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Intemperance.

BY MISS L. H. BROWN. Parent! who wilt speecheless feeling,
O'er thy cradled treasure bent,
Every year new claims revealing,
Yet thy words of doom unsent!
Hast thou seen that down-blighted
By a dream untimely frost?
All thy labors unrequited?
Every glorious promise lost?
Wife with agony unspoken,
Sinking from affliction's rod,
Is thy poor—thy old husband—
Fondly trusted—next to God?
Husband! o'er thy hope a mourner,
Of thy chosen friend unband,
Hast thou seen her burial borne her,
Unperceived—unreclaimed?
Child! in thy tender weakness turning
To thy heaven appointed guide,
Dost a lava-mountain burning,
Tango with gall affliction's tide?
Dost that office burden bearing,
Darker than the grave can throw
Dost thou bow thee down despairing
To a heritage of woe?
Country! in thy sons depending,
Strong in manhood, bright in bloom,
Hast thou seen thy pride descending,
Slandered to the unclouded tomb?
Reel—on eagle pinions soaring—
Ere—like one of God-like births—
And Jehovah's aid imploring,
Sweep the spoiler from the earth.

The Welcome Back.

BY MISS COOK. Sweet is the hour that brings us home
Where all will seem to meet us,
Warm hands are strong as we come,
To be the first to greet us.
Warm the world has spent its frowns and wrath,
And care been sorely pressing,
To want to care from our roving path,
And find a friend's blessing.
Oh! joyfully dear is the homeward track,
It is the sure of a welcome back!
What is the rock on a weary way,
Though lonely and lighted,
If we know there are eyes to chase our stay,
And eyes that will beam here-lighted?
What is the worth of the diamond's ray
To the glance that flashes pleasure,
When the words that cheer the back betray
We have a heart's true treasure?
Oh! joyfully dear is the homeward track,
It is the sure of a welcome back!

LIFE IN CALIFORNIA.

Col. Fremont's Celebrated ride in California. The National Intelligencer has the following account of the ride of Col. Fremont, which has been alluded to in the trial:— "It was a daybreak on the 22d March, 1847, that Lieut. Col. Fremont, his friend Don Jesus (pronounced Haisoo) Pico, and his servant Jacob Jackson, set out from Los Angeles (the city of the angels) in southern part of Upper California, to proceed in the shortest time to Monterey, on the Pacific Ocean, distant full four hundred miles. The way is over a mountainous country, much of it uninhabited, with neither trail nor a trace, and many defiles to pass, particularly the myriamite defile of El Rincon, or Panto Gordo, fifteen miles in extent, made by the jutting of a precipitous mountain into the sea, and which can only be passed when the tide is out and the sea calm, and even then in many places through the waves. The towns of Santa Barbara and San Luis Obispo, and occasional ranchos, are the principal inhabited places on the route. Each of the party had three horses, nine in all, to take their turns under the saddle. The six horse horses ran ahead, without bridle or halter, and required some attention to keep to the track. When wanted for a change, say at distances of twenty miles, they were caught by the lassos, thrown either by Don Jesus or the servant Jacob. None of the horses were shod. The usual gait was a sweeping gallop. The first day they ran one hundred and twenty-five miles. The next day they made another one hundred and twenty-five miles, passing the formidable mountain of Santa Barbara, and coming upon it the skeletons of some fifty horses, part of near double that number which perished in the crossing of that terrible mountain by the California battalion on Christmas day, 1846, amidst a raging tempest, and a deluge of rain and cold, more killing than that of the Sierra Nevada—the day of severest suffering, say Fremont and his men, that they have ever passed. As sunset the party stopped to sup with the party Captain Dana, and at nine at night, San Luis Obispo was reached, the home of Don Jesus, and where an affectionate reception awaited Lieut. Col. Fremont, in consequence of an incident which occurred there, that history will one day record; and he was detained till eleven o'clock in the morning receiving the visits of the inhabitants, (mothers and children included) taking a breakfast of honor, and waiting for a relief of fresh horses to be brought in from the surrounding country. Here the nine horses from Los Angeles were left, and eight others taken in their place, and a Spanish boy added to the party to assist in managing the loose horses. Proceeding at the usual gait till eight at night, and having made some seventy miles, Don Jesus, who had spent

