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THE PATRIOT.

GREENSBORO, Jan. 20th, 1848.

Agreeably to notice a meeting of a portion of the people of Guilford was held in the court house. Jesse H. Lindsay was called to the Chair and D. C. Mebane appointed Secretary. On motion a committee of three was appointed by the chair, to wit: John A. Gilmer, John M. Logan and D. F. Caldwell, to report resolutions for consideration.

The committee reported the following resolutions, which were unanimously adopted:

Resolved, That we view with pain and concern the recent destruction of the lives of our countrymen; the waste of treasure, and the accumulation of an immense public debt, hereafter to be paid by increased taxes on honest industry,—forced upon the nation by the unauthorized and unconstitutional action of the President.

Resolved, That our Revolutionary Fathers—warned by the history of the world, and the dangers growing out of the war-making power being in Executive hands,—being solely devoted to the securing of the freedom and happiness of the people, and truly desirous that the Republic should not be involved in the horrors and calamities of war for slight and trivial causes, and without the consent of our Representatives,—made it a part of the Constitution that Congress should have the power to declare war; and that in this we as much admire their wisdom, as we disapprove the devices and contrivances of those who excuse the exercise of this important power by President Polk.

Resolved, That it is the deliberate opinion of this meeting, that to permit under any circumstances, any one infraction of the Constitution, perpetrated by a high functionary, to escape public condemnation, will be a mortifying but sure foreboding of the destruction of that sacred instrument.

Resolved, That we are unable to reconcile the professed concern of the President for the preservation of American blood, and for the speedy and honorable termination of the Mexican war, with his conduct after hostilities commenced, in directing the safe return of Santa Anna; then—his exile,—an experienced general, whose hatred of us, and fitness for the bloodiest atrocities of war, had been evinced by his permitting our countrymen to be murdered in cold blood at Goliad and Alamo,—and whose entire influence has been since exerted to excite resistance and prolong the war.

Resolved, Whilst we conceive it no treason thus freely to declare our views of the acts of the Executive, creating important political issues to be determined at the ballot box,—we shall ever cherish the most grateful remembrance for our brave countrymen, who, without distinction of party, have rallied under our common flag; undergone the many difficulties and hardships of warfare in a pestilential climate, and faced dangers in every shape; and whose gallant achievements of successive victories has secured such imperishable lustre to our arms.

Resolved, That the annihilation of the Mexican Republic, and the acquisition of her territory by conquest, would be contrary to the spirit and genius of our government, injurious to our national character, and fraught with danger to our own freedom.

Resolved, That in the message of the President to Congress recounting our Oregon claims and difficulties, we regretted to witness a vain spirit of boasting and irritation, better suited to the period when all national differences were settled by the sword, than the present christian, enlightened age—calculated rather to excite than to calm, and to present more prominently belligerent strife, than the proprieties of candid and reasonable negotiation.

Resolved, That the heroic valor and splendid achievements in arms of our Generals Winfield Scott and Zachary Taylor, by which so much has been added to our national character for prowess, entitle them to the honor of their countrymen.

Resolved, That their fearlessness, and steady-voiced minds, amid the tempests of the battlefield, turning every incident in favor of victory, confirm our confidence in their firmness, skill and ability.

Resolved, That when we recall to mind the daring deeds of the gallant and sea-worn veteran Scott, who has ever done his duty, whether grappling the proud foe with "cold steel" and "at long shot" at Queenstown, Fort George, Chippewa and Niagara, or the less formidable enemy at Vera Cruz, Cerro Gordo, Contreras, Churubusco, Molino del Rey, Chapultepec, or in the City of Mexico, we can but scorn the insidious attempts that are being made to blar and sacrifice his name on the altar of party rancor.

Resolved, That we have imbibed inextinguishable love for the great American statesman, HENRY CLAY, and still admire his extraordinary abilities and exalted patriotism; but are ready to join the friends of republican institutions with our support for the next President of any candidate, whose intelligence and integrity may afford assurance that he will discharge his duties honestly and with becoming regard for his oath of office.

