrendering to Mexico that part of the territory of that State lying between the Nueces and the [illegible]

[illegible] vision for the payment by Mexico of the just claims of our citizens. It required indemnity to Mexican citizens for injuries they may have sustained by our troops in the prosecution of the war. It demanded the right for Mexico to levy and collect the Mexican tariff for duties on goods imported into her ports while in our military occupation during the war, and the owners of which had paid to officers of the United States the military contributions which had been levied upon them; and it offered to cede to the United States, for a pecuniary consideration, that part of Upper California lying north of latitude thirty-seven degrees. Such were the unreasonable terms proposed by the Mexican commissioners.

The cession to the United States by Mexico, of the provinces of New Mexico and the Californias, as proposed by the commissioner of the United States, it was believed, would be more in accordance with the convenience and interests of both nations than any other cession of territory which it was probable Mexico could be induced to make.

It is manifest to all who have observed the actual condition of the Mexican government, for some time past, and at present, that if these provinces should be retained by her, she could not long continue to hold and govern them. Mexico is too feeble a power to govern these provinces, lying as they do, at a distance of more than a thousand miles from her capital, and, if attempted to be retained by her, they would constitute but for a short time, even nominally, a part of her dominions.

This would be especially the case with Upper California. The sagacity of powerful European nations has long since directed their attention to the commercial importance of that province, and there can be but little doubt that the moment the United States shall relinquish their present occupation of it, and their claim to it as indemnity, an effort would be made by some foreign power to possess it, either by conquest or purchase. If no foreign government should acquire it by either of these modes, an independent revolutionary government would probably be established by the inhabitants, and such foreigners as may remain in or remove to the country, as soon as it shall be known that the United States have abandoned it. Such a government would be too feeble long to maintain its separate independent existence, and would finally become annexed to, or be a dependent colony of some more powerful State.

Should any foreign government attempt to possess it as a colony, or otherwise incorporate it with itself, the principle avowed by President Monroe, in 1824, and reaffirmed in my first annual message, that no foreign power shall, with our consent, be permitted to plant or establish any new colony or dominion on any part of the North American continent, must be maintained. In maintaining this principle, and in resisting its invasion by any foreign power, we might be involved in other wars, more expensive and more difficult than that in which we are now engaged.

The provinces of New Mexico and the Californias are contiguous to the territory of the United States, and if brought under the government of our laws, their resources—mineral, agricultural, manufacturing, and commercial—would soon be developed.

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

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

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

There is another consideration which induced the belief that the Mexican government might even desire to place this province under the protection of the government of the United States. Numerous bands of fierce and warlike savages wander over it, and upon its borders. Mexico has been, and must continue to be, too feeble to restrain them from committing depredations, robberies, and murders, not only upon the inhabitants of New Mexico itself, but upon those of the other Northern States of Mexico. It would be a blessing to all these Northern States to have their citizens protected against them by the power of the United States. At this moment many Mexicans, principally females and children, are in captivity among them. If New Mexico were held and governed by the United States, we could effectually prevent these tribes from committing such outrages, and compel them to release these captives, and restore them to their families and friends.

In proposing to acquire New Mexico and the Californias, it was known that but an inconsiderable portion of the Mexican people would be transferred with them, the country embraced within these provinces being chiefly an uninhabited region.

These were the leading considerations which induced me to authorize the terms of peace which were proposed to Mexico. They were rejected; and negotiations being at an end, hostilities were renewed. An assault was made by our gallant army upon the strongly fortified places near the gates of the city of Mexico, and upon the city itself; and after several days of severe conflict, the Mexican forces, vastly superior in number 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 the negotiations, believing that his continued presence with the army could be productive of no good, I determined to recall our commissioner. A despatch to this effect was transmitted to him on the sixth 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 may be made by Mexico.

Since the liberal proposition of the United States was authorized to be made in April last, large expenditures have been incurred, and the precious blood of many of our patriotic fellow citizens has been shed in the prosecution of the war. This consideration and the obstinate perseverance of Mexico in protracting the war, must influence the terms of peace which it may be deemed proper hereafter to accept.

Our arms having been every where 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 questions arise: 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 which we have already made; and that, with this view, 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 equitable 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 meantime, as Mexico refuses all indemnity, we should adopt measures to indemnify ourselves, by appropriating permanently a portion of her territory. Early after the commencement of the war, New Mexico and the Californias were taken possession of by our forces. Our military and naval commanders were ordered to conquer and hold them, subject to be disposed of by a treaty of peace.

These provinces are now in our undisputed occupation, and have been so for many months, all resistance on the part of Mexico having ceased within their limits. I am satisfied that they should never be surrendered to Mexico. Should Congress concur with me in this opinion, and that they should be retained by the United States as indemnity, I can see 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 towards them would not be changed, cannot be good policy; whilst our own interest, and that of the people inhabiting them, require that a stable, responsible, and free government under our authority should, as soon as possible, be established over them. Should Congress, therefore, determine to hold these provinces permanently, and that they shall hereafter be considered as constituent parts of our country, the early establishment of territorial governments over them will be important for the [illegible] protection of persons and property; [illegible] that such territorial governments [illegible] peace and tranquility [illegible] apprehension [illegible]

and favorable consideration of Congress to this important subject.