the night before with his family, and probably with but little sleep, became fatigued, and proposed a halt for a few hours. It was in the valley of the Salinas, (Salt River, called Buena Ventura in the old maps,) and the haunt of marauding Indians. For safety during their repose, the party turned off the trace, issued through a cañada into a thick wood, and laid down, the horses being put to grass at a short distance, with the Spanish boy in the saddle to watch. Sleep, when commenced, was too sweet to be easily given up, and it was half-way between midnight and day, when the sleepers were aroused by an estampedo among the horses, and the calls of the boy.

The cause of the alarm was soon found—not Indians, but white bears—this valley being their great resort, and the place where Col. F. and thirty-five of his men encountered some hundred of them the summer before, killing thirteen upon the ground. The character of these bears is well known, and the bravest hunters do not like to meet them without the advantage of numbers. On discovering the enemy, Col. F. felt for his pistols, but Don Jesus desired him to lie still, saying that people could scare bears; and immediately halloed at them in Spanish, and they went off. Sleep went off also; and the recovery of the horses frightened by the bears, building a rousing fire, making a breakfast from the hospitable supplies of San Luis Obispo, occupied the party till day-break; when the journey was resumed. Eighty miles and the afternoon brought the party to Monterey. The next day, in the afternoon, the party set out on their return, and the two horses rode by Col. F. from San Luis Obispo, being a present to Don Jesus, he (Don Jesus) desired to make an experiment of what one of them could do. They were brothers, one a grass younger than the other, both of the same color, (cinnamon,) and hence called *el canelo* or *los canelos*, (the cinnamon, or the cinnamon.) The elder was then taken for the trial; the journey commenced upon him at leaving Monterey, the afternoon well advanced.

Thirty miles under the saddle done that evening, and the party stopped for the night. In the morning the elder *canelo* was again under the saddle for Col. F., and for ninety miles he carried him without a change and without apparent fatigue. It was still thirty miles to San Luis Obispo, where the night was to be passed, and Don Jesus insisted that *canelo* could easily do it, and so said the horse by his looks and actions. But Col. F. would not put him to the trial, and shifting the saddle to the younger brother, the elder was turned loose to run the remaining thirty miles without a rider. He did so, immediately taking the lead and keeping it all the way, and entering San Luis in a sweeping gallop, nostrils distended, snuffing the air, and neighing with exultation at his return to his native pastures, his younger brother all the while running at the head of the horses under the saddle bearing on his bit and held in by his rider. The whole-tright horses made their one hundred and twenty miles each that day, (after thirty the evening before) the older cinnamon making ninety miles of his under the saddle, that day, besides thirty under the saddle the evening before; nor was there the least doubt that he would have done the whole distance in the same time, if he had continued under the saddle.—After a hospitable detention of another half day at San Luis Obispo, the party set out for Los Angeles on the same nine horses which they had rode from that place, and made the ride back in about the same time they had made it up; namely, at the rate of 125 miles a day. On this ride the grass on the road was the food for the horses. At Monterey they had barley; but these horses, meaning those trained and domesticated, as the *canelos* were, eat almost anything, in the way of vegetable food, or even drink, that their master uses, by whom they are petted and caressed and rarely sold. Bread, fruits, sugar, coffee, and even wine (like the Persian horse) they take from the hand of their master, and obey with like docility, his slightest intimation. A tap of the whip on the saddle springs them into action; the check of a thread rein (on the Spanish bit) would stop them; and stopped short, at speed, they do not jostle the rider or throw him forward. They leap on any thing—man, beast, or weapon, on which their master directs them. But this description, so far as conduct and behavior are concerned, of course, only applies to the trained and domesticated horse.

AWFUL INUNDATION AT CINCINNATI.—A telegraphic dispatch to the Philadelphia Ledger, dated Cincinnati, Dec. 15, says: The waters of the Ohio have now swelled to the highest point attained during the great flood of 1837, and the lower part of the city is entirely inundated. At least five thousand families have been rendered homeless by this disastrous flood, and great distress must ensue in consequence.