Resolved, That his Excellency WILLIAM A. GRAHAM, by the able, patriotic and impartial manner in which he has discharged all the duties of his station, has confirmed the confidence we reposed in him, and is entitled to the thanks of his fellow citizens.

Resolved, That we approve of the Whig Convention to be held at Raleigh on the 22d of February, to nominate a candidate for Governor, and would be pleased, should that sterling patriot, and genuine Whig-Col. ANDREW JOYNER, of Halifax, receive the nomination; but pledge ourselves to support him for that high office who may be selected by that Convention.

Resolved, That one hundred delegates be appointed from the county to the Whig State Con-

vention, and that the Chariman be authorized to fill vacancies.

The following named delegates were then appointed, agreeably to the last resolution:

Daniel Clapp, Abram Clapp, John Corbie, James Stewart, David Stewart, Albert Rankin, Robert B. Gilmer, Thomas Rankin, Finley Shaw, Jacob Amick, P. Poston, J. A. Worth, John Perdue, Nathan Hunt, Thomas Hunt, George Hayworth, A. C. Lindsay, J. Field, David Lindsay, Jesse Wheeler, John Hunt, Nathan Hunt, Jonathan Harris, William Watson, A. H. Lindsay, Milton Hunt, Samuel Dwiggins, John Russell, Abel Knight, John Hoskins, L. D. Orrell, James Woody, John Saunders, Moses McGraw, James McGrady, William H. Brittain, Arch'd Wilson, Charles Case, James W. Doug, Arel'd Bevil, H. T. Weatherly, D. H. Starbuck, Ellis Hoskins, J. A. Foulkes, N. M. Climer, Dr. Grady, L. Summers, Joseph Mitchell, Joseph Cunningham, J. Brannock, J. M. Stafford, J. M. Cunningham, Joel McClean, John McLean, Eli Smith, M. Jordan, Wm. Denny, P. McAdoo, M. D. Smith, Ebenezer Ward, Thomas Kirman, Elijah Denny, Eliot Jackson, John S. N. Davis, Barham Harris, William Ogburn, Wyatt Ragsdale, John Pegrem, George S. DeJarratt, R. G. Beeson, Washington Young, O. S. Hammer, W. McConnell, Evans Whorton, John Whorton, Daniel Foust, James Paisley, C. A. Gillespie, Josh Hunt, William Gott, Ralph Gorrell, I. J. M. Lindsay, James T. Morehead, John M. Morehead, John A. Mebane, O. Smallwood, R. G. Lindsay, D. F. Caldwell, John McMarry, Jed. H. Lindsay, Emly Armfield, Mitchell Ward, John McCalloch, Robert Hauner, T. J. Sandrige, John McKnight, Joseph A. Houston, William S. Gilmer, Isaac Thacker, Moses H. Mendenhall, D. C. Mebane. On motion, the name of the Chairman was added to the list.

On motion, Resolved, that the proceedings of this meeting be published in the Greensborough Patriot, and the other Whig papers of the State requested to do so. J. H. LINDSAY, Chm.

D. C. MEBAHE, Sec'y.

WASHINGTON CORRESPONDENCE.
The War—the Presidential "succession"—Mr. Clay—the Extension of the Richmond and Danville Railroad.

WASHINGTON, Jan. 23, 1848.

Gentlemen—The war and the succession, if not "the war of the succession," are the topics of interest here at present. In regard to the war, the case has become hopeless. No one looks for its termination now, and peace may be said to be "an obsolete idea." The impression is gaining around that the whole of Mexico is to be absorbed, and permanently annexed to the Union. The glaring disclaimers of the President and his organ are not confined in by any body. You remember the speech of Mr. Calhoun; he clearly points out the difficulty of avoiding conquest, even if the President desired it. "We have gone too far." Set up a Government in Mexico to make peace with, and as soon as our troops return such a Government would be infallibly overthrown. Mr. Calhoun justly thinks we are on the eve of great evils;—a great change, for weal or woe, is approaching.

