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United States Congress. Joint Resolution offering terms of annexation to the Republic of Texas.

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That Congress doth consent that the Territory properly included within, and rightfully belonging to, the Republic of Texas, may be erected into a new state, to be called the State of Texas, with a republican form of government, to be adopted by the people of said Republic, by deputies in convention assembled, with consent of the existing government, in order that the same may be admitted as one of the States of this Union.

2. And be it further resolved, That the foregoing consent of Congress is given upon the following conditions, to-wit: First, said State to be formed, subject to the adjustment by this Government of all questions of boundary that may arise with other Governments - and the constitution thereof with the proper evidence of its adoption by the people of said Republic of Texas, shall be transmitted to the President of the United States to be laid before Congress for its final action, on or before the first day of January, one thousand eight hundred and forty-six. Second, said State, when admitted into the Union, after ceding to the United States all public edifices, fortifications, barracks, ports and harbors, navy and navy-yards, docks, magazines, arms and armaments, and all other property and means pertaining to the public defence belonging to said Republic of Texas, shall retain all public funds, debts, taxes and dues of every kind which may belong to or be due and owing to the said republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas, and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct; but in no event are said debts and liabilities to become a charge upon the Government of the United States. Third, New states, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the federal constitution. And such States as may be formed out of that portion of said territory lying south of thirty-six degrees thirty minutes, north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union, with or without slavery, as the people of each State asking admission may desire. And in such State or States as shall be formed out of said territory north of said Missouri compromise line, slavery, or involuntary servitude (except for crime), shall be prohibited.

3. And be it further resolved, That if the President of the United States shall in his judgement and discretion deem it most advisable, instead of proceeding to submit the foregoing resolution to the Republic of Texas, as an overture on the part of the United States for admission, to negotiate with that Republic; then,

Be it resolved, That a State, to be formed out of the present Republic of Texas, with suitable extent and boundaries, and with two representatives in Congress, until the next apportionment of representation, shall be admitted into the Union, by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such

admission and the cession of the remaining Texian territory to the United States shall be agreed upon by the Governments of Texas and the United States: And that the sum of one hundred thousand dollars be, and the same is hereby, appropriated to defray the expenses of missions and negotiations, to agree upon the terms of said admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted to the two houses of Congress, as the President may direct.

Approved, March 1, 1845.

José Joaquin de Herrera, acting President of the Republic of Mexico. A proclamation denouncing the United States' intention to annex Texas.

PROCLAMATION

The minister of foreign affairs has communicated to me the following decree: José Joaquin de Herrera, general of division and president ad interim of the Mexican Republic, to the citizens thereof.

Be it known: That the general congress has decreed, and the executive sanctioned, the following:

The national congress of the Mexican Republic, considering:

That the congress of the United States of the North has, by a decree, which its executive sanctioned, resolved to incorporate the territory of Texas with the American union;

That this manner of appropriating to itself territories upon which other nations have rights, introduces a monstrous novelty, endangering the peace of the world, and violating the sovereignty of nations;

That this usurpation, now consummated to the prejudice of Mexico, has been in insidious preparation for a long time; at the same time that the most cordial friendship was proclaimed, and that on the part of this republic, the existing treaties between it and those states were respected scrupulously and legally;

That the said annexation of Texas to the U. States tramples on the conservative principles of society, attacks all the rights that Mexico has to that territory, is an insult to her dignity as a sovereign nation, and threatens her independence and political existence;

That the law of the United States, in reference to the annexation of Texas to the United States, does in nowise destroy the rights that Mexico has, and will enforce, upon that department;

That the United States, having trampled on the principles which served as a basis to the treaties of friendship, commerce and navigation, and more especially to those of boundaries fixed with precision, even previous to 1832, they are considered as inviolate by that nation.

And, finally, that the unjust spoliation of which they wish to make the Mexican nation the victim, gives her the clear right to use all her resources and power to resist, to the last moment, said annexation;

IT IS DECREED

1st. The Mexican nation calls upon all her children to the defence of her national independence, threatened by the usurpation of Texas, which is intended to be realized by the decree of annexation passed by the congress, and sanctioned by the president, of the United States of the north.

2d. In consequence, the government will call to arms all the forces of the army, according to the authority granted it by the existing laws; and for the preservation of public order, for the support of her institutions, and in case of necessity, to serve as the reserve to the army, the government, according to the powers given to it on the 9th December 1844, will raise the corps specified by said decree, under the name of "Defenders of the Independence and of the Laws."

MIGUEL ARTISTAN,
President of the Deputies.

FRANCISCO CALDERON,
President of the senate.

Approved, and ordered to be printed and published.

JOSÉ JOAQUIN DE HERRERA.
A. D. LUIS G. CUEVAS

Palace of the National Government,
City of Mexico, June 4, 1845.

Anson Jones, President of the Republic of Texas, at Washington-on-the-Brazos, Texas, to James K. Polk, President of the United States, Washington, D.C. Letter communicating Texas' approval of U.S. terms of annexation.

Washington, on the Brazos, July 12, 1845.

To his Excellency James K. Polk, Etc. Etc. Etc.

Sir.

I avail myself with much pleasure of the opportunity afforded me by the return of General Besancon to address your Excellency this letter, and to communicate to you the gratifying intelligence, that the Deputies of the People of Texas assembled in Convention at the City of Austin on the 4th. Instant, and adopted on that day an ordinance expressing the acceptance and assent of the people to the proposal made by the government of the United States on the subject of the Annexation of Texas to the American Union.

This assent, given with promptness and with much unanimity, affords the assurance that this great measure, to the success of which, your Excellency is so sincerely attached, will be consummated without further difficulty and as I ardently hope in peace.

I shall have the further satisfaction to transmit to you very soon by request of the Convention, a copy of the ordinance I have now reference to, which will be placed in your hands by Mr. D. S. Kaufman, whom I have caused to be accredited as Charge d'Affaires of Texas near your Government, and I beg you to accept in the mean-time, assurances of the high regard with which I am

Your Excellency's
Most Obedient
and very humble servant
ANSON JONES

United States Congress. Joint Resolution for the Admission of the State of Texas into the Union.

[No. 1.] - Joint Resolution for the Admission of the State of Texas into the Union.

WHEREAS the Congress of the United States, by a joint resolution approved March the first, eighteen hundred and forty-five, did consent that the territory properly included within, and rightfully belonging to, the Republic of Texas, might be erected into a new State, to be called The State of Texas, with a republican form of government, to be adopted by the people of said republic, by deputies in convention assembled, with the consent of the existing government, in order that the same might be admitted as one of the States of the Union; which consent of Congress was given upon certain conditions specified in the first and second sections of said joint resolution; and whereas the people of the said Republic of Texas, by deputies in convention assembled, with the consent of the existing government, did adopt a constitution, and erect a new State with a republican form of government, and, in the name of the people of Texas, and by their authority, did ordain and declare that they assented to and accepted the proposals, conditions, and guaranties contained in said first and second sections of said resolution; and whereas the said constitution, with the proper evidence of its adoption by the people of the Republic of Texas, has been transmitted to the President of the United States and laid before Congress, in conformity to the provisions of said joint resolution:

Therefore

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Texas shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever.

SEC. 2. And it be it further resolved, That until the representatives in Congress shall be apportioned according to an actual enumeration of the inhabitants of the United States, the State of Texas shall be entitled to choose two representatives.

APPROVED, December 29, 1845.

Gen. Francisco Mejia, at Matamoros. A Proclamation.

The general-in-chief of the forces assembled against the enemy, to the inhabitants of this department and the troops under his command.

FELLOW-CITIZENS: - The annexation of the department of Texas to the United States, projected and consummated by the tortuous policy of the cabinet of the Union, does not yet satisfy the ambitious desires of the degenerate sons of Washington. The civilized world has already recognized in that act all the marks of injustice, iniquity, and the most scandalous violation of the rights of nations. Indelible is the stain which will for ever darken the character for virtue falsely attributed to the people of the United States; and posterity will regard with horror their perfidious conduct, and the immorality of the means employed by them to carry into effect that most degrading depredation. The right of conquest has always been a crime against humanity; but nations jealous of their dignity and reputation have endeavoured at least to cover it by the splendour of arms and the prestige of victory. To the United States, it has been reserved to put in practice dissimulation, fraud, and the basest treachery, in order to obtain possession, in the midst of peace, of the territory of a friendly nation, which generously relied upon the faith of promises and the solemnity of treaties.

The cabinet of the United States does not, however, stop in its career of usurpation. Not only does it aspire to the possession of the department of Texas, but it covets also the regions on the left bank of the Rio Bravo. Its army, hitherto for some time stationed at Corpus Christi, is now advancing to take possession of a large part of Tamaulipas; and its vanguard has arrived at the Arroya Colorado, distant eighteen leagues from this place. What expectations, therefore, can the Mexican government have of treating with an enemy, who, whilst endeavouring to lull us into security, by opening diplomatic negotiations, proceeds to occupy a territory which never could have been the object of the pending discussion? The limits of Texas are certain and recognized; never have they extended beyond the river Nueces; notwithstanding which, the American army has crossed the line separating Tamaulipas from that department. Even though Mexico could forget that the United States urged and aided the rebellion of the former colonists, and that the principle, giving to an independent people the right to annex itself to another nation, is not applicable to the case, in which the latter has been the protector of the independence of the former, with the object of admitting it into its own bosom; even thought it could be accepted as an axiom of international law, that the violation of every rule of morality and justice might serve as a legitimate title for acquisition; nevertheless, the territory of Tamaulipas would still remain beyond the law of annexation, sanctioned by the American Congress; because that law comprises independent Texas, the ground occupied by the rebellious colony, and in no wise includes other departments, in which the Mexican government has uninterruptedly exercised its legitimate authority.

Fellow-countrymen: With an enemy which respects not its own laws, which shamelessly derides the very principles invoked by it previously, in order to excuse its ambitious views, we have no other resource than arms. We are fortunately always prepared to take them up with glory, in defence of our country; little do we regard the blood in our veins,

when we are called on to shed it in vindication of our honour, to assure our nationality and independence. If to the torrent of devastation which threatens us it be necessary to oppose a dike of steel, our swords will form it; and on their sharp points will the enemy receive the fruits of his anticipated conquest. If the banks of the Panuco have been immortalized by the defeat of an enemy, respectable and worthy of the valour of Mexico, those of the Bravo shall witness the ignominy of the proud sons of the north, and its deep waters shall serve as the sepulchre for those who dare to approach it. The flames of patriotism which burns in our hearts will receive new fuel from the odious presence of the conquerors; and the cry of Dolores and Iguala shall be re-echoed with harmony to our ears, when we take up our march to oppose our naked breasts to the rifles of the hunters of the Mississippi.

FRANCISCO MEJIA.

Matamoros, March 18, 1846.

WASHINGTON, *March 24, 1846.*

To the Senate of the United States:

In answer to the inquiry of the Senate contained in their resolution of the 17th instant, whether in my "judgment any circumstances connected with or growing out of the foreign relations of this country require at this time an increase of our naval or military force," and, if so, "what those circumstances are," I have to express the opinion that a wise precaution demands such increase.

In my annual message of the 2d of December last I recommended to the favorable consideration of Congress an increase of our naval force, especially of our steam navy, and the raising of an adequate military force to guard and protect such of our citizens as might think proper to emigrate to Oregon. Since that period I have seen no cause to recall or modify these recommendations. On the contrary, reasons exist which, in my judgment, render it proper not only that they should be promptly carried into effect, but that additional provision should be made for the public defense.

The consideration of such additional provision was brought before appropriate committees of the two Houses of Congress, in answer to calls made by them, in reports prepared, with my sanction, by the Secretary of War and the Secretary of the Navy on the 29th of December and the 8th of January last—a mode of communication with Congress not unusual, and under existing circumstances believed to be most eligible. Subsequent events have confirmed me in the opinion that these recommendations were proper as precautionary measures.

It was a wise maxim of the Father of his Country that "to be prepared for war is one of the most efficient means of preserving peace," and that, "avoiding occasions of expense by cultivating peace," we should "remember also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it." The general obligation to perform this duty is greatly strengthened by facts known to the whole world. A controversy respecting the Oregon Territory now exists between the United States and Great Britain, and while, as far as we know, the relations of the latter with all European nations are of the most pacific character, she is making unusual and extraordinary armaments and warlike preparations, naval and military, both at home and in her North American possessions.

It can not be disguised that, however sincere may be the desire of peace, in the event of a rupture these armaments and preparations would be used against our country. Whatever may have been the original purpose of these preparations, the fact is undoubted that they are now proceeding, in part at least, with a view to the contingent possibility of a war with the United States. The general policy of making additional warlike preparations was distinctly announced in the speech from the throne as late as January last, and has since been reiterated by the ministers of the Crown in both houses of Parliament. Under this aspect of our relations with Great Britain, I can not doubt the propriety of increasing our means of defense both by land and sea. This can give Great Britain no cause of offense nor increase the danger of a rupture. If, on the contrary, we should fold our arms in security and at last be suddenly involved in hostilities for the maintenance of our just rights without any adequate preparation, our responsibility to the country would be of the

gravest character. Should collision between the two countries be avoided, as I sincerely trust it may be, the additional charge upon the Treasury in making the necessary preparations will not be lost, while in the event of such a collision they would be indispensable for the maintenance of our national rights and national honor.

I have seen no reason to change or modify the recommendations of my annual message in regard to the Oregon question. The notice to abrogate the treaty of the 6th of August, 1827, is authorized by the treaty itself and can not be regarded as a warlike measure, and I can not withhold my strong conviction that it should be promptly given. The other recommendations are in conformity with the existing treaty, and would afford to American citizens in Oregon no more than the same measure of protection which has long since been extended to British subjects in that Territory.