A public meeting of the citizens has been called to provide the means of alleviating their destitute condition. The stores south of Pearl street are flooded, and Broadway is overflowed. It is useless to calculate the damage, or to endeavor to give an idea of the distress existing among us. Business has been almost entirely suspended. Half the lumber in the city is afloat, and boats have been carried off the stocks in the ship yards. The snow is eighteen inches deep and more is now falling.

An Odd way to make a Teetotaler.

We remember an individual that resided in this city, not many years ago, who owned a considerable amount of property, but who was so much addicted to the use of strong drink, that his friends arranged matters in such a way as to prevent its being squandered, by removing it from his reach, and after taking care that he was well provided with the necessities of life, allowed him a certain sum of money. As he grew older, his appetite grew stronger, and his daily allowance was not sufficient to gratify his increasing thirst. He would go to his friends and plead for an hour or more at a time, for a little more of the ready, but they were inexorable. At length they told him to go to a certain physician (who was intimately acquainted with the family) and probably he would learn him what he so much desired. The poor fellow went to the doctor, and asked him the favor.

"I'll tell you what I will do," said the medical man, "I will buy your carcass at a fair price, come, what will you take for it?" "Five dollars," coolly replied the toper. "Let me feel your pulse," said the physician, grasping the poor fellow by the wrist and looking him steadily in the eyes. "Aid that will do—here's the money," continued he, handing the set a five dollar bank note. "And now, go to the rum shop immediately—drink as much as you want, and at the expiration of a week your body will be at my disposal."

"You don't mean to say that I am going to die so soon?" exclaimed the frightened victim of alcohol. "I do mean to say that if you continue to drink as you have done for the last six months, in one week you will be a dead man—and of course, as I have purchased your body in a fair, business like way, I shall be at liberty to operate upon it."

The cool, serious manner of the doctor, puzzled our hero, and he already began to hear the death rattles in his throat! "Herr!" roared he, "take back the money, I have no notion of being made mince meat of in so short a time!" "But," said the knight of the lance, "it is a regular business transaction."

"I don't care!—here's your money!"—and away he dashed out of the office, to the no little amusement of his tormentor, who stood for several minutes convulsed with laughter.

The toper that was, never drank liquor after that day, and in a very little while became a sober man.

PEACE WITH MEXICO.

BY ALBERT GALLATIN.

I.—The Law of Nations. It seems certain that Mexico must ultimately submit to such terms of peace as the United States shall dictate. An heterogeneous population of seven millions, with very limited resources, and no credit; distracted by internal dissensions, and by the ambition of its chiefs, a prey by turns to anarchy and to military usurpers; occupying among the nations of the civilized world, either physically or mentally, whether in political education, social state, or any other respect, but an inferior position; cannot contend successfully with an energetic, intelligent, enlightened and united nation of twenty millions, possessed of unlimited resources and credit, and enjoying all the benefits of a regular, strong, and free government. All this was anticipated; but the extraordinary success of the Americans have exceeded the most sanguine expectations. All the advanced posts of the enemy, New Mexico, California, the line of the Lower Rio Norte, and all the sea ports, which it was deemed necessary to occupy, have been subdued.—And a small force, apparently incompetent to the object, has penetrated near three hundred miles into the interior, and is now in quiet possession of the far famed metropolis of the Mexican dominions.—The superior skill and talents of our distinguished Generals, and the unparalleled bravery of our troops, have surmounted all obstacles. By whatsoever commanded on either side; however strong; the positions and fortifications of the Mexicans, and with a tremendous numerical superiority, there has not been a single engagement in which they have not been completely defeated. The most remarkable and unexpected feature of that warfare is, that volunteers, wholly undisciplined in every sense of the word, have vied in devotedness and bravery with the regular forces, and have proved themselves, in every instance, superior in the open field to the best regular forces of Mexico. These forces are now annihilated or dispersed; and the Mexicans are reduced to a petty warfare of guerrillas which, however, annoying, cannot be productive of any important results.