In regard to the succession, there is as much interest felt, at least by politicians, as there is in reference to the war. I am however glad to find that a spirit of compromise exists in the Whig ranks; and their divisions will doubtless be healed by a National Convention. The friends of Mr. Clay are far the more numerous party in this city. On the other hand, I believe that the people of the adjacent county prefer Gen. Taylor. I am somewhat surprised that the friends of Gen. Scott are so long, considering his brilliant achievements in the field. It is thought that if the President should supersede him in the command, (and I believe there is little doubt of the fact) the circumstance will awaken sympathy in his behalf. He seems, with all his great qualities, and achievements, less calculated to inspire enthusiasm, than Clay or Taylor.

The Locofocos are in a forlorn situation. While the Whigs are disputing among themselves as to which of a half a dozen of the greatest and most popular men of the country shall lead them, the Locos are unable to rally upon any one of the party hacks who have brought on the present disgraceful state of things.

I saw Mr. Clay yesterday. He is a hale, healthy looking old gentleman, of a bland and dignified appearance. He appears older than his likeness represent him, but the outlines of his features are well preserved. He addressed the Colonization Society a few nights ago, but I was not so fortunate as to hear him.

It has been objected to the proposed extension of the Richmond and Danville Railroad through Greensborough, that it will give encouragement to the commerce of Virginia at the expense of North Carolina. There can be no greater mistake. The trade will be beneficial to both parties. If the people of North Carolina can make better bargains in the Virginia seaports than in their own, they ought by all means to go there with their products; and state pride to the contrary notwithstanding, they will go there. No man is willing to make a bad bargain, and it is no more the interest of the State than of individuals to make them. Norfolk is the natural outlet and emporium of your section of the State, and in fact the greater portion of it. Wilmington and Charleston for the other portion. State pride is a highly commendable virtue, but it should not blind the people to their true interests. By holding aloof from intercourse with the Virginia ports, she may injure the commerce of that State, but the liberal policy will never do more than foster a dwarfed, languishing, coasting trade within her own borders. Ready access to such seaports as Norfolk would revive the energies of the whole State.—Whatever advantage Norfolk is, or is destined to be, to the interior of Virginia, it may be to North Carolina. Our State lines are no barrier to trade; and although the natural emporium of the State is beyond the jurisdiction of its laws, it is in the hands of people who will promptly second the formation of as many avenues of intercourse as can be desired.

If the city of New York belonged to New Jersey, the State of New York would be just what it is, minus the city. That is to say, its internal trade and wealth and population would be just what they are; and because the people of the city and State to which it belonged would be as much interested in courting intercourse with New York State as they now are, and would be in fact dependent upon that State for the privilege of opening a communication with the Lakes. In like manner, if Philadelphia were within the limits of New Jersey or Delaware, it would equally pro-

mote the internal prosperity of Pennsylvania as it now does.

North Carolina may one day or other have many large towns and cities in the interior or on the rivers, engaged in manufactures and internal traffic, but it can never rival the adjacent States in external commerce. Wilmington may become a respectable commercial city, but not of the first class. Beaufort harbor, I fear, is too near cape Hatteras and cape Lookout.

If your readers wish to know what a city may become without the advantage of foreign commerce, I refer them to Cincinnati. That place which now numbers one hundred thousand inhabitants, is fifteen hundred miles from the sea by the course of the river. Norfolk might be connected with Albemarle Sound by a ship channel instead of a canal, and thus with all the sounds and rivers in the State except Cape Fear. That place is known to possess unrivalled advantages for commerce. The harbor is equal to that of New York, and its natural facilities of intercourse with the interior are far superior to those of any place north of it. Boston has no river to conduct its commerce into the interior; New York has but one; Philadelphia has no navigable tributary, and Baltimore none. But look at Norfolk! There is the Chesapeake bay extending north to Pennsylvania, and flowing into it are the Potomac, the Rappahannock, the York and the James rivers, all navigable for ships and steamers for hundreds of miles. On the other hand the Dismal Swamp canal connects it, as before observed, with all the navigable waters of North Carolina except the Cape Fear. By means of the Kenawha canal Norfolk will be brought in communication with the Ohio, and while the Erie canal will be closed by ice for five months of the year, the Virginia canal will rarely be closed at all. Norfolk has a great destiny to fulfil, I might say a "manifest destiny," and the people of North Carolina will not be so blind to their obvious interests as to shut themselves out from its markets.