The state of our relations with Mexico is still in an unsettled condition. Since the meeting of Congress another revolution has taken place in that country, by which the Government has passed into the hands of new rulers. This event has procrastinated, and may possibly defeat, the settlement of the differences between the United States and that country. The minister of the United States to Mexico at the date of the last advices had not been received by the existing authorities. Demonstrations of a character hostile to the United States continue to be made in Mexico, which has rendered it proper, in my judgment, to keep nearly two-thirds of our Army on our southwestern frontier. In doing this many of the regular military posts have been reduced to a small force inadequate to their defense should an emergency arise.

In view of these "circumstances," it is my "judgment" that "an increase of our naval and military force is at this time required" to place the country in a suitable state of defense. At the same time, it is my settled purpose to pursue such a course of policy as may be best calculated to preserve both with Great Britain and Mexico an honorable peace, which nothing will so effectually promote as unanimity in our councils and a firm maintenance of all our just rights.

JAMES K. POLK

Captain William J. Hardee, at Matamoros, Mexico, to Brigadier-General Zachary Taylor, at camp opposite Matamoros. Dispatch communicating particulars of "Thornton Skirmish."

Matamoros, Mexico, April 26, 1846.

Sir: - It becomes my painful duty to inform you of the circumstances which led our being brought to this place as prisoners of war. Captain Thornton's command, consisting of fifty-two dragoons, left camp, as you know, at night on the 24th instant; it marched 15 miles and halted until daylight, when the march was again resumed. Captain Thornton's orders, as I understood them, were to ascertain if the enemy had crossed the river above our camp, and to reconnoitre his position and force. All his inquiries on the way tended to the conviction that the enemy had crossed in strength. About 23 miles from our camp our guide became so satisfied of this fact that he refused to go any further, and no entreaties on the part of Captain Thornton could shake his resolution. About three miles from this latter place we came to a large plantation bordering the river, and enclosed with a high chapparal fence, with some houses at its upper extremity. To these houses Captain Thornton endeavored, by entering the lower extremity, to approach; but failing to do so, he was compelled to pass round the fence, and entered the field by a pair of bars, the house being situated about 200 yards from the entrance. Into this plantation the whole command entered in single file, without any guard being placed in front, without any sentinel at the bars, or any other precaution being taken to prevent surprise.

Captain Thornton was prepossessed with the idea that the Mexicans had not crossed; and if they had, that they would not fight. I had been placed in rear, and was therefore the last to enter. When I came up to the house I found the men scattered in every direction, hunting for some one with whom to communicate. At last an old man was found; and while Captain Thornton was talking with him, the cry of alarm was given, and the enemy were seen in numbers at the bars. Our gallant commander, immediately gave the command to charge, and himself led the advance; but it was too late; the enemy had secured the entrance, and it was impossible to force it. The officers and men did every thing that fearless intrepidity could accomplish; but the infantry had stationed themselves in the field on the right of the passage way, and the cavalry lined the exterior fence, and our retreat was hopelessly cut off. Seeing this, Captain Thornton turned to the right and skirted the interior of the fence, the command following him. During this time the enemy were shooting at us in every direction; and when the retreat commenced, our men were in a perfect state of disorder. I rode up to Captain Thornton and told him that our only hope of safety was in tearing down the fence: he gave the order, but could not stop his horse, nor would the men stop.

It was useless, for by this time the enemy had gained our rear in great numbers. Foreseeing that the direction which Captain Thornton was pursuing would lead to the certain destruction of himself and men, without the possibility of resistance, I turned to the right and told the men to follow me. I made for the river, intending either to swim it or place myself in a position for defence. I found the bank too boggy to accomplish the former, and I therefore rallied the men, forming them in order of battle in the open field,

and without the range of the infantry behind the fence. I counted twenty-five men and examined their arms, but almost every one had lost a sabre, a pistol, or carbine; nevertheless, the men were firm and disposed, if necessary, to fight to the last extremity.

In five minutes from the time the first shot was fired, the field was surrounded by a numerous body of men. However, I determined to sell our lives as dearly as possible if I could not secure good treatment, and accordingly I went forward and arranged with an officer that I should deliver myself and men as prisoners of war, to be treated with all the consideration to which such unfortunates are entitled by the rules of civilized warfare. I was taken to General Torrejon, who by this time had his whole force collected in the field. I found that some prisoners had already been taken; which, together with those I had and those which were subsequently brought in, amounted to 45 men, exclusive of Lieutenant Kane and myself. Four were wounded. I know nothing certain of the fate of Captain Thornton and Lieutenant Mason: the latter I did not see after the fight commenced. I am convinced they both died bravely. The former I know was unhorsed, and killed, as I learn, in single combat, Romano Falcon. Lieutenant Mason's spurs were seen, after the fight, in possession of the enemy. The brave Sergeant Tredo fell in the first charge. Sergeant Smith was unhorsed and killed. The bodies of seven men were found, including, as I believe, the two officers above mentioned.

I was brought to Matamoras to-day about 4 o'clock, and I take pleasure in stating that since our surrender I and my brave companions in misfortune have been treated with uniform kindness and attention. It may soften the rigors of war for you to be informed fully of this fact. Lieutenant Kane and myself are living with General Ampudia: we lodge in his hotel, eat at his table, and his frank, agreeable manner and generous hospitality almost make us forget our captivity. General Arista received us in the most gracious manner; said that his nation had been regarded as barbarous, and that he wished to prove to us the contrary. Told Lieutenant Kane and myself that we should receive half pay, and our men should receive ample rations, and in lieu of it for to-day 25 cents a piece. On declining the boon on the part of Lieutenant Kane and myself, and a request that we might be permitted to send to camp for money, he said no; that he could not permit it; that he intended to supply all our wants himself. These promises have already been fulfilled in part.

I am, sir, very respectfully, your obedient servant,

W. J. HARDEE,
Captain 2d Dragoons.

Captain Edgar S. Hawkins, at Fort Taylor (a.k.a. Fort Texas), to W. W. S. Bliss, Assistant Adjutant-General, Army of Occupation, Texas. Dispatch communicating Hawkins' official report of the siege of the fortifications opposite Matamoros.

Headquarters, Fort Taylor,
Texas, May 10, 1846.

Sir: - I have the honor to report that on the morning of the 6th instant, during the third day of the bombardment of this fort, its gallant commander, Major Brown, received a severe wound, which caused his death at 2 o'clock on the 9th instant. I immediately assumed command, and have the honor to report the result of the bombardment since 7 o'clock, p.m., on the fourth, at which time Captain Walker left with a report of the result up to that time. At 9 o'clock, p.m., on the fourth, firing of musketry was heard in our rear, about three or four hundred yards distance, and apparently extending a mile up the river, the firing very irregular; this continued until half-past 11 o'clock, p.m. The garrison was under arms, batteries and defences all manned and continued so during the night. On the fifth instant, at 5 o'clock, a.m., the fire was recommenced from the enemy's batteries, which was immediately returned from the 18-pounder batter, and 6-pounder howitzer placed in embrasure on the southeast bastion; the firing was kept up one hour, receiving during that time about fifty round shot and shells from the enemy. The batteries on both sides ceased firing at the same time; our expenditure of ammunition was thirty rounds of both caliber.

At 8 o'clock, a.m., Valdez, a Mexican, came in and reported that a party of dragoons had been driven back from the prairie to the point, and also a party to the fort; that he had seen thirty deserters from Arista's army, who stated that the Mexicans were without subsistence stores; that they were tired and left for their homes; that it was stated in the Mexican camp that Arista had received an express from Mexico, informing him that another revolution had broken out in Mexico, and that he could receive no support from the government. At 9 o'clock, a.m., it was reported that a reconnoissance of officers, escorted by mounted men of the enemy, was going on in rear within eight hundred yards of the fort, and that other parties, mounted and infantry, were at the same distance, extending from the bend of the lagoon to the river. Lieutenant Hanson, 7th infantry, asked permission to take the dragoons and go and look at them; this was granted, and in an hour he returned, reporting that the enemy was establishing a battery at the cross roads; his appearance among them created great alarm, and they were soon concentrated at a distance under cover of their work. Every man at work to-day strengthening their defences. Several parties of cavalry and infantry seen to-day occupying our old encampment. At 11 o'clock, p.m., musketry was heard in our rear from bend of lagoon to the river. The troops all at their places in the bastions during the night.

WEDNESDAY, May 6.

At 5 o'clock, a.m., the cannonade commenced from the lower fort and mortar battery; many round shot and shells thrown until 6 o'clock, when there was a cessation of firing; during the last hour the shot and shells were well directed, bursting in all directions in the interior of the fort, tearing our tents to pieces and injuring several horses.

At half past 6 o'clock the signal 18 pounders were fired, at which the enemy opened their batteries in our front and rear, and the cannonade continued from two mortars and a howitzer in front, and a mortar established at or near the cross roads in rear until 10 o'clock, a.m., when our gallant commander received a mortal wound from a falling shell. Large mounted parties and infantry were seen at this time in rear. At 7 o'clock one mortar was playing upon us from town, and two from the rear. At 10 o'clock, a small party of infantry crept up in ravine and fired musketry, but being out of range the fire was not returned. At half-past 10 o'clock, a.m., several parties of infantry and mounted men were seen surrounding us in rear. Several rounds of canister were fired from Lieutenant Bragg's battery, which soon dispersed them. Several afterwards heard to have been killed. Immediately afterwards, and until half-past 12 o'clock, p.m., we received a continual shower of shells from the enemy's batteries. At 2 o'clock, five shells were thrown. At half-past 4 o'clock, p.m., a white flag was shown at the old buildings in rear, and a parley sounded by the enemy. Two officers advanced and were met by two officers of my command, who brought me the document marked A, signed by General Arista, allowing me one hour to reply. This document being considered one of great importance, I deemed it necessary to convoke a council consisting of all the company commanders in my command, and laid it before them: they unanimously concurred with me in the reply, a copy of which is the accompanying document, marked B. This document was despatched in the allotted time, and shortly after its reception the enemy's batteries opened on us with continual shower of shot and shells until sunset. The night was passed very quietly, but constant vigilance was exercised in the command; every man kept at his post, as an attack was confidently expected in the morning.

THURSDAY, May 7.

At half-past 5 o'clock, a.m., the enemy's batteries opened with shells, and continued for about an hour and a half, then ceased. At half-past 7, a.m., several rounds of canister and grape were fired into the enemy's picket-guards, at the houses in rear. and at the old guard-house of the second brigade, which caused them to abandon their positions; this was replied to by a discharge of some ten or twelve shells. At 9 o'clock, a.m., we received a shower of some four or five shells, and then stopped. About this time the enemy commenced firing iron shells, having previously thrown composition shells, and it was discovered that one of the mortars had been removed from our rear and returned to the city. At quarter-past 10, a.m., we received three shells; at 11, a.m., eight shells; at 12, m., six shells, by which four of Lieutenant Bragg's horses were killed, and the wheel of one his caissons disabled. At half-past 12 the batteries were opened with round shot and shells, and continued for an hour and a half; by this time our bomb-proofs were so far advanced that our troops were comparatively protected. At 2 o'clock small parties of infantry commenced on us with random musketry on the bank of the river and from the ravine. At half-past 2, p.m., a regular bombardment with shot and shells from a howitzer and the mortars was kept-up with little intermission until sunset. At 5 o'clock, during this bombardment, a shell struck in a tent, almost entirely destroying the instruments of the seventh infantry band, to the value of three hundred dollars. The accuracy of their firing now evidently increased, as at least one-half of the shells thrown fell in the fort. A sentinel to-day lost his arm by a round shot from the enemy. As soon as it was dark enough, a party headed by our indefatigable engineer, Captain Mansfield, was

sent out to level the traverse thrown up by General Worth, and cutting down the chapparal which served as a cover to the sharp shooters of the enemy. At 12 o'clock at night, a random fire of musketry commenced around us, followed by two bugles; this continued for about one hour, and from 3, a.m., was continued until near daylight.

FRIDAY, May 8.

At a quarter past five o'clock, a.m., the enemy's batteries again opened with shells from the lower fort, from the sand-bag battery, and from our rear; the fire this morning was kept up until 8 a.m., without cessation. A party was sent out this morning and burned the old houses near the traverse, on the river bank. This drew from them several round shot and shells. From twelve to half-past two, p.m., a heavy bombardment of shells was kept up; at least fifty thrown at us during that time. At half-past three they again opened their shells upon us, accompanied by round shot. At this time the enemy had established a mortar in the ridge of chaparral across the river, and immediately west of us. Mortars were now playing upon us from the north, south, and west - four in number. The firing of round shot was kept up for two hours, and that of shells until half-past four, when it became very distinct; it lasted until nearly seven, p.m.; this we supposed to be an action between our forces and the enemy. A little before sunset a Mexican came running in with a white flag from the direction of the second brigade guard-house, claiming protection; he stated that our forces had come in contact with those of the enemy, had driven them back; that he was a prisoner in charge of the picket guards, fired on by our batteries; and that while they were burying the dead, and carrying off the wounded, he effected his escape. During the cannonade this afternoon a small column of infantry from above, and one of cavalry from below, were seen advancing, supposed to be reinforcements to the enemy. The excitement in our command during this distant cannonading was intense. During the day we received from one hundred and fifty to two hundred shells, and from seventy-five to one hundred round shot, and not a man disabled. During the previous night the halyards of the flag on the outside had become unrigged, and, as the firing had become too intense to re-establish them, a temporary staff was erected on the inside, and the national flag of the 7th infantry raised as a substitute. We passed a very quiet night - the troops on the alert at their guns.

SATURDAY, May 9.