It is true that these splendid successes have been purchased at a price far exceeding their value. It is true that, neither the glory of these military deeds, nor the ultimate utility of our conquests can compensate the lamentable loss of the many thousand valuable lives sacrificed in the field, of the still greater number who have met with an obscure death, or been disabled by disease and fatigue. It is true that their relatives, their parents, their wives and children find no consolation for the misery inflicted upon them, in the still greater losses experienced by the Mexicans. But if, disregarding private calamities and all the evils of a general nature, the necessary consequences of this

war, we revert solely to the relative position of the two countries, the impotence of the Mexicans and their total inability to continue the war, with any appearance of success, are still manifest.

The question then occurs: What are the terms which the United States have a right to impose on Mexico? All agree that it must be an "honorable peace," but the true meaning of this word must in the first place be ascertained. The notion, that anything can be truly honorable which is contrary to justice, will, as an abstract proposition, be repudiated by every citizen of the United States. Will any one dare to assert that a peace can be honorable, which does not conform with justice?

There is no difficulty in discovering the principles by which the relations, between civilized and Christian nations, should be regulated, and the reciprocal duties which they owe to each other. These principles, these duties, have long since been proclaimed; and the true law of nations is nothing else than the conformity to the sublime precepts of the Gospel morality, precepts equally applicable to the relations between man and man, and to the intercourse between nation and nation. "Thou shalt love thy neighbor as thyself." "Love your enemies." "As you would that men should do to you, do you also to them likewise." The sanctity of these commandments is acknowledged, without a single exception, by every denomination of Christians, or of men professing to be such.—The skeptical philosopher admits and admires the precept. To this holy rule we should inflexibly adhere when dictating the terms of peace. The United States, though they have the power, have no right to impose terms inconsistent with justice. It would be shameful dereliction of principle, on the part of those who were averse to the annexation of Texas, to countenance any attempt to claim an acquisition of territory, or other advantage, on account of the success of our arms.

But in judging of the acts of our government, it must be admitted that statesmen think a conformity to these usages which constitute the law of nations, not as it should be, but as it is practically, sufficient to justify their conduct. And by that inferior standard, those acts and our duties in relation to Mexico will be tested.

II.—Indemnities to Citizens of the United States.

The United States had, and continue to have, an indubitable right to demand a full indemnity for any wrongs inflicted on our citizens by the Government of Mexico, in violation of treaties or of the acknowledged law of nations. The negotiation for satisfying those just demands had been interrupted by the annexation of Texas. When an attempt was subsequently made to renew them, it was therefore just and proper that both subjects should be discussed at the same time; and it is now absolutely necessary, that those just claims should be fully provided for in any treaty of peace that may be concluded, and that the payment should be secured against any possible contingency. I take it for granted that no claims have been, or shall be sustained by our Government, but such as are founded on treaties or the acknowledged law of nations. Whenever a nation becomes involved in war, the manifestos, and every other public act issued for the purpose of justifying its conduct, always embrace every ground of complaint which can possibly be alleged. But admitting, that the refusal to satisfy the claims for indemnity of our citizens might have been a just cause of war, it is most certain that those claims were not the cause of that in which we are now involved.

It may be proper, in the first place, to observe, that the refusal of doing justice, in cases of this kind, or the long delays in providing for them, have not generally produced actual war. Almost always long protracted negotiations have been alone resorted to. This has been strikingly the case with the United States. The claims of Great Britain for British debts, secured by the treaty of 1783, were not settled and paid till the year 1803; and it was only subsequent to that year, that the claims of the United States, for depredations committed in 1793, were satisfied. The very plain question of slaves, carried away by the British forces in 1815, was not settled and the indemnity paid till the year 1826. The claims against France for depredations committed in the years 1809 to 1813, were not settled and paid for till the year 1834. In all these cases peace was preserved by patience and forbearance.

With respect to the Mexican indemnities, the subject has been laid more than once before Congress, but without suggestions that strong measures should be resorted to. But Congress, in whom alone is vested the power of declaring war, uniformly declined doing it.