Besides New Mexico and the Californias, there are other Mexican provinces which have been reduced to our possession by conquest. These other Mexican provinces are now governed by our military and naval commanders, under the general authority 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 on the enemy should be fixed by law for such officers as may be thus employed. What further provision 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 which 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 just war 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 army are in possession of her capital, and in the heart of her country, would permit us to hold it without resistance. That she would continue the war, and in the most harassing and annoying forms, there can be no doubt. A border warfare of the most savage character, extending over a long line, would be unceasingly waged. It would require a large army to be kept constantly in the field, stationed at posts and garrisons along such a line, to protect and defend it. The enemy, relieved from the pressure of our arms on his coasts and in the populous parts of the interior, would direct his attention to this line, and, selecting an isolated spot for attack, would concentrate his forces upon it. This would be a condition of affairs which the Mexicans, pursuing their favorite system of guerilla warfare, would probably prefer to any other. Were we to assume a defensive attitude on such a line, all the advantages of such a state of war would be on the side of the enemy. We could levy no contributions upon him, or in any other way make him feel the pressure of the war, but must remain inactive and await his approach, being in constant uncertainty at what point of the line, or at what time, he might make an assault. He may assemble and organize an overwhelming force in the interior, on 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 reinforcements, and in this way our gallant army would be exposed to the danger of being cut off in detail; or if, by their unequalled bravery and prowess everywhere exhibited during this war, they should repulse the enemy, their numbers stationed at any one post may be too small to pursue him.

If the enemy be repulsed in one attack, he would have nothing to do but to retreat to his own side of the line, and, being in no fear of a pursuing army, may reinforce himself at leisure, for another attack on the same or some other post. He may, too, cross the line between our posts, make rapid incursions into the country which we hold, murder the inhabitants, commit depredations on them, 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 interest, and of bringing the war to an honorable close, will be to prosecute it with increased energy and power in the vital parts of the enemy's country.

In my annual message to Congress of December last, I declared that "the war has not been waged with a view to conquest; but having been commenced by Mexico, it has been carried into the enemy's country, and will be vigorously prosecuted there, with a view to obtain an honorable peace, and thereby secure ample indemnity for the expenses of the war, as well as to our much injured citizens, who hold large pecuniary demands against Mexico." Such, in my judgment, continues to be our true policy—indeed, the only policy which will probably secure a permanent peace.

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

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

One great obstacle to the attainment of peace has undoubtedly arisen from the fact, that Mexico has been so long held in subjection by one faction or military usurper 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, for this very cause, a rival faction might expel it from power. Such was the fate of President Herrera's administration in 1845, for being disposed even to listen to the overtures of the United States to prevent the war, as is fully confirmed by 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, the 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 apprehension would probably cause them to speak their sentiments freely, and to adopt the measures 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 assurances of protection to the friends of peace in Mexico, in the establishment and maintenance of a free republican government of their own choice able and 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, the war which Mexico has forced upon us 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, and 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 in pursuit of peace, and must continue to occupy her country with our troops, taking the full measure of indemnity into 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 unredressed, but would be the signal for new and fierce civil dissensions and new revolutions, all alike hostile to peaceful relations with the United States.

Besides, there is danger, if our troops were withdrawn before a peace was concluded, that the Mexican people, wearied with successive revolutions, and deprived of protection for their persons and property, might at length be inclined to yield to foreign influences, and to cast themselves into the arms of some European monarch for protection from the anarchy and suffering which would ensue. This, for our own safety, and in pursuance of our 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 near neighbor, and her boundaries are coterminous with our own, through the whole extent across the North American continent, from ocean to ocean. Both politically and commercially, we have the deepest interest in her regeneration and prosperity. Indeed, it is impossible that, with any just regard to our own safety, we can ever become indifferent to her fate.

It may be that the Mexican government and people have misconstrued or misunderstood our forbearance, and our objects, in desiring to conclude an amicable adjustment of the existing differences between the two countries. They may have supposed that we would 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 insisting on 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 soon undeceive them.

In the future prosecution of the war, the enemy must be made to feel its pressure more than they have heretofore 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 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 the false impressions which their designing and interested rulers have artfully 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 desecrated and overthrown; and that their rights of person and private property would be violated. To remove these false impressions, our commanders in the field were directed scrupulously 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 person and property of all who should not take up arms against us.

Assurances to this effect were given to the Mexican people 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 the propriety of issuing it, in a proclamation of the eleventh 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, had failed to produce the desired effect upon the Mexican population. While the war had been conducted on 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 every opportunity to commit the most savage excesses upon our troops. Large numbers of the population took up arms, and, engaging in guerilla 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; [illegible] supplies.