An officer of the seventh succeeded in lowering the topmast of the flag-staff and rigging the halyards, but found he could not raise it again without great labor and exposure; he therefore lashed it in position, and raised the national flag, after having stood a succession of round shot, canister, and shells from the enemy's batteries for fifteen or twenty minutes. At ten o'clock a sergeant and ten men fired the houses on the road which had been successively occupied by our own and the enemy's pickets. It brought a heavy discharge of shells, canister, and round shot, from the enemy's batteries. Shells, with slight intervals, continued until half-past two, p.m.; the mortar on our west silent, and one firing from a position between us and the fort at the upper ferry; it was much further off, but fired accurately. Two, p.m., Major Brown died, and in a short time we heard the re-engagement between the armies. Quarter to six, quite a number of Mexican cavalry and a few infantry were seen in the retreat. At this time we received a heavy fire of round shot and shells from the time the battle commenced, and continued to

increase. An eighteen-pounder and six pounder were fired in the direction of the upper ferry, when, finding it difficult to distinguish between friend and foe, the firing was discontinued. I cannot close this report and pass in silence the gallant and laborious efforts of the officers and men of this command to fulfil the high trust imposed in them by the commanding general. Under the most disadvantageous circumstances, labor was performed by the men with the greatest alacrity, and always in good cheer. Our indefatigable engineer, Captain Mansfield, is entitled to the highest praise. We have only to lament the loss of a gallant and faithful officer, who, proud of the trust reposed in him, would have gloried in the accomplishment of the task which he so gallantly commenced.

I have the honor to report, as follows, a list of the killed and wounded during the seven day's bombardment of Fort Taylor, Texas:

KILLED.

May 3, 1846. Sergeant Weigart, B company, 7th infantry.

WOUNDED.

May 6, 1846. Major J. Brown, commanding post.
3, Private Lefear, E company, 3d artillery, slight wound.
6, Private Thompson, E company, 3d artillery, slight wound.
6, Private Thompson, D company, 5th infantry, slight wound.
6, Citizen J. Paugh, sutler's clerk, slight wound.
7, Mexican prisoner, slight wound.
7, Private Smith, C company, 7th infantry, slight wound.
7, Private Moody, H company, 7th infantry, fracture of arm.
8, Citizen Russell, discharged soldier, fracture of leg.
8, Private Stewart, H company, 7th infantry, slight wound.
8, Private Ratcliff, H company, 7th infantry, slight wound.
8, Mexican prisoner, slight wound.
8, Mexican prisoner, slight wound.
8, Recruit Cowan, 7th infantry, slight wound.

DIED.

May 9, 1846. Major J. Brown, commanding post.

I am, sir, respectfully, your obedient servant,

E. S. HAWKINS,
Captain 7th Infantry, commanding post.

WASHINGTON, *May 11, 1846.*

To the Senate and House of Representatives:

The existing state of the relations between the United States and Mexico renders it proper that I should bring the subject to the consideration of Congress. In my message at the commencement of your present session the state of these relations, the causes which led to the suspension of diplomatic intercourse between the two countries in March, 1845, and the long-continued and unredressed wrongs and injuries committed by the Mexican Government on citizens of the United States in their persons and property were briefly set forth.

As the facts and opinions which were then laid before you were carefully considered, I can not better express my present convictions of the condition of affairs up to that time than by referring you to that communication.

The strong desire to establish peace with Mexico on liberal and honorable terms, and the readiness of this Government to regulate and adjust our boundary and other causes of difference with that power on such fair and equitable principles as would lead to permanent relations of the most friendly nature, induced me in September last to seek the reopening of diplomatic relations between the two countries. Every measure adopted on our part had for its object the furtherance of these desired results. In communicating to Congress a succinct statement of the injuries which we had suffered from Mexico, and which have been accumulating during a period of more than twenty years, every expression that could tend to inflame the people of Mexico or defeat or delay a pacific result was carefully avoided. An envoy of the United States repaired to Mexico with full powers to adjust every existing difference. But though present on the Mexican soil by agreement between the two Governments, invested with full powers, and bearing evidence of the most friendly dispositions, his mission has been unavailing. The Mexican Government not only refused to receive him or listen to his propositions, but after a long-continued series of menaces have at last invaded our territory and shed the blood of our fellow-citizens on our own soil.

It now becomes my duty to state more in detail the origin, progress, and failure of that mission. In pursuance of the instructions given in September last, an inquiry was made on the 13th of October, 1845, in the most friendly terms, through our consul in Mexico, of the minister for foreign affairs, whether the Mexican Government "would receive an envoy from the United States intrusted with full powers to adjust all the questions in dispute between the two Governments," with the assurance that "should the answer be in the affirmative such an envoy would be immediately dispatched to Mexico." The Mexican minister on the 15th of October gave an affirmative answer to this inquiry, requesting at the same time that our naval force at Vera Cruz might be withdrawn, lest its continued presence might assume the appearance of menace and coercion pending the negotiations. This force was immediately withdrawn. On the 10th of November, 1845, Mr. John Slidell, of Louisiana, was commissioned by me as envoy extraordinary and minister plenipotentiary of the United States to Mexico, and was intrusted with full powers to adjust both the questions of the Texas boundary and of indemnification to our citizens. The redress of the wrongs of our citizens naturally and inseparably blended itself

with the question of boundary. The settlement of the one question in any correct view of the subject involves that of the other. I could not for a moment entertain the idea that the claims of our much-injured and long-suffering citizens, many of which had existed for more than twenty years, should be postponed or separated from the settlement of the boundary question.

Mr. Slidell arrived at Vera Cruz on the 30th of November, and was courteously received by the authorities of that city. But the Government of General Herrera was then tottering to its fall. The revolutionary party had seized upon the Texas question to effect or hasten its overthrow. Its determination to restore friendly relations with the United States, and to receive our minister to negotiate for the settlement of this question, was violently assailed, and was made the great theme of denunciation against it. The Government of General Herrera, there is good reason to believe, was sincerely desirous to receive our minister; but it yielded to the storm raised by its enemies, and on the 21st of December refused to accredit Mr. Slidell upon the most frivolous pretexts. These are so fully and ably exposed in the note of Mr. Slidell of the 24th of December last to the Mexican minister of foreign relations, herewith transmitted, that I deem it unnecessary to enter into further detail on this portion of the subject.

Five days after the date of Mr. Slidell's note General Herrera yielded the Government to General Paredes without a struggle, and on the 30th of December resigned the Presidency. This revolution was accomplished solely by the army, the people having taken little part in the contest; and thus the supreme power in Mexico passed into the hands of a military leader.

Determined to leave no effort untried to effect an amicable adjustment with Mexico, I directed Mr. Slidell to present his credentials to the Government of General Paredes and ask to be officially received by him. There would have been less ground for taking this step had General Paredes come into power by a regular constitutional succession. In that event his administration would have been considered but a mere constitutional continuance of the Government of General Herrera, and the refusal of the latter to receive our minister would have been deemed conclusive unless an intimation had been given by General Paredes of his desire to reverse the decision of his predecessor. But the Government of General Paredes owes its existence to a military revolution, by which the subsisting constitutional authorities had been subverted. The form of government was entirely changed, as well as all the high functionaries by whom it was administered.

Under these circumstances, Mr. Slidell, in obedience to my direction, addressed a note to the Mexican minister of foreign relations, under date of the 1st of March last, asking to be received by that Government in the diplomatic character to which he had been appointed. This minister in his reply, under date of the 12th of March, reiterated the arguments of his predecessor, and in terms that may be considered as giving just grounds of offense to the Government and people of the United States denied the application of Mr. Slidell. Nothing therefore remained for our envoy but to demand his passports and return to his own country.

Thus the Government of Mexico, though solemnly pledged by official acts in October last to receive and accredit an American envoy, violated their plighted faith and refused

the offer of a peaceful adjustment of our difficulties. Not only was the offer rejected, but the indignity of its rejection was enhanced by the manifest breach of faith in refusing to admit the envoy who came because they had bound themselves to receive him. Nor can it be said that the offer was fruitless from the want of opportunity of discussing it; our envoy was present on their own soil. Nor can it be ascribed to a want of sufficient powers; our envoy had full powers to adjust every question of difference. Nor was there room for complaint that our propositions for settlement were unreasonable; permission was not even given our envoy to make any proposition whatever. Nor can it be objected that we, on our part, would not listen to any reasonable terms of their suggestion; the Mexican Government refused all negotiation, and have made no proposition of any kind.

In my message at the commencement of the present session I informed you that upon the earnest appeal both of the Congress and convention of Texas I had ordered an efficient military force to take a position "between the Nueces and the Del Norte." This had become necessary to meet a threatened invasion of Texas by the Mexican forces, for which extensive military preparations had been made. The invasion was threatened solely because Texas had determined, in accordance with a solemn resolution of the Congress of the United States, to annex herself to our Union, and under these circumstances it was plainly our duty to extend our protection over her citizens and soil.

This force was concentrated at Corpus Christi, and remained there until after I had received such information from Mexico as rendered it probable, if not certain, that the Mexican Government would refuse to receive our envoy.

Meantime Texas, by the final action of our Congress, had become an integral part of our Union. The Congress of Texas, by its act of December 19, 1836, had declared the Rio del Norte to be the boundary of that Republic. Its jurisdiction had been extended and exercised beyond the Nueces. The country between that river and the Del Norte had been represented in the Congress and in the convention of Texas, had thus taken part in the act of annexation itself, and is now included within one of our Congressional districts. Our own Congress had, moreover, with great unanimity, by the act approved December 31, 1845, recognized the country beyond the Nueces as a part of our territory by including it within our own revenue system, and a revenue officer to reside within that district has been appointed by and with the advice and consent of the Senate. It became, therefore, of urgent necessity to provide for the defense of that portion of our country. Accordingly, on the 13th of January last instructions were issued to the general in command of these troops to occupy the left bank of the Del Norte. This river, which is the southwestern boundary of the State of Texas, is an exposed frontier. From this quarter invasion was threatened; upon it and in its immediate vicinity, in the judgment of high military experience, are the proper stations for the protecting forces of the Government. In addition to this important consideration, several others occurred to induce this movement. Among these are the facilities afforded by the ports at Brazos Santiago and the mouth of the Del Norte for the reception of supplies by sea, the stronger and more healthful military positions, the convenience for obtaining a ready and a more abundant supply of provisions, water, fuel, and forage, and the advantages which are afforded by the Del Norte in forwarding supplies to such posts as may be established in the interior and upon the Indian frontier.

The movement of the troops to the Del Norte was made by the commanding general under positive instructions to abstain from all aggressive acts toward Mexico or Mexican citizens and to regard the relations between that Republic and the United States as peaceful unless she should declare war or commit acts of hostility indicative of a state of war. He was specially directed to protect private property and respect personal rights.

The Army moved from Corpus Christi on the 11th of March, and on the 28th of that month arrived on the left bank of the Del Norte opposite to Matamoras, where it encamped on a commanding position, which has since been strengthened by the erection of fieldworks. A depot has also been established at Point Isabel, near the Brazos Santiago, 30 miles in rear of the encampment. The selection of his position was necessarily confided to the judgment of the general in command.

The Mexican forces at Matamoras assumed a belligerent attitude, and on the 12th of April General Ampudia, then in command, notified General Taylor to break up his camp within twenty-four hours and to retire beyond the Nueces River, and in the event of his failure to comply with these demands announced that arms, and arms alone, must decide the question. But no open act of hostility was committed until the 24th of April. On that day General Arista, who had succeeded to the command of the Mexican forces, communicated to General Taylor that "he considered hostilities commenced and should prosecute them." A party of dragoons of 63 men and officers were on the same day dispatched from the American camp up the Rio del Norte, on its left bank, to ascertain whether the Mexican troops had crossed or were preparing to cross the river, "became engaged with a large body of these troops, and after a short affair, in which some 16 were killed and wounded, appear to have been surrounded and compelled to surrender."

The grievous wrongs perpetrated by Mexico upon our citizens throughout a long period of years remain unredressed, and solemn treaties pledging her public faith for this redress have been disregarded. A government either unable or unwilling to enforce the execution of such treaties fails to perform one of its plainest duties.

Our commerce with Mexico has been almost annihilated. It was formerly highly beneficial to both nations, but our merchants have been deterred from prosecuting it by the system of outrage and extortion which the Mexican authorities have pursued against them, whilst their appeals through their own Government for indemnity have been made in vain. Our forbearance has gone to such an extreme as to be mistaken in its character. Had we acted with vigor in repelling the insults and redressing the injuries inflicted by Mexico at the commencement, we should doubtless have escaped all the difficulties in which we are now involved.

Instead of this, however, we have been exerting our best efforts to propitiate her good will. Upon the pretext that Texas, a nation as independent as herself, thought proper to unite its destinies with our own, she has affected to believe that we have severed her rightful territory, and in official proclamations and manifestoes has repeatedly threatened to make war upon us for the purpose of reconquering Texas. In the meantime we have tried every effort at reconciliation. The cup of forbearance had been exhausted even before the recent information from the frontier of the Del Norte. But now, after reiterated menaces, Mexico has passed the boundary of the United States, has invaded our territory

and shed American blood upon the American soil. She has proclaimed that hostilities have commenced, and that the two nations are now at war.

As war exists, and, notwithstanding all our efforts to avoid it, exists by the act of Mexico herself, we are called upon by every consideration of duty and patriotism to vindicate with decision the honor, the rights, and the interests of our country.