What I have said of the importance of a communication with Norfolk, will of course apply to Richmond, since the latter is an outpost, so to speak, of the former. Or rather, such will be the case when Norfolk enters upon the career of its great destiny.

Yours, &c.
A NORTH CAROLINIAN.

MR. BADGER'S SPEECH,
IN SENATE, JAN. 19,
On the bill to raise for a limited time an additional military force.

Mr. BADGER said: If I believed, sir, that the duty which I owe to my country, and to the State which has sent me here, could be performed by yielding to the requirements of the Executive which supplies as he may deem requisite for the prosecution of the war, upon plans for prosecuting it which have not been made known to Congress—if I believed that I had not a high and controlling obligation to exercise my own best judgment for the benefit of those whom I represent, and for the general welfare of the country, upon every question submitted to the consideration of this body, I might be disposed to vote for the bill upon your table. If, sir, the years and days had not been ordered upon the passage of this bill, I might have been content to permit the measure to pass, as far as I am concerned, without offering a single word to the Senate upon its intrinsic merits. But the years and days have been ordered upon this bill. I cannot vote for it. I shall record my vote against it; and, I think it is due to the country—I feel that it is due to myself—that the views and principles which will govern my conduct in giving this vote should be plainly and distinctly stated, and should accompany, to the public, the vote itself. Sir, I shall endeavor to assign those views and principles in as short a compass as is consistent with a full exposition of what I believe to be the truth on this all important subject, and which every consideration obliges me to put before those whom I represent, without any unnecessary diminution, without leaving out anything that may be required in a full and complete expression of the argument which, in my mind, is conclusive in regard to the measure before you. I shall offer my own opinions, sir, with entire respect, and even deferential consideration, to the great minds of this body and throughout the country, whom I know to be arrayed against me. Without intending towards them any disrespect, I shall take the liberty to declare what are the opinions which I entertain with regard to the origin of the war, the manner of its prosecution, the tendency of the measures now proposed, and the schemes that are evidently entertained by the Executive of the country in relation to it. I shall not go as far back, sir, as an honorable senator from Maryland did a few days ago, (I mean the honorable Senator from that State, who first addressed the Senate upon this bill), but, nevertheless, I shall be under the necessity of giving a little back for the purpose of making myself fully understood.

First, then, I will lay it down, and endeavor to demonstrate, that the war in which we are now engaged with Mexico, was the immediate result of the unlawful and unconstitutional act of the President of the U. S. I suppose, sir, that there is no gentleman on this floor or elsewhere, who supposes or believes that the President of the U. S. is vested with the war power of this country. It is a power expressly, and in terms, conferred upon the Congress of the U. S. And the President would have no control, direct or indirect, except from the incidental circumstance of his limited veto of the action of the two Houses, and except, from the fact, that in virtue of his office he is the chief commander, the principal military officer of the U. S.