Gen. Taylor, on the 20th of October, 1846, replied from Monterey, that "it would have been impossible hitherto, and is so now, to sustain the army to any extent by forced contributions of money or supplies." For the 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.

The Mexicans 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, by making them feel its pressure according to the usages observed under similar circumstances, by all other civilized nations.

Accordingly, as early as the twenty second of September, 1846, instructions were given by the Secretary of War to Major Gen. Taylor to "draw supplies" for our army "from the enemy without 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.

Similar instructions were issued to Major General Scott on the third of April, 1847, who replied from Jalapa, on the twentieth of May, 1847, that, if it be 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. Gen. Scott, for the reasons assigned by him, also continued to pay for the 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 it would not be such as to render impracticable the levy of forced contributions for its support; and on the first of September, and again on the sixth of October, 1847, the order was repeated in despatches addressed by the Secretary of War to Gen. 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 the necessary supplies. Copies of these despatches were forwarded to Gen. 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 occupation, and to apply such contributions 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 revenue derived from import duties under the laws of Mexico, was 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 opened 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 the officers, soldiers, and sailors of our army and navy should be exempted from the operations of the order; and, as the merchandise imported upon which the order operated must be consumed by Mexican citizens, the contributions exacted 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, towards 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 of the Navy, by which it appears that a sum exceeding half a million of dollars has been collected.

This amount would undoubtedly have been much larger, but for the difficulty of keeping open communications between the coast and the interior, so as to enable the owners of the merchandise imported, to transport and vend 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 the internal as well as the external revenues of Mexico, in all places in our military occupation, will be seized and appropriated to the use of our army and navy.

The policy of levying upon the enemy contributions in every form, consistently with the laws of nations, which it may be practicable for our military commanders to adopt, could, in my judgment, be rigidly enforced, and orders to this effect have accordingly been given. By such a policy, at the same time that our own treasury will be relieved from a heavy drain, the Mexican people will be made to feel the burdens 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, events transpired 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 thirteenth 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 for twelve months," and were discharged at the end of their term of service, exhaust the fifty thousand men authorized by that act. Had it been clear that a proper construction of the act warranted it, the services of an additional number would have been called for 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 the 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, also, that authority be given by law to call for and accept the services of an additional number of volunteers, to be exercised at such time and to such extent as the emergencies of the service 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 one time threatened to interrupt the friendly relations between the two countries, will, I trust, be speedily adjusted. I have received information that an envoy extraordinary and minister plenipotentiary to the United States will shortly be appointed by his Imperial Majesty; and it is hoped that he will come instructed and 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 settlement and payment of many just claims of American citizens against these nations have been long delayed. The peculiar position in which they have been placed, and the desire on the part of my predecessors, as well as myself, to grant them the utmost indulgence, have hitherto prevented these claims from being urged in a manner demanded by strict justice. The time has arrived when they ought to be finally adjusted and liquidated, and efforts are now making for that purpose.

It is proper to inform you that the government of Peru has in good faith paid the first two 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 this convention, and made his report thereon, in pursuance of the act of the 8th 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. 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 civil cases in China, American citizens there are subject to no law whatever. Crimes may be committed with impunity, and debts may be contracted without any means to enforce their payment. Inconveniences have already resulted from the omission of Congress to legislate upon this 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, whilst their government has established tribunals by which an American citizen can recover debts due from British subjects.

Accustomed as the Chinese are to summary justice, they could not be made to comprehend why criminals who are citizens of the United States should escape with impunity, in violation of treaty obligations, whilst the punishment of a Chinese who had committed any crime against an American citizen, would be rigorously exacted. Indeed, the consequences might be fatal to American citizens in China, should a flagrant crime be committed by any one of them upon a Chinese, and should trial and punishment not follow according to the requisitions of the treaty. This might disturb, if not destroy, our friendly relations with that empire, and cause an interruption of our valuable commerce.

Our treaties with the Sublime Porte, Tripoli, Tunis, Morocco, and Muscat, also require the legislation of Congress to carry them into execution, though the necessity for immediate action may not be so urgent as in regard to China.

The Secretary of State has submitted an estimate to defray the expense of opening diplomatic relations with the papal States. The interesting political events now in progress in these States, as well as a just regard to our commercial interests, have, in my opinion, rendered such a measure highly expedient.

Estimates have also been submitted for the outfits and salaries of chargés d'affaires to the Republic of Bolivia, Guatemala and Ecuador. The manifest importance of cultivating the most friendly relations with all the independent States upon this continent has induced me to recommend appropriations necessary for the maintenance of these missions.

I recommend to Congress that an appropriation be made, to be paid to the Spanish Government for the purpose of distribution among the claimants in "the Amistad case." I entertain the conviction that this is due to Spain under the treaty of the 20th October, 1795; and moreover, that, from the earnest manner in which the claim continues to be urged, so long as it shall remain unsettled, it will be a source of irritation and discord between the two countries, which may prove highly prejudicial to the