Anticipating the possibility of a crisis like that which has arrived, instructions were given in August last, "as a precautionary measure" against invasion or threatened invasion, authorizing General Taylor, if the emergency required, to accept volunteers, not from Texas only, but from the States of Louisiana, Alabama, Mississippi, Tennessee, and Kentucky, and corresponding letters were addressed to the respective governors of those States. These instructions were repeated, and in January last, soon after the incorporation of "Texas into our Union of States," General Taylor was further "authorized by the President to make a requisition upon the executive of that State for such of its militia force as may be needed to repel invasion or to secure the country against apprehended invasion." On the 2d day of March he was again reminded, "in the event of the approach of any considerable Mexican force, promptly and efficiently to use the authority with which he was clothed to call to him such auxiliary force as he might need." War actually existing and our territory having been invaded, General Taylor, pursuant to authority vested in him by my direction, has called on the governor of Texas for four regiments of State troops, two to be mounted and two to serve on foot, and on the governor of Louisiana for four regiments of infantry to be sent to him as soon as practicable.

In further vindication of our rights and defense of our territory, I invoke the prompt action of Congress to recognize the existence of the war, and to place at the disposition of the Executive the means of prosecuting the war with vigor, and thus hastening the restoration of peace. To this end I recommend that authority should be given to call into the public service a large body of volunteers to serve for not less than six or twelve months unless sooner discharged. A volunteer force is beyond question more efficient than any other description of citizen soldiers, and it is not to be doubted that a number far beyond that required would readily rush to the field upon the call of their country. I further recommend that a liberal provision be made for sustaining our entire military force and furnishing it with supplies and munitions of war.

The most energetic and prompt measures and the immediate appearance in arms of a large and overpowering force are recommended to Congress as the most certain and efficient means of bringing the existing collision with Mexico to a speedy and successful termination.

In making these recommendations I deem it proper to declare that it is my anxious desire not only to terminate hostilities speedily, but to bring all matters in dispute between this Government and Mexico to an early and amicable adjustment; and in this view I shall be prepared to renew negotiations whenever Mexico shall be ready to receive propositions or to make propositions of her own.

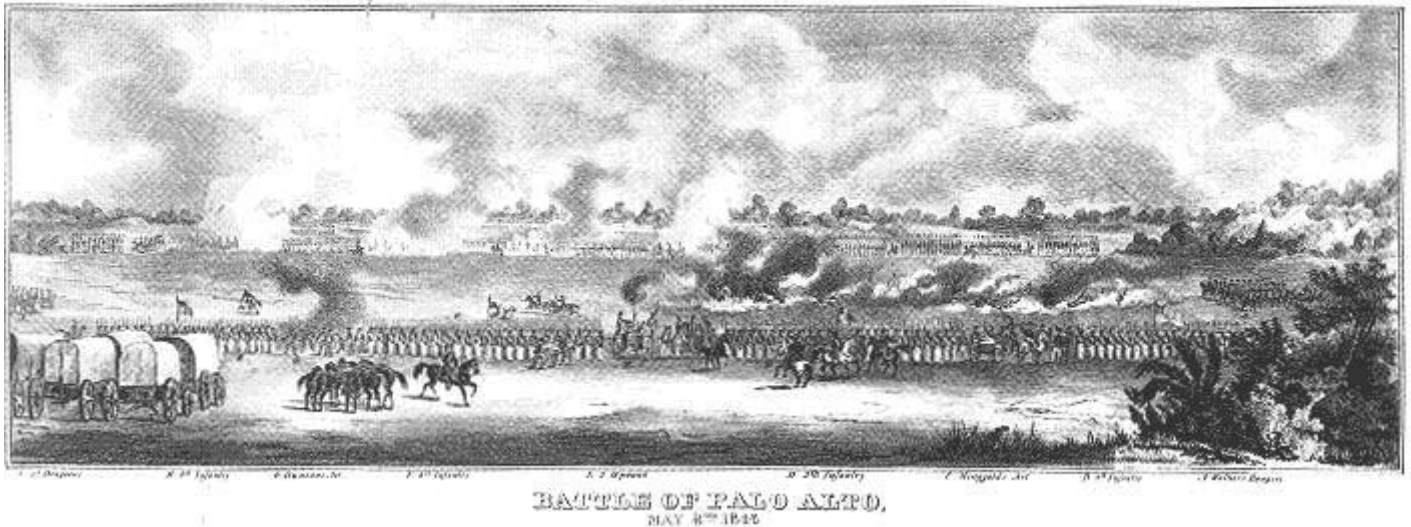
I transmit herewith a copy of the correspondence between our envoy to Mexico and the Mexican minister for foreign affairs, and so much of the correspondence between that

envoy and the Secretary of State and between the Secretary of War and the general in command on the Del Norte as is necessary to a full understanding of the subject.

JAMES K. POLK

Brigadier-General Zachary Taylor, at camp near Matamoras, to Roger Jones, Adjutant-General of the Army at Washington, D.C. Taylor's official report of the Battle of Palo Alto.

Headquarters Army of Occupation
Camp near Matamoras, May 16, 1846.



University of Indiana Bloomington

Sir: - I have now the honor to submit a more detailed report of the action of the 8th instant.

The main body of the army of occupation marched under my immediate orders from Point Isabel, on the evening of the 7th May, and bivouacked 7 miles from that place.

Our march was resumed the following morning. About noon, when our advance of cavalry had reached the water-hole of "Palo Alto," the Mexican troops were reported in our front, and were soon discovered occupying the road in force. I ordered a halt upon reaching the water, with a view to rest and refresh the men, and form deliberately our line of battle. The Mexican line was now plainly visible across the prairie, and about three-quarters of a mile distant. Their left, which was composed of a heavy force of cavalry, occupied the road resting upon a thicket of chapparal, while masses of infantry were discovered in succession on the right, greatly outnumbering our own force.

Our line of battle was now formed in the following order, commencing on the extreme right: 5th infantry, commanded by Lieutenant Colonel McIntosh; Major Ringgold's artillery; 3d infantry, commanded by Captain L. M. Morris; two 18-pounders, commanded by Lieutenant Colonel Garland; and all the above corps, together with two squadrons of dragoons under captains Ker and May, composed the right wing, under the orders of Colonel Twiggs. The left was formed by the battalion of artillery, commanded

by Lieutenant Colonel Childs, Captain Duncan's light artillery, and the 8th infantry, under Captain Montgomery - all forming the 1st brigade, under command of Lieutenant Colonel Belknap. The train was parked near the water, under direction of Captains Crosman and Myers, and protected by Captain Ker's squadron.

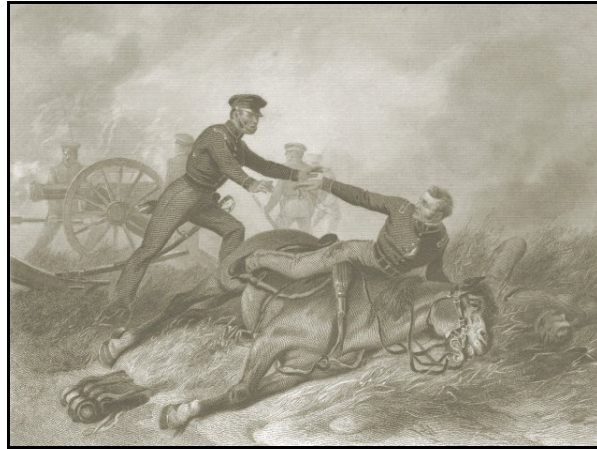
About 2 o'clock we took up the march by heads of columns, in the direction of the enemy, the 18-pounder battery following the road. While the columns were advancing, Lieutenant Blake, topographical engineers, volunteered a reconnaissance of the enemy's line, which was handsomely performed, and resulted in the discovery of at least two batteries of artillery in the intervals of their cavalry and infantry. These batteries were soon opened upon us, when I ordered the columns halted and deployed into line, and the fire to be returned by all our artillery. The 8th infantry, on our extreme left, was thrown back to secure that flank. The first fires of the enemy did little execution, while our 18-pounders and Major Ringgold's artillery soon dispersed the cavalry which formed his left. Captain Duncan's battery, thrown forward in advance of the line, was doing good execution at this time. Captain May's squadron was now detached to support that battery and the left of our position. The Mexican cavalry, with two pieces of artillery, were now reported to be moving through the chapparal to our right, to threaten that flank or make a demonstration against the train. The 5th infantry was immediately detached to check this movement, and supported by Lieutenant Ridgely, with a section of Major Ringgold's battery and Captain Walker's company of volunteers, effectually repulsed the enemy - the 5th infantry repelling a charge of lancers, and the artillery doing great execution in their flanks. The 3d infantry was now detached to the right as a still further security to that flank yet threatened by the enemy. Major Ringgold, with the remaining section, kept up his fire from an advanced position, and was supported by the 4th infantry.

The grass of the prairie had been accidentally fired by our artillery, and the volumes of smoke now partially concealed the armies from each other. As the enemy's left had evidently been driven back and left the road free, and as the cannonade has been suspended, I ordered forward the 18-pounders on the road nearly to the position first occupied by the Mexican cavalry, and caused the 1st brigade to take up a new position still on the left of the 18-pounder battery. The 5th was advanced from its former position, and occupied a point on the extreme right of the new line. The enemy made a change of position corresponding to our own, and, after a suspension of nearly an hour, the action was resumed.

The fire of artillery was now most destructive; openings were constantly made through the enemy's ranks by our fire, and the constancy with which the Mexican infantry sustained this severe cannonade was a theme of universal remark and admiration. Capt. May's squadron was detached to make a demonstration on the left of the enemy's position, and suffered severely from the fire of artillery to which it was for some time exposed.

The 4th infantry, which had been ordered to support the 18-pounder battery, was exposed to a most galling fire of artillery, by which several men were killed, and Capt. Page dangerously wounded. The enemy's fire was directed against our 18-pounder

battery, and the guns under Major Ringgold in its vicinity. The Major himself, while coolly directing the fire of his pieces, was struck by a cannon ball and mortally wounded.



The death of Major Ringgold at Palo Alto.
Painted by Chappel. Engraved by Phillibrown. 1858.

In the mean time the battalion of artillery under Lieut. Col. Childs had been brought up to support the artillery on our right. A strong demonstration of cavalry was now made by the enemy against this part of our line, and the column continued to advance under a severe fire from the 18-pounders. The battalion was instantly formed in square, and held ready to receive the charge of cavalry; but when the advancing squadrons were within close range, a deadly fire of cannister from the 18-pounders dispersed them. A brisk fire of small arms was now opened upon the square, by which one officer, Lieut. Luther, 2d artillery, was slightly wounded; but a well-directed volley from the front of the square silenced all further firing from the enemy in this quarter. It was now nearly dark, and the action was closed on the right of our line - the enemy having been completely driven back from his position, and foiled in every attempt against our line.

While the above was going forward on our right, and under my own eye, the enemy had made a serious attempt against the left of our line. Captain Duncan instantly perceived the movement, and, by the bold and brilliant maneuvering of his battery, completely repulsed several successive efforts of the enemy to advance in force upon our left flank. Supported in succession by the 8th infantry and by Capt. Ker's squadron of dragoons, he gallantly held the enemy at bay, and finally drove him with immense loss from the field. The action here, and along the whole line, continued until dark, when the enemy retired into the chapparal in rear of his position. Our army bivouacked on the ground it occupied. During the afternoon the train had been moved forward about half a mile and was parked in rear of the new position.

Our loss this day was nine killed, forty-four wounded, and two missing. Among the wounded were Major Ringgold, who has since died, and Captain Page, dangerously wounded; Lieut. Luther slightly so. I annex a tabular statement of the casualties of the day.

Our own force engaged is shown by the field report (herewith) to have been 177 officers and 2,111 men; aggregate 2,288. The Mexican force, according to the statements of their own officers taken prisoner in the affair of the 9th, was not less than 6,000 regular troops, with 10 pieces of artillery, and probably exceeded that number; the irregular force not known. Their loss was not less than 200 killed and 400 wounded - probably greater. This estimate is very moderate, and formed upon the number actually counted upon the field, and upon the reports of their own officers.

As already reported in my first brief despatch, the conduct of our officers and men was everything that could be desired. Exposed for hours to the severest trial, a cannonade of artillery, our troops displayed a coolness and constancy which gave me, throughout, the assurance of victory.

I purposely defer the mention of individuals until my report of the action of the 9th, when I will endeavor to do justice to the many instances of distinguished conduct on both days. In the mean time I refer, for more minute details, to the reports of individual commanders.

I am, sir, very respectfully, your obedient servant,

Z. TAYLOR,
Brevet Brig. Gen. U.S.A., commanding.

Brigadier-General Zachary Taylor, at camp near Fort Brown, Texas, to Roger Jones, Adjutant-General of the Army at Washington, D.C. Dispatch communicating Taylor's official Report of the Battle of Resaca de la Palma.

Headquarters, Army of Occupation
Camp near Fort Brown, Texas, May 17, 1846.



The Battle of Resaca de la Palma from Coffin's *Building the Nation*, 1883.

Sir: In submitting a more minute report of the affair of "Resaca de la Palma," I have the honor to state that, early on the morning of the 9th instant, the enemy, who had encamped near the field of battle of the day previous, was discovered moving by his left flank, evidently in retreat, and perhaps at the same time to gain a new position on the road to Matamoras, and there again resist our advance.