I maintain then, Mr. President, that when the President of the U. S. moved the troops under Gen. Taylor to the Rio Grande and took possession of the left bank of that stream, he committed a clear and undoubted act of war. What is war? What do all the writers on the law of nations tell us it is? They all, in substance, define it to be a contest about rights which is carried on or maintained, not by argument, but by force. It can, therefore, admit of no question, that when a nation claiming certain rights, which are disputed by another, undertakes to support them by war—war as far as she is concerned. It is true, if the act of violence or aggression on her part, be resisted by the other that suffers it—if it be patiently and tamely submitted to—no war results. To constitute war, it is essential that there should be two parties, as it is that there should be two parties to a treaty of peace. The act of

one nation cannot alone constitute war; it is like the act of an individual striking a blow, if it be not resisted, no contest, no battle, no fight is the result. The blow is an act of aggression; it is an act commencing a contest, but it does not amount to a perfect contest. Whether this act on the part of the President was an act of war, of hostility, of aggression, depends not at all upon the question, whether we had a right to the territory of which he took forcible possession. War, between nations, presupposes a contest about rights. The publicists, who speak of contests between nations, never suppose them to consist except about rights. War is a contest about rights. Public war is a contest between nations about rights, carried on by force and not by argument. If, therefore, it were assumed as clear and unquestionable that the title of Texas and the U. S. extended to the Rio Grande, it is still beyond all doubt, that Mexico possessing the left bank of that stream, having a settlement there, having officers there, and exercising jurisdiction there—any movement to dispossess Mexico, to occupy what she thus occupied and what she claimed to be her own, is an act of war. It is an act of war just and rightful if the territory be ours—just and right if the territory be unjustly and improperly withheld—just and rightful, if also the act of war be directed by those who represent the sovereignty of the nation. Well, sir, this act was committed by the President of the U. S. He ordered the troops to the Rio Grande. They advanced. When they came into the Mexican settlement, inhabitants fled before them in dismay; the officers abandoned the public buildings and set fire to them, and under such circumstances, our forces under the command of officers of the U. S., took from Mexico that which she was in possession of, and by force kept possession of the territory and placed it under the jurisdiction of the United States.

Now, sir, on this subject I had the honor, at the last session to bring to the attention of the Senate the action of Mr. Jefferson, during his administration of Government, under circumstances of a very similar character, with this difference, that the title of the territory withheld from us was truly and clearly ours. In every other respect the case was like this. The territory was withheld by another Power, and a disposition manifested by that Power to deprive us of what we owned.—Under these circumstances Mr. Jefferson conceived that he had no right to use the military force of the country to obtain possession of that which was withheld from us, though clearly ours. And he states, as the reason for referring the subject to the determination of Congress, that matters relating to peace or war belong exclusively to that body and not to him; and that this movement might change the relations of the two countries from peace to war, therefore it belonged to Congress to determine whether the movement should be made.

But Mr. President, I have other authority. I certainly shall not say that it is more respectable in itself than the authority of Mr. Jefferson. I doubt very much whether, with a large portion of the American people and of the Senate, it would be thought quite equal to Mr. Jefferson's. But upon this question with respect to the President of the United States, the authority is conclusive and overpowering. It creates upon him what lawyers call an estoppel; for I am ready to show that the President of the United States, has himself recognized that such an act is an act of hostility, of aggression, of war. On the 11th of July, 1845, the Secretary of the Navy wrote a confidential communication to Com. Conner, then commanding in the Gulf of Mexico. He says:

"The unanimous vote of the Texas Congress for annexation leaves no doubt of the consummation of that measure. When you ascertain satisfactorily that the Texas convention, which assembled on the 4th, has also acceded to annexation, you will regard Texas as a part of your country—to be defended like any other part of it.

"At the same time, every honorable effort is to be made to preserve peace with all nations. The restoration of our boundary on the southwest, by the consent and choice of the people of Texas, is due to the strong attraction of the principles of liberty, which endear America to every one of its sons, and is a tribute before the world to the policy of peace, of political freedom, and of union on the principles of freedom. It is the President's desire that this great event should be consummated without the effusion of blood, and without the exercise of force; believing that free institutions, in their own right, will achieve all that can be desired."

I read this part of the communication for the purpose of showing that, though this paper was written on the 11th of July—prior to the actual consummation of the act of annexation—yet the instructions to which I propose more particularly to call the attention of the Senate are given prospectively, cautiously, and with a view to the actual completion of that measure, when as appears from the instructions themselves, the officer to whom they were directed was required to consider Texas as a part of this country. The letter proceeds:

"To secure this end most effectually, you are charged to commit no act of aggression; and, at the same time, you are invested with the command of a force sufficient to take from others a disposition to hostile acts."