A convention was entered into on the 11th of April, 1839, between the United States and Mexico, by virtue of which a joint commission was appointed for the examination and settlement of those claims. The powers of the Commissioners terminated according to the convention, in February, 1842. The total amount of the American claims, presented to the commission, amounted to \$6,291,805. Of these, \$2,025,140 was allowed by the commissioners; a further sum of \$929,225 was allowed by the commissioners of the United States, rejected by the Mexican Commissioners, and left undecided by the

commission, and claims amounting to \$3,436,891 had not been examined.

A new convention, dated January 30, 1843, granted to the Mexicans a farther delay for the payment of the claims which had been admitted, by virtue of which the interest due to the claimants was made payable on the 30th of April, 1843, and the principal of the awards, and the interest accruing thereon was stipulated to be paid in five years in twenty equal instalments every three months. The claimants received the interest due on the 30th of April, 1843, and the first three instalments. The agent of the United States having, under peculiar circumstances, given a receipt for the instalments due in April and July, 1844, before they had been actually paid by Mexico, the payment has been assigned by the United States and discharged by the claimants.

A third convention was concluded at Mexico on the 20th November, 1843, by the Plenipotentiaries of the two Governments, by which provision was made for ascertaining and paying the claims on which no final decision had been made.—In January, 1844, this convention was ratified by the Senate of the United States, with two amendments, which were referred to the Government of Mexico, but respecting which no answer has ever been made. On the 12th of April, 1844, a treaty was concluded by the President with Texas, for the annexation of that republic to the United States. This treaty, though not ratified by the Senate, placed the two countries in a new position, and arrested for a while all negotiations. It was only on the 1st of March, 1845, that Congress passed a joint resolution for the annexation.

It appears most clearly that the United States are justly entitled to a full indemnity for the injuries done to their citizens; that before the annexation of Texas, there was every prospect of securing that indemnity; and that those injuries, even if they had been a just cause for war, were in no shape whatever the cause of that in which we are now involved.

Are the United States justly entitled to indemnity for any other cause? This question cannot be otherwise solved, than by an inquiry into the facts, and ascertaining by whom, and how, the war was provoked.

III.—Annexation of Texas.

At the time when the annexation of Texas took place, Texas had been recognized as an independent power, both by the United States and by several of the principal European powers; but its independence had not been recognized by Mexico, and the two contending parties continued to be at war. Under those circumstances, there is not the slightest doubt that the annexation of Texas was tantamount to a declaration of war against Mexico.—Nothing can be more clear and undeniable than that, whenever two nations are at war, if a third Power shall enter into a treaty of alliance, offensive and defensive, with either of the belligerents, and if such treaty is not contingent, and is to take effect immediately and pending the war, such treaty is a declaration of war against the other party. The causes of the war between the two belligerents do not alter the fact. Supposing that the third party, the interfering Power, should have concluded the treaty of alliance with that belligerent who was clearly engaged in a most just war, the treaty would not be the less a declaration of war against the other belligerent.

If Great Britain and France were at war, and the United States were to enter into such a treaty with either, can there be the slightest doubt that this would be a declaration of war against the other party? It would be considered as such, and that it must have been intended for that purpose [at this moment, either France or England were to make such a treaty with Mexico, thereby binding themselves to defend and protect it with all their forces against any other Power whatever, would not the United States instantaneously view such a treaty as a declaration of war, and act accordingly?]

But the annexation of Texas, by the United States, was even more than a treaty of offensive and defensive alliance. It embraced all the conditions and all the duties growing out of the alliance; and it imposed them forever. From the moment when Texas had been annexed, the United States became bound to defend and protect her so far as her legitimate boundaries extended, against any invasion, or attack, on the part of Mexico; and they have uniformly acted accordingly.

There is no impartial publicist that will not acknowledge the indubitable truth of these positions: it appears to me impossible that they should be seriously denied by a single person.

It appears that Mexico was at that time disposed to acknowledge the independence of Texas, but on the express condition, that it should not be annexed to the United States; and it has been suggested, that this was done under the influence of some European Powers. Whether this last assertion be true or not, is not known to me. But the condition was remarkable and offensive.