I ordered the supply train to be strongly packed at its position, and left with it four pieces of artillery - the two 18-pounders which had done such good service on the previous day, and two 12-pounders, which had not been in the action. The wounded officers and men were, at the same time, sent back to Point Isabel. I then moved forward with the columns to the edge of the chapparal, or forest, which extends to the Rio Grande, a distance of seven miles. The light companies of the first brigade, under Captain C. T. Smith, 2d artillery, and a select detachment of light troops, the whole under the command of Captain McCall, 4th infantry, were thrown forward into the chapparal to feel the enemy, and ascertain his position. About 3 o'clock I received a report from the advance that the enemy was in position on the road, with at least two pieces of artillery. The command was immediately put in motion, and about 4 o'clock I came up with Captain McCall, who reported the enemy in force in our front, occupying a ravine which intersects the road, and is skirted by thickets of dense chapparal. Ridgely's battery and the

advance under Captain McCall, were at once thrown forward on the road, and into the chapparal on either side, while the 5th infantry and one wing of the 4th was thrown into the forest on the left, and the 3d and the other wing of the 4th on the right of the road. These corps were employed as skirmishers to cover the battery, and engage the Mexican infantry. Captain McCall's command became at once engaged with the enemy, while the light artillery, though in a very exposed position, did great execution. The enemy had at least eight pieces of artillery, and maintained an incessant fire upon our advance.

The action now became general; and although the enemy's infantry gave way before the steady fire and resistless progress of our own, yet his artillery was still in position to check our advance, several pieces occupying the pass across the ravine which he had chosen for his position. Perceiving that no decisive advantage could be gained until this artillery was silenced, I ordered Captain May to charge the batteries with his squadron of dragoons. This was gallantly and effectually executed. The enemy was driven from his guns, and General La Vega, who remained alone at one of the batteries, was taken prisoner. The squadron, which suffered much in this charge, not being immediately supported by infantry, could not retain possession of the artillery taken, but it was completely silenced. In the mean time the 8th infantry had been ordered up, and had become warmly engaged on the right of the road. This regiment and a part of the 5th were now ordered to charge the batteries, which was handsomely done, and the enemy entirely driven from his artillery and his position on the left of the road.

The light companies of the first brigade, and the 3d and 4th regiments of infantry, had been deployed on the right of the road, when, at various points, they became briskly engaged with the enemy. A small party, under Captain Buchanan and Lieutenants Woods and Hays, 4th infantry, composed chiefly of men of that regiment, drove the enemy from a breastwork which he occupied, and captured a piece of artillery. An attempt to recover this piece was repulsed by Captain Barbour, 3d infantry. The enemy was at last completely driven from his position on the right of the road, and retreated precipitately, leaving baggage of every description. The 4th infantry took possession of a camp where the headquarters of the Mexican general-in-chief were established. All his official correspondence was captured at this place.

The artillery battalion (excepting the flank companies) had been ordered to guard the baggage train, which was packed some distance in rear. That battalion was now ordered up to pursue the enemy, and, with the 3d infantry, Captain Ker's dragoons and Captain Duncan's battery, followed him rapidly to the river, making a number of prisoners. Great numbers of the enemy were drowned in attempting to cross the river near the town. The corps last mentioned encamped near the river; the remainder of the army on the field of battle.

The strength of our marching force on this day, as exhibited in the annexed field report, was 173 officers and 2,049 men; aggregate 2,222. The actual number engaged with the enemy did not exceed 1,700. Our loss was three officers killed, thirty six men killed and seventy-one wounded. Among the officers killed I have to regret the loss of Lieutenant Inge, 2d dragoons, who fell at the head of his platoon, while gallantly

charging the enemy's battery; of Lieutenant Cochrane of the 4th, and Lieutenant Chadbourne of the 8th infantry, who likewise met their death in the thickest of the fight. The officers wounded were Lieutenant Colonel Payne, inspector general; Lieutenant Dobbins, 3d infantry, serving with the light infantry advance, slightly; Lieutenant Colonel McIntosh, 5th infantry, severely, twice; Captain Hooe, 5th infantry, severely, (right arm since amputated;) Lieutenant Fowler, 5th infantry, slightly; Captain Montgomery, 8th infantry, slightly; Lieutenants Gates and Jordon, 8th infantry, severely, each twice; Lieutenants Selden, Maclay, Burbank, and Morris, 8th infantry, slightly. A tabular statement of the killed and wounded is annexed herewith.

I have no accurate data from which to estimate the enemy's force on this day. He is known to have been reinforced after the action of the 8th, both by cavalry and infantry, and no doubt to an extent at least equal to his loss on that day. It is probable that 6,000 men were opposed to us, and in a position chosen by themselves, and strongly defended with artillery. The enemy's loss was very great. Nearly 200 of his dead were buried by us on the day succeeding the battle. His loss in killed, wounded, and missing, in the two affairs of the 8th and 9th, is, I think, moderately estimated at 1,000 men.

Our victory has been decisive. A small force has overcome immense odds of the best troops that Mexico can furnish - veteran regiments, perfectly equipped and appointed. Eight pieces of artillery, several colors and standards, a great number of prisoners (including fourteen officers,) and a large amount of baggage and public property, have fallen into our hands.

The causes of victory are doubtless to be found in the superior quality of our officers and men. I have already, in former reports, paid a general tribute to the admirable conduct of the troops on both days. It now becomes my duty, and I feel it to be one of great delicacy, to notice individuals. In so extensive a field as that of the 8th, and in the dense cover where most of the action of the 9th was fought, I could not possibly be witness to more than a small portion of the operations of the various corps, and I must therefore depend upon the reports of the subordinate commanders, which I respectfully enclose herewith.

Colonel Twiggs, the second in command, was particularly active on both days, in executing my orders and directing the operations of the right wing. Lieutenant Colonel McIntosh, commanding the 5th infantry; Lieutenant Colonel Belknap, commanding the 1st brigade; Lieutenant Colonel Childs, commanding the artillery battalion; Major Allen, Captains L. N. Morris and Montgomery, commanding respectively the 4th, 3d, and 8th regiments of infantry, were zealous in the performance of their duties, and gave examples to their commands of cool and fearless conduct. Lieutenant Colonel McIntosh repulsed, with his regiment, a charge of lancers, in the action of Palo Alto, and shared with it in the honors and dangers of the following day, being twice severely wounded. Lieutenant Colonel Belknap headed a charge of the 8th infantry, which resulted in driving the enemy from his guns, and leaving us in possession of that part of the field.

Captain Duncan and Lieutenant Ridgely deserve special notice for the gallant and efficient manner in which they maneuvered and served their batteries. The impression made by Captain Duncan's battery upon the extreme right of the enemy's line at the affair of Palo Alto, contributed largely to the result of the day; while the terrible fire kept up by Lieutenant Ridgely, in the affair of the 9th, inflicted heavy losses upon the enemy. The 18-pounder battery, which played a conspicuous part in the action of the 8th, was admirably served by Lieutenant Churchill, 3d artillery, assisted by Lieutenant Wood, topographical engineers. The charge of cavalry against the enemy's batteries on the 9th, was gallantly led by Captain May, and had complete success. Captain McCall, 4th infantry, rendered distinguished service with advanced corps under his orders. Its loss, in killed and wounded, will show how closely it was engaged. I may take this occasion to say that, in two former instances, Captain McCall has rendered valuable service as a partisan officer. In this connexion, I would mention the services of Captain Walker, of the Texas Rangers, who was in both affairs with his company, and who has performed very meritorious services as a spy and partisan. I must beg leave to refer to the reports of subordinate commanders for the names of many officers, non-commissioned officers, and privates, who were distinguished by good conduct on both days. Instances of individual gallantry and personal conflict with the enemy were not wanting in the affair of the 9th, but cannot find a place in a general report. The officers serving on the staffs of the different commanders are particularly mentioned by them.

I derived efficient aid on both days from all the officers of my staff. Captain Bliss, assistant adjutant general, Lieutenant Colonel Payne, inspector general, Lieutenant Eaton, aide-de-camp, Captain Waggaman, commissary of subsistence, Lieutenant Scarritt, engineers, and Lieutenants Blake and Meade, topographical engineers, promptly conveyed my orders to every part of the field. Lieutenant Colonel Payne was wounded in the affair of the 9th; and I have already had occasion to report the melancholy death of Lieutenant Blake, by accident, in the interval between the two engagements. Major Craig and Lieutenant Brereton, of the Ordnance department, were actively engaged in their appropriate duties; and Surgeon Craig, medical director, superintended, in person, the arduous service of the field hospitals. I take this occasion to mention, generally, the devotion to duty of the medical staff of the army, who have been untiring in their exertions, both in the field and in the hospitals, to alleviate the sufferings of the wounded of both armies. Captains Crossman and Myers, of the Quartermaster's department, who had charge of the heavy supply train at both engagements, conducted it in a most satisfactory manner, and finally brought it up, without the smallest loss, to its destination.

I enclose an inventory of the Mexican property captured on the field, and also a sketch of the field of "Resaca de la Palma," and of the main route from Point Isabel, made by my aid-de-camp, Lieutenant Eaton.

One regimental color (battalion of Tampico) and many standards and guidons of cavalry were taken at the affair of the 9th. I would be pleased to receive your instructions as to the disposition to be made of these trophies - whether they shall be sent to Washington, &c.

I am, very respectfully, your obedient servant.

Z. TAYLOR

Bvt. Brig. Gen. U.S. Army, commanding.

WASHINGTON, *June 8, 1846.*

To the Senate of the United States:

I communicate herewith a report from the Secretary of War, transmitting the correspondence called for by the resolution of the Senate of the 5th instant with General Edmund P. Gaines and General Winfield Scott, of the Army of the United States.

The report of the Secretary of War and the accompanying correspondence with General Gaines contain all the information in my possession in relation to calls for "volunteers or militia into the service of the United States" "by any officer of the Army" without legal "authority therefor," and of the "measures which have been adopted" "in relation to such officer or troops so called into service."

In addition to the information contained in the report of the Secretary of War and the accompanying correspondence with "Major-General Scott, of the United States Army, upon the subject of his taking the command of the army of occupation on the frontier of Texas," I state that on the same day on which I approved and signed the act of the 13th of May, 1846, entitled "An act providing for the prosecution of the existing war between the United States and the Republic of Mexico," I communicated to General Scott, through the Secretary of War, and also in a personal interview with that officer, my desire that he should take command of the Army on the Rio Grande and of the volunteer forces which I informed him it was my intention forthwith to call out to march to that frontier to be employed in the prosecution of the war against Mexico. The tender of the command to General Scott was voluntary on my part, and was made without any request or intimation on the subject from him. It was made in consideration of his rank as Commander in Chief of the Army. My communications with General Scott assigning him the command were verbal, first through the Secretary of War and afterwards in person. No written order was deemed to be necessary. General Scott assented to assume the command, and on the following day I had another interview with him and the Secretary of War, in relation to the number and apportionment among the several States of the volunteer forces to be called out for immediate service, the forces which were to be organized and held in readiness subject to a future call should it become necessary, and other military preparations and movements to be made with a view to the vigorous prosecution of the war. It was distinctly settled, and was well understood by General Scott, that he was to command the Army in the war against Mexico, and so continued to be settled and understood without any other intention on my part until the Secretary of War submitted to me the letter of General Scott addressed to him under date of the 21st of May, 1846, a copy of which is herewith communicated. The character of that letter made it proper, in my judgment, to change my determination in regard to the command of the Army, and the Secretary of War, by my direction, in his letter of the 25th of May, 1846, a copy of which is also herewith communicated, for the reasons therein assigned, informed General Scott that he was relieved from the command of the Army destined to prosecute the war against Mexico, and that he would remain in the discharge of his duties at Washington. The command of the Army on the frontier of Mexico has since been assigned to General Taylor, with his brevet rank of major-general recently conferred upon him.

JAMES K. POLK

WASHINGTON, *June 16, 1846.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 3d instant, I communicate herewith estimates prepared by the War and Navy Departments of the probable expenses of conducting the existing war with Mexico during the remainder of the present and the whole of the next fiscal year. I communicate also a report of the Secretary of the Treasury, based upon these estimates, containing recommendations of measures for raising the additional means required. It is probable that the actual expenses incurred during the period specified may fall considerably below the estimates submitted, which are for a larger number of troops than have yet been called to the field. As a precautionary measure, however, against any possible deficiency, the estimates have been made at the largest amount which any state of the service may require.

It will be perceived from the report of the Secretary of the Treasury that a considerable portion of the additional amount required may be raised by a modification of the rates of duty imposed by the existing tariff laws. The high duties at present levied on many articles totally exclude them from importation, whilst the quantity and amount of others which are imported are greatly diminished. By reducing these duties to a revenue standard, it is not doubted that a large amount of the articles on which they are imposed would be imported, and a corresponding amount of revenue be received at the Treasury from this source. By imposing revenue duties on many articles now permitted to be imported free of duty, and by regulating the rates within the revenue standard upon others, a large additional revenue will be collected. Independently of the high considerations which induced me in my annual message to recommend a modification and reduction of the rates of duty imposed by the act of 1842 as being not only proper in reference to a state of peace, but just to all the great interests of the country, the necessity of such modification and reduction as a war measure must now be manifest. The country requires additional revenue for the prosecution of the war. It may be obtained to a great extent by reducing the prohibitory and highly protective duties imposed by the existing laws to revenue rates, by imposing revenue duties on the free list, and by modifying the rates of duty on other articles.

The modifications recommended by the Secretary of the Treasury in his annual report in December last were adapted to a state of peace, and the additional duties now suggested by him are with a view strictly to raise revenue as a war measure. At the conclusion of the war these duties may and should be abolished and reduced to lower rates.

It is not apprehended that the existing war with Mexico will materially affect our trade and commerce with the rest of the world. On the contrary, the reductions proposed would increase that trade and augment the revenue derived from it.

When the country is in a state of war no contingency should be permitted to occur in which there would be a deficiency in the Treasury for the vigorous prosecution of the war, and to guard against such an event it is recommended that contingent authority be given to issue Treasury notes or to contract a loan for a limited amount, reimbursable at

an early day. Should no occasion arise to exercise the power, still it may be important that the authority should exist should there be a necessity for it.