Then, after enumerating the force at the officer's command, the Secretary says:

"That you may precisely understand what is meant by the aggression which you are instructed to avoid, I will add, that while the annexation of Texas extends our boundary to the Del Norte, the President reserves the indication of our boundary, if possible, to methods of peace. You will, therefore, not employ force to dislodge Mexican troops from any post east of the Del Norte which was in the actual possession of the Mexicans at the time of annexation."

"Should Mexico declare war, you will at once dislodge her troops from any post she may have east of the mouth of the Del Norte; take possession of Tampico, and, if your force is sufficient, will take the castle of San Juan de Ulua, it being the determination of the President to preserve peace, if possible; and, if war comes, to recover peace by adopting the most prompt and energetic measures."

Again: The Secretary of War writes General Taylor under date of July the 8th, 1845:

"This Department is informed that Mexico has some military establishments on the east side of the Rio Grande, which are, for some time have been, in the actual occupancy of her troops. In carrying out the instructions heretofore received you will be careful to avoid any acts of aggression unless an actual state of war should exist. The Mexican forces at the posts in her possession, and which have been so, will not be disturbed as long as the relations of peace between the United States and Mexico continue."

Here we have from the representatives of the President in two Departments, War and Navy, a clear and distinct recognition of this proposition, that, although the President held our true boundary to be the Del Norte, yet it would be "an act of aggression," "a hostile act," "an act which would not be justifiable except in a state of war, to dispossess Mexico of any portion of that territory of which she held possession at the time of the annexation." When, therefore, orders were issued to Gen. Taylor, on the 13th of January, 1846, to advance and occupy a position on the left bank of the Rio Grande, admitted to be in the possession of Mexico, the President ordered what he then, undoubtedly, understood to be an act of war. He ordered what he intended, and what he supposed would be regarded on the part of Mexico, as an act of hostil—of aggression. For, sir, you will observe that when Gen. Taylor, in the execution of his orders, advanced to the Rio Grande, and drove the Mexicans from their possessions—when he occupied what had before been occupied by the Mexicans—and these facts were reported to the President, there was not the slightest intimation on his part that Gen. Taylor had exceeded the scope of the orders which had been given to him, and had thus been the means of precipitating the country into a war, which, by a prudent forbearance, might have been avoided.—On the contrary, up to this very moment, all that was done in pursuance of that order has been recognized by the President as having been rightfully done, as having been done in accordance with the purposes which the Executive had in view when the orders were given.

But, sir, if the act was not an act of war, it was plainly and manifestly an act which was likely to produce a state of war. It was an act, the tendency of which was to change the relations of Mexico and this country from a state of peace to a state of war. Can there be any doubt of this, sir? It is impossible to doubt it, when we recollect the unhappy and angry state of feeling which existed between the two countries. When we recollect the position which our army held at Corpus Christi for so many months, and the disputes existing between the two countries—the mutual charges of insincerity and breaches of faith—when we recollect all this, it must be manifest that such an act as moving an armed force to the Rio Grande was, in itself, if not an act of war, at least one which wore the appearance of aggression, and one which was calculated to rouse the feelings of the Mexicans, and to provoke retaliation. Thus much must be conceded; and, if so, whence did the President of the United States derive his power to do this without the consent of Congress.