Under an apprehension that Texas might be tempted to accept the terms proposed, the Government of the United States may have deemed it expedient to delect the plan, by offering that annexation, which had been formerly declined, when the Government of Texas was anxious for it. It may be admitted that, whether independent or annexed to the United States,

Texas must be a slaveholding State, so long as slavery shall continue to exist in North America. Its whole population, with hardly any exception, consisted of citizens of the United States. Both for that reason, and on account of its geographical position, it was much more natural that Texas should be a member of the United States, than of the Mexican confederation. Viewed purely as a question of expediency, the annexation might be considered as beneficial to both parties.—But the expediency is not justice. Mexico and Texas had a perfect right to adjust their differences and make peace, on any terms they might deem proper. The anxiety to prevent this result indicated a prepossession ultimately to occupy Texas; and when the annexation was accomplished, when it was seen, that the United States had appropriated to themselves all the advantages resulting from the American settlements in Texas, and from their subsequent insurrection; the purity of the motives of our Government become open to suspicion.

Setting aside the justice of the proceeding, it is true that it had been anticipated by those who took an active part in the annexation, that the weakness of Mexico would compel it to yield, or at least induce her not to resort to actual war. This was verified by the fact; and had Government remained in the hands with whom the plan originated, war might probably have been avoided. But when no longer in power, they could neither regulate the impulse they had given, nor control the reckless spirits they had evoked.

Mexico, sensible of her weakness, declared war, and only resorted to a suspension of diplomatic intercourse; but a profound sense of the injury inflicted by the United States has ever since rankled in their minds. It will be found, through all their diplomatic correspondence, through all their manifestos, that the Mexicans, even to this day, perpetually recur to this never-forgotten offensive measure. And, on the other hand, the subsequent administration of our Government seems to have altogether forgotten this primary act of injustice, and, in their negotiations, to have acted as if this was only an accomplished fact, and had been a matter of course.

IV.—Negotiations and War.

In September, 1845, the President of the United States directed their Consul at Mexico to ascertain from the Mexican Government whether it would receive an Envoy from the United States; intrusted with full powers to adjust all the questions in dispute between the two Governments.

The answer of Mr. De la Pena y Pena, Minister of the Foreign Relations of Mexico, was, "That although the Mexican nation was deeply injured by the United States, through the acts committed by them in the department of Texas, which belongs to his nation, his Government was disposed to receive the Commissioner of the United States who might come to the Capital, with full powers from his Government to settle the present dispute in a peaceful, reasonable and honorable manner," thus giving a new proof that, even in the midst of its injuries, and of its firm decision to exact adequate reparation for them, the Government of Mexico does not reply with contumely to the measures of reason and peace to which it is invited by its adversary.

The Mexican Minister at the same time intimated, that the previous recall of the whole Naval force of the United States, then lying in sight of the port of Vera Cruz, was indispensable; and this was accordingly done by our Government.

But it is essential to observe that, while Mr. Black had, according to his instructions, inquired whether the Mexican Government would receive an Envoy from the United States, with full power to adjust all the questions in dispute between the two Governments, the Mexican Minister had answered that his Government was disposed to receive the Commissioner of the United States, who might come with full powers to settle the present dispute in a peaceful, reasonable and honorable manner.

Mr. Sidel was, in November following, appointed Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Government of the Mexican Republic; and he arrived in Mexico on the sixth of December.

Mr. Herrera, the President of Mexico, was undoubtedly disposed to settle the disputes between the two countries. But taking advantage of the irritation of the masses of the people, his political opponents were attempting to overstep him for having made, as they said, unworthy concessions. The arrival of Mr. Sidel disturbed him extremely; and Mr. Pena y Pena declared to Mr. Black, that his appearance in the Capital at this time might prove destructive to the Government, and thus defeat the whole affair. Under these circumstances General Herrera complained, without any foundation, that Mr. Sidel had come sooner than had been understood; he resorted to several frivolous objections against the tenor of his powers; and he intimated that the difficulties respecting Texas must be adjusted before any other subject of discussion should be taken into consideration.

But the main question was, whether Mexico should receive Mr. Sidel in the character of Envoy Extraordinary and Minister Plenipotentiary, to reside in the Republic. It was intimated by the Mexican Government, that it had only agreed to receive a Commissioner to treat on the questions which had arisen from the