It is not deemed necessary to resort to direct taxes or excises, the measures recommended being deemed preferable as a means of increasing the revenue. It is hoped that the war with Mexico, if vigorously prosecuted, as is contemplated, may be of short duration. I shall be at all times ready to conclude an honorable peace whenever the Mexican Government shall manifest a like disposition. The existing war has been rendered necessary by the acts of Mexico, and whenever that power shall be ready to do us justice we shall be prepared to sheath the sword and tender to her the olive branch of peace.

JAMES K. POLK

Commo. John D. Sloat, at Monterey, California. A proclamation.

TO THE INHABITANTS OF CALIFORNIA

The central government of Mexico having commenced hostilities against the United States of America, by invading its territory and attacking the troops of the United States stationed on the north side of the Rio Grande, and with a force of seven thousand men, under the command of General Arista, which army was totally destroyed and all their artillery, baggage, &c., captured on the 8th and 9th of May last, by a force of two thousand three hundred men, under the command of General Taylor, and the city of Matamoras taken and occupied by the forces of the United States; and the two nations being actually at war by this transaction, I shall hoist the standard of the United States at Monterey immediately, and shall carry it throughout California.

I declare to the inhabitants of California, that although I come in arms with a powerful force, I do not come among them as an enemy to California; on the contrary, I come as their best friend - as 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 privileges 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 under which life, property and the constitutional right and lawful security to worship the Creator in the way most congenial to each one's sense of duty will be secured, which unfortunately the central government of Mexico cannot afford them, destroyed as her resources are by internal factions and corrupt officers, who create constant revolutions to promote their own interests and to oppress the people. Under the flag of the United States California will be free from all such troubles and expense, consequently the country will rapidly advance and improve both in agriculture and commerce; as of course the revenue laws will be the same in California as in all other parts of the United States, affording them all manufactures and produce of the United States, free of any duty, and all foreign goods at one quarter of the duty they now pay, a great increase in the value of real estate and the products of California may also be anticipated.

With the great interest and kind feelings I know the government and people of the United States possess towards the citizens of California, the country cannot but improve more rapidly than any other on the continent of America. Such of the inhabitants of California, whether natives or foreigners, as may not be disposed to accept the high privileges of citizenship, and to live peaceably under the government of the United States, will be allowed time to dispose of their property and to remove out of the country, if they choose, without any restriction, or remain in it, observing strict neutrality.

With full confidence in the honor and integrity of the inhabitants of the country, I invite the judges, alcaldes, and other civil officers, to retain their offices and to execute their functions as heretofore, that the public tranquility may not be disturbed; at least, until the government of the territory can be more definitely arranged.

All persons holding titles to real estate, or in quiet possession of lands under a color of right, shall have those titles and rights guaranteed to them.

All churches, and the property they contain, in possession of the clergy of California, shall continue in the same rights and possessions they now enjoy.

All provisions and supplies of every kind, furnished by the inhabitants for the use of United States ships and soldiers, will be paid for at fair rates, and no private property will be taken for public use without just compensation at the moment.

JOHN D. SLOAT,
Commander-in-chief of the United States
naval forces in the Pacific ocean.

United States Flag-ship Savannah,
Harbor of Monterey, July 7, 1846.

WASHINGTON, *August 4, 1846.*

To the Senate of the United States:

I herewith communicate to the Senate the copy of a letter, under date of the 27th ultimo, from the Secretary of State of the United States to the minister of foreign relations of the Mexican Republic, again proposing to open negotiations and conclude a treaty of peace which shall adjust all the questions in dispute between the two Republics. Considering the relative power of the two countries, the glorious events which have already signalized our arms, and the distracted condition of Mexico, I did not conceive that any point of national honor could exist which ought to prevent me from making this overture. Equally anxious to terminate by a peace honorable for both parties as I was originally to avoid the existing war, I have deemed it my duty again to extend the olive branch to Mexico. Should the Government of that Republic accept the offer in the same friendly spirit by which it was dictated, negotiations will speedily commence for the conclusion of a treaty.

The chief difficulty to be anticipated in the negotiation is the adjustment of the boundary between the parties by a line which shall at once be satisfactory to both, and such as neither will hereafter be inclined to disturb. This is the best mode of securing perpetual peace and good neighborhood between the two Republics. Should the Mexican Government, in order to accomplish these objects, be willing to cede any portion of their territory to the United States, we ought to pay them a fair equivalent—a just and honorable peace, and not conquest, being our purpose in the prosecution of the war.

Under these circumstances, and considering the exhausted and distracted condition of the Mexican Republic, it might become necessary in order to restore peace that I should have it in my power to advance a portion of the consideration money for any cession of territory which may be made. The Mexican Government might not be willing to wait for the payment of the whole until the treaty could be ratified by the Senate and an appropriation to carry it into effect be made by Congress, and the necessity for such a delay might defeat the object altogether. I would therefore suggest whether it might not be wise for Congress to appropriate a sum such as they might consider adequate for this purpose, to be paid, if necessary, immediately upon the ratification of the treaty by Mexico. This disbursement would of course be accounted for at the Treasury, not as secret-service money, but like other expenditures.

Two precedents for such a proceeding exist in our past history, during the Administration of Mr. Jefferson, to which I would call your attention. On the 26th February, 1803, Congress passed an act appropriating \$2,000,000 for the purpose of defraying any extraordinary expenses which may be incurred in the intercourse "between the United States and foreign nations," "to be applied under the direction of the President of the United States, who shall cause an account of the expenditure thereof to be laid before Congress as soon as may be;" and on the 13th February, 1806, an appropriation was made of the same amount and in the same terms. The object in the first case was to enable the President to obtain the cession of Louisiana, and in the second that of the Florida. In neither case was the money actually drawn from the Treasury, and I should

hope that the result might be similar in this respect on the present occasion, though the appropriation is deemed expedient as a precautionary measure.

I refer the whole subject to the Senate in executive session. If they should concur in opinion with me, then I recommend the passage of a law appropriating such a sum as Congress may deem adequate, to be used by the Executive, if necessary, for the purpose which I have indicated.

In the two cases to which I have referred the special purpose of the appropriation did not appear on the face of the law, as this might have defeated the object; neither, for the same reason, in my opinion, ought it now to be stated.

I also communicate to the Senate the copy of a letter from the Secretary of State to Commodore Conner of the 29th ultimo, which was transmitted to him on the day it bears date.

JAMES K. POLK

WASHINGTON, *August 8, 1846.*

To the Senate and House of Representatives of the United States:

I invite your attention to the propriety of making an appropriation to provide for any expenditure which it may be necessary to make in advance for the purpose of settling all our difficulties with the Mexican Republic. It is my sincere desire to terminate, as it was originally to avoid, the existing war with Mexico by a peace just and honorable to both parties. It is probable that the chief obstacle to be surmounted in accomplishing this desirable object will be the adjustment of a boundary between the two Republics which shall prove satisfactory and convenient to both, and such as neither will hereafter be inclined to disturb. In the adjustment of this boundary we ought to pay a fair equivalent for any concessions which may be made by Mexico.

Under these circumstances, and considering the other complicated questions to be settled by negotiation with the Mexican Republic, I deem it important that a sum of money should be placed under the control of the Executive to be advanced, if need be, to the Government of that Republic immediately after their ratification of a treaty. It might be inconvenient for the Mexican Government to wait for the whole sum the payment of which may be stipulated by this treaty until it could be ratified by our Senate and an appropriation to carry it into effect made by Congress. Indeed, the necessity for this delay might defeat the object altogether. The disbursement of this money would of course be accounted for, not as secret-service money, but like other expenditures.

Two precedents for such a proceeding exist in our past history, during the Administration of Mr. Jefferson, to which I would call your attention: On the 26th February, 1803, an act was passed appropriating \$2,000,000 "for the purpose of defraying any extraordinary expenses which may be incurred in the intercourse between the United States and foreign nations," "to be applied under the direction of the President of the United States, who shall cause an account of the expenditure thereof to be laid before Congress as soon as may be;" and on the 13th of February, 1806, an appropriation was made of the same amount and in the same terms. In neither case was the money actually drawn from the Treasury, and I should hope that the result in this respect might be similar on the present occasion, although the appropriation may prove to be indispensable in accomplishing the object. I would therefore recommend the passage of a law appropriating \$2,000,000 to be placed at the disposal of the Executive for the purpose which I have indicated.

In order to prevent all misapprehension, it is my duty to state that, anxious as I am to terminate the existing war with the least possible delay, it will continue to be prosecuted with the utmost vigor until a treaty of peace shall be signed by the parties and ratified by the Mexican Republic.

JAMES K. POLK

Major-General Zachary Taylor, at Monterey, Mexico, to Roger Jones, Adjutant-General of the Army, at Washington, D.C. Dispatch communicating the capitulation of the Mexican forces at Monterey.

Head-Quarters, Army of Occupation,
Camp before Monterey, September 25, 1846.



The Battle of Monterey from Coffin's *Building the Nation*, 1883.

Sir: - At noon on the 23d inst., while our troops were closely engaged in the lower part of the city, as reported in my last dispatch, I received by a flag a communication from the governor of the state of New Leon, which is herewith enclosed (No. 1.) To this communication, I deemed it my duty to return an answer declining to allow the inhabitants to leave the city. By eleven o'clock, P.M. the 2d division, which had entered the town from the direction of the Bishop's Palace, had advanced within one square of the principal plaza, and occupied the city up to that point. The mortar had, in the mean time, been placed in battery in the cemetery, within good range of the heart of the town, and was served throughout the night with good effect.

Early in the morning of the 24th I received a flag from the town, bearing a communication from General Ampudia, which I enclose, (No. 2,) and to which I returned the answer, (No. 3.) I also arranged with the bearer of the flag a cessation of fire until 12 o'clock, which hour I appointed to receive the final answer of Gen. Ampudia at Gen. Worth's headquarters. Before the appointed time, however, Gen. Ampudia had signified to Gen. Worth his desire for a personal interview with me, for the purpose of making

some definite arrangement. An interview was accordingly appointed for one o'clock, and resulted in the naming of a commission to draw up articles of agreement regulating the withdrawal of the Mexican forces and a temporary cessation of hostilities. The commissioners named by the Mexican general-in-chief were Generals Ortega and Requena, and Don Manuel M. Llano, Governor of New Leon. Those named on the American side were Gen. Worth, Gen. Henderson, governor of Texas, and Colonel Davis, of the Mississippi volunteers. The commission finally settled upon the articles, of which I enclose a copy, (No. 4,) the duplicates of which (in Spanish and English) have been duly signed. Agreeably to the provisions of the 4th article, our troops have this morning occupied the citadel.

It will be seen that the terms granted the Mexican garrison are less rigorous than those first imposed. The gallant defence of the town, and the fact of a recent change of government in Mexico, believed to be favorable to the interests of peace, induced me to concur with the commission in these terms, which will, I trust, receive the approval of the government. The latter consideration also prompted the convention for a temporary cessation of hostilities. Though scarcely warranted by my instructions, yet the change of affairs since those instructions were issued seemed to warrant this course. I beg to be advised, as early as practicable, whether I have met the views of the government in these particulars.

I regret to report that Capt. Williams, Topographical Engineers, and Lieut. Terrett, 1st infantry, have died of the wounds received in the engagement of the 21st. - Capt. Gatlin, 7th infantry, was wounded (not badly) on the 23d.

I am, sir, very respectfully, your obedient servant,

Z. TAYLOR,
Major-general, U.S.A. Commanding.

SECOND ANNUAL MESSAGE.

WASHINGTON, *December 8, 1846.*

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

In resuming your labors in the service of the people it is a subject of congratulation that there has been no period in our past history when all the elements of national prosperity have been so fully developed. Since your last session no afflicting dispensation has visited our country. General good health has prevailed, abundance has crowned the toil of the husbandman, and labor in all its branches is receiving an ample reward, while education, science, and the arts are rapidly enlarging the means of social happiness. The progress of our country in her career of greatness, not only in the vast extension of our territorial limits and the rapid increase of our population, but in resources and wealth and in the happy condition of our people, is without an example in the history of nations.

As the wisdom, strength, and beneficence of our free institutions are unfolded, every day adds fresh motives to contentment and fresh incentives to patriotism.

Our devout and sincere acknowledgments are due to the gracious Giver of All Good for the numberless blessings which our beloved country enjoys.

It is a source of high satisfaction to know that the relations of the United States with all other nations, with a single exception, are of the most amicable character. Sincerely attached to the policy of peace early adopted and steadily pursued by this Government, I have anxiously desired to cultivate and cherish friendship and commerce with every foreign power. The spirit and habits of the American people are favorable to the maintenance of such international harmony. In adhering to this wise policy, a preliminary and paramount duty obviously consists in the protection of our national interests from encroachment or sacrifice and our national honor from reproach. These must be maintained at any hazard. They admit of no compromise or neglect, and must be scrupulously and constantly guarded. In their vigilant vindication collision and conflict with foreign powers may sometimes become unavoidable. Such has been our scrupulous adherence to the dictates of justice in all our foreign intercourse that, though steadily and rapidly advancing in prosperity and power, we have given no just cause of complaint to any nation and have enjoyed the blessings of peace for more than thirty years. From a policy so sacred to humanity and so salutary in its effects upon our political system we should never be induced voluntarily to depart.