According to Mr. Jefferson, an act which in its execution may change the relations of the country from peace to war, is an act beyond the competency of the Executive, and to be passed upon only by Congress. The constitution has undergone no change; the people have made no amendment to it; it stands now as it stood in the time of Mr. Jefferson. Whence, then, has Mr. Polk derived his authority to precipitate measures which must lead directly to war—Congress being in session—without taking their advice or even deigning to inform them of what he proposed to do? But, sir, at all events there is not the slightest reason to doubt, as I apprehend, that the movement of the troops upon the Rio Grande was the act which produced war. There had been, previously, threatenings on the part of Mexico.—There had been exactly that state of feeling which was likely to result in war. But there had been no war, and my conviction is clear that if our troops had remained quiet on the ground, where they had a right to remain, on the Rio Grande, they would not have been driven from it, and we would have remained in possession of our territory, and then in her possession, there would have been no war. But, at all events, supposing that war would have been produced in some other manner, or by some other movement, though our troops had remained, which is mere matter of speculation, yet it cannot be denied that in point of fact this war—the war in which we are now engaged—was the immediate result of the movement of our troops upon the Del Norte, and of nothing else. That movement was an act of war, it was, at all events, an act directly tending to change the relations of the two countries from peace to war; and, therefore, an act which the President could not lawfully or constitutionally perform.

The next proposition which I lay down is, that this war, thus resulting from an act of the President, has been prosecuted by him from the commencement with a view to the conquest, the permanent conquest of at least New Mexico and Upper and Lower California. I beg the attention of the Senate while I attempt to demonstrate this proposition from public documents. First, sir, I will call the attention of the Senate to the instructions given by the Secretary of War on the 3d June, 1846, to Gen. Kearny:

"Should you conquer and take possession of New Mexico and Upper California, or considerable places in either, you will establish temporary civil government therein, abolishing all arbitrary restrictions that may exist, so far as it may be done with safety. In performing this duty, it would be wise and prudent to continue in their employment all such of the existing officers as are known to be friendly to the United States, and will take the oath of allegiance to them. The duties of the custom-house ought at once to be reduced to such a rate as may be necessary to maintain the necessary officers without yielding any revenue to the Government. You may assure the people of those provinces that it is the wish and design of the United States to provide for them a free government with the least possible delay, similar to that which exists in our Territories. They will then be called on to exercise the rights of freedom in electing their own representatives to the territorial legislature. It is foreseen that what relates to the civil government will be a difficult and unpleasant part of your duty, and much must necessarily be left to your own discretion."

In further proof of this, I read the instructions given by the Navy Department to Commodore Sloat, 12th July, 1846:

"The object of the United States is, under its rights as a belligerent nation, to possess itself entirely of Upper California.

"The object of the United States has reference to ultimate peace with Mexico, and it, at that peace, the basis of the *uti possidetis* shall be established, the Government expects, through your forces, to be found in actual possession of Upper California."

"This will bring with it the necessity of a civil administration. Such a government should be established under your protection; and, in selecting persons to hold office, due respect should be had to the wishes of the people of California, as well as to the actual possessors of authority in the province. It may be proper to require an oath of allegiance to the United States from those who are entrusted with au-

thority. You will also assure the people of California of the protection of the United States.

"After you shall have secured Upper California, if your forces are sufficient, you will take possession, and keep the harbors on the Gulf of California as far down at least as Guaymas. But this is not to interfere with the permanent occupation of Upper California."

Then, sir, on the 13th of August, we have instructions from the Navy Department to Commodore Stockton, or the commanding officer in the Pacific:

"You will take immediate possession of Upper California, especially of the three ports of San Francisco, Monterey, and San Diego, so that if the treaty of peace should be made on the basis of the *uti possidetis*, it may leave California to the United States."

"Having provided for the full possession of Upper California, the next point of importance is the Gulf of California. From the best judgment I can form, you should take possession of the port of Guaymas. The progress of our arms will probably be such that, in conjunction with land forces, you will be able to hold possession of Guaymas, and so to reduce all the country north of it to the Gulf."

Now, sir, in order to understand the scope and bearing of these orders more clearly, let us see what was done under them by the officers to whom they were addressed. In a letter of Gen. Kearny to the Adjutant General of the 24th August, 1846, written from Santa Fe, he says:

"On the 22d I issued a proclamation, claiming the whole of New Mexico, with its then boundaries, as a territory of the United States of America, and taking it under our protection."