The existing war with Mexico was neither desired nor provoked by the United States. On the contrary, all honorable means were resorted to avert it. After years of endurance of aggravated and unredressed wrongs on our part, Mexico, in violation of solemn treaty stipulations and of every principle of justice recognized by civilized nations, commenced hostilities, and thus by her own act forced the war upon us. Long before the advance of our Army to the left bank of the Rio Grande we had ample cause of war against Mexico, and had the United States resorted to this extremity we might have appealed to the whole civilized world for the justice of our cause. I deem it to be my duty to present to you on the present occasion a condensed review of the injuries we had sustained, of the causes

which led to the war, and of its progress since its commencement. This is rendered the more necessary because of the misapprehensions which have to some extent prevailed as to its origin and true character. The war has been represented as unjust and unnecessary and as one of aggression on our part upon a weak and injured enemy. Such erroneous views, though entertained by but few, have been widely and extensively circulated, not only at home, but have been spread throughout Mexico and the whole world. A more effectual means could not have been devised to encourage the enemy and protract the war than to advocate and adhere to their cause, and thus give them "aid and comfort." It is a source of national pride and exultation that the great body of our people have thrown no such obstacles in the way of the Government in prosecuting the war successfully, but have shown themselves to be eminently patriotic and ready to vindicate their country's honor and interests at any sacrifice. The alacrity and promptness with which our volunteer forces rushed to the field on their country's call prove not only their patriotism, but their deep conviction that our cause is just.

The wrongs which we have suffered from Mexico almost ever since she became an independent power and the patient endurance with which we have borne them are without a parallel in the history of modern civilized nations. There is reason to believe that if these wrongs had been resented and resisted in the first instance the present war might have been avoided. One outrage, however, permitted to pass with impunity almost necessarily encouraged the perpetration of another, until at last Mexico seemed to attribute to weakness and indecision on our part a forbearance which was the offspring of magnanimity and of a sincere desire to preserve friendly relations with a sister republic.

Scarcely had Mexico achieved her independence, which the United States were the first among the nations to acknowledge, when she commenced the system of insult and spoliation which she has ever since pursued. Our citizens engaged in lawful commerce were imprisoned, their vessels seized, and our flag insulted in her ports. If money was wanted, the lawless seizure and confiscation of our merchant vessels and their cargoes was a ready resource, and if to accomplish their purposes it became necessary to imprison the owners, captains, and crews, it was done. Rulers superseded rulers in Mexico in rapid succession, but still there was no change in this system of depredation. The Government of the United States made repeated reclamations on behalf of its citizens, but these were answered by the perpetration of new outrages. Promises of redress made by Mexico in the most solemn forms were postponed or evaded. The files and records of the Department of State contain conclusive proofs of numerous lawless acts perpetrated upon the property and persons of our citizens by Mexico, and of wanton insults to our national flag. The interposition of our Government to obtain redress was again and again invoked under circumstances which no nation ought to disregard. It was hoped that these outrages would cease and that Mexico would be restrained by the laws which regulate the conduct of civilized nations in their intercourse with each other after the treaty of amity, commerce, and navigation of the 5th of April, 1831, was concluded between the two Republics; but this hope soon proved to be vain. The course of seizure and confiscation of the property of our citizens, the violation of their persons, and the insults to our flag pursued by Mexico previous to that time were scarcely suspended for even a brief period, although the treaty so clearly defines the rights and duties of the respective parties that it is impossible to misunderstand or mistake them. In less than seven years after the

conclusion of that treaty our grievances had become so intolerable that in the opinion of President Jackson they should no longer be endured. In his message to Congress in February, 1837, he presented them to the consideration of that body, and declared that—

The length of time since some of the injuries have been committed, the repeated and unavailing applications for redress, the wanton character of some of the outrages upon the property and persons of our citizens, upon the officers and flag of the United States, independent of recent insults to this Government and people by the late extraordinary Mexican minister, would justify in the eyes of all nations immediate war.

In a spirit of kindness and forbearance, however, he recommended reprisals as a milder mode of redress. He declared that war should not be used as a remedy "by just and generous nations, confiding in their strength for injuries committed, if it can be honorably avoided," and added:

It has occurred to me that, considering the present embarrassed condition of that country, we should act with both wisdom and moderation by giving to Mexico one more opportunity to atone for the past before we take redress into our own hands. To avoid all misconception on the part of Mexico, as well as to protect our own national character from reproach, this opportunity should be given with the avowed design and full preparation to take immediate satisfaction if it should not be obtained on a repetition of the demand for it. To this end I recommend that an act be passed authorizing reprisals, and the use of the naval force of the United States by the Executive against Mexico to enforce them, in the event of a refusal by the Mexican Government to come to an amicable adjustment of the matters in controversy between us upon another demand thereof made from on board one of our vessels of war on the coast of Mexico.

Committees of both Houses of Congress, to which this message of the President was referred, fully sustained his views of the character of the wrongs which we had suffered from Mexico, and recommended that another demand for redress should be made before authorizing war or reprisals. The Committee on Foreign Relations of the Senate, in their report, say:

After such a demand, should prompt justice be refused by the Mexican Government, we may appeal to all nations, not only for the equity and moderation with which we shall have acted toward a sister republic, but for the necessity which will then compel us to seek redress for our wrongs, either by actual war or by reprisals. The subject will then be presented before Congress, at the commencement of the next session, in a clear and distinct form, and the committee can not doubt but that such measures will be immediately adopted as may be necessary to vindicate the honor of the country and insure ample reparation to our injured fellow-citizens.

The Committee on Foreign Affairs of the House of Representatives made a similar recommendation. In their report they say that—

They fully concur with the President that ample cause exists for taking redress into our own hands, and believe that we should be justified in the opinion of other nations for taking such a step. But they are willing to try the experiment of another demand, made in the most solemn form, upon the justice of the Mexican Government before any further proceedings are adopted.

No difference of opinion upon the subject is believed to have existed in Congress at that time; the executive and legislative departments concurred; and yet such has been our forbearance and desire to preserve peace with Mexico that the wrongs of which we then complained, and which gave rise to these solemn proceedings, not only remain unredressed to this day, but additional causes of complaint of an aggravated character have ever since been accumulating. Shortly after these proceedings a special messenger was dispatched to Mexico to make a final demand for redress, and on the 20th of July,

1837, the demand was made. The reply of the Mexican Government bears date on the 29th of the same month, and contains assurances of the "anxious wish" of the Mexican Government "not to delay the moment of that final and equitable adjustment which is to terminate the existing difficulties between the two Governments;" that "nothing should be left undone which may contribute to the most speedy and equitable determination of the subjects which have so seriously engaged the attention of the American Government;" that the "Mexican Government would adopt as the only guides for its conduct the plainest principles of public right, the sacred obligations imposed by international law, and the religious faith of treaties," and that "whatever reason and justice may dictate respecting each case will be done." The assurance was further given that the decision of the Mexican Government upon each cause of complaint for which redress had been demanded should be communicated to the Government of the United States by the Mexican minister at Washington.

These solemn assurances in answer to our demand for redress were disregarded. By making them, however, Mexico obtained further delay. President Van Buren, in his annual message to Congress of the 5th of December, 1837, states that "although the larger number" of our demands for redress, "and many of them aggravated cases of personal wrongs, have been now for years before the Mexican Government, and some of the causes of national complaint, and those of the most offensive character, admitted of immediate, simple, and satisfactory replies, it is only within a few days past that any specific communication in answer to our last demand, made five months ago, has been received from the Mexican minister;" and that "for not one of our public complaints has satisfaction been given or offered, that but one of the cases of personal wrong has been favorably considered, and that but four cases of both descriptions out of all those formally presented and earnestly pressed have as yet been decided upon by the Mexican Government." President Van Buren, believing that it would be vain to make any further attempt to obtain redress by the ordinary means within the power of the Executive, communicated this opinion to Congress in the message referred to, in which he said:

On a careful and deliberate examination of their contents [of the correspondence with the Mexican Government], and considering the spirit manifested by the Mexican Government, it has become my painful duty to return the subject as it now stands to Congress, to whom it belongs to decide upon the time, the mode, and the measure of redress.

Had the United States at that time adopted compulsory measures and taken redress into their own hands, all our difficulties with Mexico would probably have been long since adjusted and the existing war have been averted. Magnanimity and moderation on our part only had the effect to complicate these difficulties and render an amicable settlement of them the more embarrassing. That such measures of redress under similar provocations committed by any of the powerful nations of Europe would have been promptly resorted to by the United States can not be doubted. The national honor and the preservation of the national character throughout the world, as well as our own self-respect and the protection due to our own citizens, would have rendered such a resort indispensable. The history of no civilized nation in modern times has presented within so brief a period so many wanton attacks upon the honor of its flag and upon the property and persons of its citizens as had at that time been borne by the United States from the Mexican authorities and people. But Mexico was a sister republic on the North American continent,

occupying a territory contiguous to our own, and was in a feeble and distracted condition, and these considerations, it is presumed, induced Congress to forbear still longer.

Instead of taking redress into our own hands, a new negotiation was entered upon with fair promises on the part of Mexico, but with the real purpose, as the event has proved, of indefinitely postponing the reparation which we demanded, and which was so justly due. This negotiation, after more than a year's delay, resulted in the convention of the 11th of April, 1839, "for the adjustment of claims of citizens of the United States of America upon the Government of the Mexican Republic." The joint board of commissioners created by this convention to examine and decide upon these claims was not organized until the month of August, 1840, and under the terms of the convention they were to terminate their duties within eighteen months from that time. Four of the eighteen months were consumed in preliminary discussions on frivolous and dilatory points raised by the Mexican commissioners, and it was not until the month of December, 1840, that they commenced the examination of the claims of our citizens upon Mexico. Fourteen months only remained to examine and decide upon these numerous and complicated cases. In the month of February, 1842, the term of the commission expired, leaving many claims undisposed of for want of time. The claims which were allowed by the board and by the umpire authorized by the convention to decide in case of disagreement between the Mexican and American commissioners amounted to \$2,026,139.68. There were pending before the umpire when the commission expired additional claims, which had been examined and awarded by the American commissioners and had not been allowed by the Mexican commissioners, amounting to \$928,627.88, upon which he did not decide, alleging that his authority had ceased with the termination of the joint commission. Besides these claims, there were others of American citizens amounting to \$3,336,837.05, which had been submitted to the board, and upon which they had not time to decide before their final adjournment.

The sum of \$2,026,139.68, which had been awarded to the claimants, was a liquidated and ascertained debt due by Mexico, about which there could be no dispute, and which she was bound to pay according to the terms of the convention. Soon after the final awards for this amount had been made the Mexican Government asked for a postponement of the time of making payment, alleging that it would be inconvenient to make the payment at the time stipulated. In the spirit of forbearing kindness toward a sister republic, which Mexico has so long abused, the United States promptly complied with her request. A second convention was accordingly concluded between the two Governments on the 30th of January, 1843, which upon its face declares that "this new arrangement is entered into for the accommodation of Mexico." By the terms of this convention all the interest due on the awards which had been made in favor of the claimants under the convention of the 11th of April, 1839, was to be paid to them on the 30th of April, 1843, and "the principal of the said awards and the interest accruing thereon" was stipulated to "be paid in five years, in equal installments every three months." Notwithstanding this new convention was entered into at the request of Mexico and for the purpose of relieving her from embarrassment, the claimants have only received the interest due on the 30th of April, 1843, and three of the twenty installments. Although the payment of the sum thus liquidated and confessedly due by Mexico to our citizens as indemnity for acknowledged acts of outrage and wrong was secured by treaty,

the obligations of which are ever held sacred by all just nations, yet Mexico has violated this solemn engagement by failing and refusing to make the payment. The two installments due in April and July, 1844, under the peculiar circumstances connected with them, have been assumed by the United States and discharged to the claimants, but they are still due by Mexico. But this is not all of which we have just cause of complaint. To provide a remedy for the claimants whose cases were not decided by the joint commission under the convention of April 11, 1839, it was expressly stipulated by the sixth article of the convention of the 30th of January, 1843, that—

A new convention shall be entered into for the settlement of all claims of the Government and citizens of the United States against the Republic of Mexico which were not finally decided by the late commission which met in the city of Washington, and of all claims of the Government and citizens of Mexico against the United States.

In conformity with this stipulation, a third convention was concluded and signed at the city of Mexico on the 20th of November, 1843, by the plenipotentiaries of the two Governments, by which provision was made for ascertaining and paying these claims. In January, 1844, this convention was ratified by the Senate of the United States with two amendments, which were manifestly reasonable in their character. Upon a reference of the amendments proposed to the Government of Mexico, the same evasions, difficulties, and delays were interposed which have so long marked the policy of that Government toward the United States. It has not even yet decided whether it would or would not accede to them, although the subject has been repeatedly pressed upon its consideration. Mexico has thus violated a second time the faith of treaties by failing or refusing to carry into effect the sixth article of the convention of January, 1843.

Such is the history of the wrongs which we have suffered and patiently endured from Mexico through a long series of years. So far from affording reasonable satisfaction for the injuries and insults we had borne, a great aggravation of them consists in the fact that while the United States, anxious to preserve a good understanding with Mexico, have been constantly but vainly employed in seeking redress for past wrongs, new outrages were constantly occurring, which have continued to increase our causes of complaint and to swell the amount of our demands. While the citizens of the United States were conducting a lawful commerce with Mexico under the guaranty of a treaty of "amity, commerce, and navigation," many of them have suffered all the injuries which would have resulted from open war. This treaty, instead of affording protection to our citizens, has been the means of inviting them into the ports of Mexico that they might be, as they have been in numerous instances, plundered of their property and deprived of their personal liberty if they dared insist on their rights. Had the unlawful seizures of American property and the violation of the personal liberty of our citizens, to say nothing of the insults to our flag, which have occurred in the ports of Mexico taken place on the high seas, they would themselves long since have constituted a state of actual war between the two countries. In so long suffering Mexico to violate her most solemn treaty obligations, plunder our citizens of their property, and imprison their persons without affording them any redress we have failed to perform one of the first and highest duties which every government owes to its citizens, and the consequence has been that many of them have been reduced from a state of affluence to bankruptcy. The proud name of American citizen, which ought to protect all who bear it from insult and injury throughout the

world, has afforded no such protection to our citizens in Mexico. We had ample cause of war against Mexico long before the breaking out of hostilities; but even then we forbore to take redress into our own hands until Mexico herself became the aggressor by invading our soil in hostile array and shedding the blood of our citizens.