In another part of the same letter, he says:

"On my return (which will be in two or three weeks) a civil government shall be organized, and the officers appointed for it; after which I will be ready to start for Upper California, which I hope may be by the latter end of next month; and in such case, I shall expect to have possession of that department by the close of November."

Then we have Gen. Kearny's proclamation, in which he announces his intention to hold New Mexico as a part of the United States, under the name of the "Territory of New Mexico."

"As, by the act of the Republic of Mexico, a state of war exists between that Government and the United States; and as the undersigned, at the head of his troops, on the 12th instant, took possession of Santa Fe, the capital of the department of New Mexico, he now announces his intention to hold the department, with its original boundaries (on both sides of the Del Norte) AS A PART OF THE UNITED STATES, and under the name of 'THE TERRITORY OF NEW MEXICO.'"

The undersigned has instructions from his Government to respect the religious institutions of New Mexico—to protect the property of the church—to ensure the worship of those belonging to it to be undisturbed, and their religious rights in the amplest manner preserved to them; also, to protect the persons and property of all quiet and peaceable inhabitants within its boundaries against their enemies, the Eutawas, the Navajos, and others; and when he appears all that it will be his pleasure, as well as his duty, to comply with those instructions, he calls upon them to exert themselves in preserving order, in promoting concord, and in maintaining the authority and efficacy of the laws.

"And he requires of those who have left their homes and taken up arms against the United States to return forthwith to them, or else they will be considered as enemies and traitors subjecting their persons to punishment, and their property to seizure and confiscation for the benefit of the public treasury."

"It is the wish and intention of the United States to provide for New Mexico a free government, with the least possible delay, similar to those in the United States; and the people of New Mexico will then be called on to exercise the rights of freedom in electing their own representatives to the territorial legislature. But, until this can be done, the laws hitherto in existence will be continued until changed or modified by competent authority; and those persons holding office will continue in the same for the present, provided they will consider themselves good citizens and are willing to take the oath of allegiance to the United States."

"The United States hereby absolves all persons residing within the boundaries of New Mexico from any further allegiance to the Republic of Mexico, and hereby claims them as citizens of the United States. Those who remain quiet and peaceable will be considered good citizens and receive protection; those who are found in arms or instigating others against the United States, will be considered traitors, and treated accordingly."

"What was the action of Commodore Sloat?—How did he interpret and understand the orders he had received? We have distinct information upon this point, communicated in the proclamation of Commodore Sloat to the people of California. He says:

"Henceforward California will be a portion of the United States, and its peaceable inhabitants will enjoy the same rights and privileges they now enjoy, together with the privilege of choosing their own magistrates and other officers, for the administration of justice among themselves, and the same protection will be extended to them as to any other State in the Union. They will also enjoy a permanent government."

And in a general order of July 7, 1846, he says:

"It is not only our duty to take California, but to preserve it afterwards, as a part of the United States, at all hazards."

What was the understanding of Commodore Stockton? In an address to the people of California of the 17th August, 1846, he says:

"The Territory of California now belongs to the United States, and will be governed as soon as circumstances will permit, by officers and laws similar to those by which the other Territories of the United States are regulated and protected."

Again, in a proclamation, he says:

"I, Robert F. Stockton, commander-in-chief of the United States forces in the Pacific Ocean, and governor of the territory of California, and commander-in-chief of the army of the same, do hereby make known to all men that, having by right of conquest taken possession of that territory known by the name of Upper and Lower California, do now declare it to be a territory of the United States, under the name of the Territory of California."

Now, sir, it is impossible, I think, to read what was done—what was reported by our officers to the President as having been done by them—without seeing that they understood and acted under their instructions, as designed to make a permanent conquest of such portions of Mexican territory as they were instructed to take possession of. There is not one word said in the instructions—nothing declared in the actions of those officers obeying those instructions, which referred, or appeared to refer, to a military occupation of those territories, for the purpose of compelling Mexico