Such are the grave causes of complaint on the part of the United States against Mexico—causes which existed long before the annexation of Texas to the American Union; and yet, animated by the love of peace and a magnanimous moderation, we did not adopt those measures of redress which under such circumstances are the justified resort of injured nations.

The annexation of Texas to the United States constituted no just cause of offense to Mexico. The pretext that it did so is wholly inconsistent and irreconcilable with well-authenticated facts connected with the revolution by which Texas became independent of Mexico. That this may be the more manifest, it may be proper to advert to the causes and to the history of the principal events of that revolution.

Texas constituted a portion of the ancient Province of Louisiana, ceded to the United States by France in the year 1803. In the year 1819 the United States, by the Florida treaty, ceded to Spain all that part of Louisiana within the present limits of Texas, and Mexico, by the revolution which separated her from Spain and rendered her an independent nation, succeeded to the rights of the mother country over this territory. In the year 1824 Mexico established a federal constitution, under which the Mexican Republic was composed of a number of sovereign States confederated together in a federal union similar to our own. Each of these States had its own executive, legislature, and judiciary, and for all except federal purposes was as independent of the General Government and that of the other States as is Pennsylvania or Virginia under our Constitution. Texas and Coahuila united and formed one of these Mexican States. The State constitution which they adopted, and which was approved by the Mexican Confederacy, asserted that they were "free and independent of the other Mexican United States and of every other power and dominion whatsoever," and proclaimed the great principle of human liberty that "the sovereignty of the state resides originally and essentially in the general mass of the individuals who compose it." To the Government under this constitution, as well as to that under the federal constitution, the people of Texas owed allegiance.

Emigrants from foreign countries, including the United States, were invited by the colonization laws of the State and of the Federal Government to settle in Texas. Advantageous terms were offered to induce them to leave their own country and become Mexican citizens. This invitation was accepted by many of our citizens in the full faith that in their new home they would be governed by laws enacted by representatives elected by themselves, and that their lives, liberty, and property would be protected by constitutional guaranties similar to those which existed in the Republic they had left. Under a Government thus organized they continued until the year 1835, when a military revolution broke out in the City of Mexico which entirely subverted the federal and State constitutions and placed a military dictator at the head of the Government. By a sweeping decree of a Congress subservient to the will of the Dictator the several State constitutions were abolished and the States themselves converted into mere departments of the central

Government. The people of Texas were unwilling to submit to this usurpation. Resistance to such tyranny became a high duty. Texas was fully absolved from all allegiance to the central Government of Mexico from the moment that Government had abolished her State constitution and in its place substituted an arbitrary and despotic central government. Such were the principal causes of the Texan revolution. The people of Texas at once determined upon resistance and flew to arms. In the midst of these important and exciting events, however, they did not omit to place their liberties upon a secure and permanent foundation. They elected members to a convention, who in the month of March, 1836, issued a formal declaration that their "political connection with the Mexican nation has forever ended, and that the people of Texas do now constitute a *free, sovereign, and independent Republic*, and are fully invested with all the rights and attributes which properly belong to independent nations." They also adopted for their government a liberal republican constitution. About the same time Santa Anna, then the Dictator of Mexico, invaded Texas with a numerous army for the purpose of subduing her people and enforcing obedience to his arbitrary and despotic Government. On the 21st of April, 1836, he was met by the Texan citizen soldiers, and on that day was achieved by them the memorable victory of San Jacinto, by which they conquered their independence. Considering the numbers engaged on the respective sides, history does not record a more brilliant achievement. Santa Anna himself was among the captives.

In the month of May, 1836, Santa Anna acknowledged by a treaty with the Texan authorities in the most solemn form "the full, entire, and perfect independence of the Republic of Texas." It is true he was then a prisoner of war, but it is equally true that he had failed to reconquer Texas, and had met with signal defeat; that his authority had not been revoked, and that by virtue of this treaty he obtained his personal release. By it hostilities were suspended, and the army which had invaded Texas under his command returned in pursuance of this arrangement unmolested to Mexico.

From the day that the battle of San Jacinto was fought until the present hour Mexico has never possessed the power to reconquer Texas. In the language of the Secretary of State of the United States in a dispatch to our minister in Mexico under date of the 8th of July, 1842—

Mexico may have chosen to consider, and may still choose to consider, Texas as having been at all times since 1835, and as still continuing, a rebellious province; but the world has been obliged to take a very different view of the matter. From the time of the battle of San Jacinto, in April, 1836, to the present moment, Texas has exhibited the same external signs of national independence as Mexico herself, and with quite as much stability of government. Practically free and independent, acknowledged as a political sovereignty by the principal powers of the world, no hostile foot finding rest within her territory for six or seven years, and Mexico herself refraining for all that period from any further attempt to reestablish her own authority over that territory, it can not but be surprising to find Mr. De Bocanegra [the secretary of foreign affairs of Mexico] complaining that for that whole period citizens of the United States or its Government have been favoring the rebels of Texas and supplying them with vessels, ammunition, and money, as if the war for the reduction of the Province of Texas had been constantly prosecuted by Mexico, and her success prevented by these influences from abroad.

In the same dispatch the Secretary of State affirms that—

Since 1837 the United States have regarded Texas as an independent sovereignty as much as Mexico, and that trade and commerce with citizens of a government at war with Mexico can not on that account be regarded as an intercourse by which assistance and succor are given to Mexican rebels. The whole current of Mr. De Bocanegra's remarks runs in the same direction, as if the independence of Texas had not been

acknowledged. It has been acknowledged; it was acknowledged in 1837 against the remonstrance and protest of Mexico, and most of the acts of any importance of which Mr. De Bocanegra complains flow necessarily from that recognition. He speaks of Texas as still being "an integral part of the territory of the Mexican Republic," but he can not but understand that the United States do not so regard it. The real complaint of Mexico, therefore, is in substance neither more nor less than a complaint against the recognition of Texan independence. It may be thought rather late to repeat that complaint, and not quite just to confine it to the United States to the exemption of England, France, and Belgium, unless the United States, having been the first to acknowledge the independence of Mexico herself, are to be blamed for setting an example for the recognition of that of Texas.

And he added that—

The Constitution, public treaties, and the laws oblige the President to regard Texas as an independent state, and its territory as no part of the territory of Mexico.

Texas had been an independent state, with an organized government, defying the power of Mexico to overthrow or reconquer her, for more than ten years before Mexico commenced the present war against the United States. Texas had given such evidence to the world of her ability to maintain her separate existence as an independent nation that she had been formally recognized as such not only by the United States, but by several of the principal powers of Europe. These powers had entered into treaties of amity, commerce, and navigation with her. They had received and accredited her ministers and other diplomatic agents at their respective courts, and they had commissioned ministers and diplomatic agents on their part to the Government of Texas. If Mexico, notwithstanding all this and her utter inability to subdue or reconquer Texas, still stubbornly refused to recognize her as an independent nation, she was none the less so on that account. Mexico herself had been recognized as an independent nation by the United States and by other powers many years before Spain, of which before her revolution she had been a colony, would agree to recognize her as such; and yet Mexico was at that time in the estimation of the civilized world, and in fact, none the less an independent power because Spain still claimed her as a colony. If Spain had continued until the present period to assert that Mexico was one of her colonies in rebellion against her, this would not have made her so or changed the fact of her independent existence. Texas at the period of her annexation to the United States bore the same relation to Mexico that Mexico had borne to Spain for many years before Spain acknowledged her independence, with this important difference, that before the annexation of Texas to the United States was consummated Mexico herself, by a formal act of her Government, had acknowledged the independence of Texas as a nation. It is true that in the act of recognition she prescribed a condition which she had no power or authority to impose—that Texas should not annex herself to any other power—but this could not detract in any degree from the recognition which Mexico then made of her actual independence. Upon this plain statement of facts, it is absurd for Mexico to allege as a pretext for commencing hostilities against the United States that Texas is still a part of her territory.

But there are those who, conceding all this to be true, assume the ground that the true western boundary of Texas is the Nueces instead of the Rio Grande, and that therefore in marching our Army to the east bank of the latter river we passed the Texan line and invaded the territory of Mexico. A simple statement of facts known to exist will conclusively refute such an assumption. Texas, as ceded to the United States by France in 1803, has been always claimed as extending west to the Rio Grande or Rio Bravo. This

fact is established by the authority of our most eminent statesmen at a period when the question was as well, if not better, understood than it is at present. During Mr. Jefferson's Administration Messrs. Monroe and Pinckney, who had been sent on a special mission to Madrid, charged among other things with the adjustment of boundary between the two countries, in a note addressed to the Spanish minister of foreign affairs under date of the 28th of January, 1805, assert that the boundaries of Louisiana, as ceded to the United States by France, "are the river Perdido on the east and the river Bravo on the west," and they add that "the facts and principles which justify this conclusion are so satisfactory to our Government as to convince it that the United States have not a better right to the island of New Orleans under the cession referred to than they have to the whole district of territory which is above described." Down to the conclusion of the Florida treaty, in February, 1819, by which this territory was ceded to Spain, the United States asserted and maintained their territorial rights to this extent. In the month of June, 1818, during Mr. Monroe's Administration, information having been received that a number of foreign adventurers had landed at Galveston with the avowed purpose of forming a settlement in that vicinity, a special messenger was dispatched by the Government of the United States with instructions from the Secretary of State to warn them to desist, should they be found there, "or any other place north of the Rio Bravo, and within the territory claimed by the United States." He was instructed, should they be found in the country north of that river, to make known to them "the surprise with which the President has seen possession thus taken, without authority from the United States, of a place within their territorial limits, and upon which no lawful settlement can be made without their sanction." He was instructed to call upon them to "avow under what national authority they profess to act," and to give them due warning "that the place is within the United States, who will suffer no permanent settlement to be made there under any authority other than their own." As late as the 8th of July, 1842, the Secretary of State of the United States, in a note addressed to our minister in Mexico, maintains that by the Florida treaty of 1819 the territory as far west as the Rio Grande was confirmed to Spain. In that note he states that—

By the treaty of the 22d of February, 1819, between the United States and Spain, the Sabine was adopted as the line of boundary between the two powers. Up to that period no considerable colonization had been effected in Texas; but the territory between the Sabine and the Rio Grande being confirmed to Spain by the treaty, applications were made to that power for grants of land, and such grants or permissions of settlement were in fact made by the Spanish authorities in favor of citizens of the United States proposing to emigrate to *Texas* in numerous families before the declaration of independence by Mexico.

The Texas which was ceded to Spain by the Florida treaty of 1819 embraced all the country now claimed by the State of Texas between the Nueces and the Rio Grande. The Republic of Texas always claimed this river as her western boundary, and in her treaty made with Santa Anna in May, 1836, he recognized it as such. By the constitution which Texas adopted in March, 1836, senatorial and representative districts were organized extending west of the Nueces. The Congress of Texas on the 19th of December, 1836, passed "An act to define the boundaries of the Republic of Texas," in which they declared the Rio Grande from its mouth to its source to be their boundary, and by the said act they extended their "civil and political jurisdiction" over the country up to that boundary. During a period of more than nine years which intervened between the adoption of her constitution and her annexation as one of the States of our Union Texas asserted and

exercised many acts of sovereignty and jurisdiction over the territory and inhabitants west of the Nueces. She organized and defined the limits of counties extending to the Rio Grande; she established courts of justice and extended her judicial system over the territory; she established a custom-house and collected duties, and also post-offices and post-roads, in it; she established a land office and issued numerous grants for land within its limits; a senator and a representative residing in it were elected to the Congress of the Republic and served as such before the act of annexation took place. In both the Congress and convention of Texas which gave their assent to the terms of annexation to the United States proposed by our Congress were representatives residing west of the Nueces, who took part in the act of annexation itself. This was the Texas which by the act of our Congress of the 29th of December, 1845, was admitted as one of the States of our Union. That the Congress of the United States understood the State of Texas which they admitted into the Union to extend beyond the Nueces is apparent from the fact that on the 31st of December, 1845, only two days after the act of admission, they passed a law "to establish a collection district in the State of Texas," by which they created a port of delivery at Corpus Christi, situated west of the Nueces, and being the same point at which the Texas custom-house under the laws of that Republic had been located, and directed that a surveyor to collect the revenue should be appointed for that port by the President, by and with the advice and consent of the Senate. A surveyor was accordingly nominated, and confirmed by the Senate, and has been ever since in the performance of his duties. All these acts of the Republic of Texas and of our Congress preceded the orders for the advance of our Army to the east bank of the Rio Grande. Subsequently Congress passed an act "establishing certain post routes" extending west of the Nueces. The country west of that river now constitutes a part of one of the Congressional districts of Texas and is represented in the House of Representatives. The Senators from that State were chosen by a legislature in which the country west of that river was represented. In view of all these facts it is difficult to conceive upon what ground it can be maintained that in occupying the country west of the Nueces with our Army, with a view solely to its security and defense, we invaded the territory of Mexico. But it would have been still more difficult to justify the Executive, whose duty it is to see that the laws be faithfully executed, if in the face of all these proceedings, both of the Congress of Texas and of the United States, he had assumed the responsibility of yielding up the territory west of the Nueces to Mexico or of refusing to protect and defend this territory and its inhabitants, including Corpus Christi as well as the remainder of Texas, against the threatened Mexican invasion.

But Mexico herself has never placed the war which she has waged upon the ground that our Army occupied the intermediate territory between the Nueces and the Rio Grande. Her refuted pretension that Texas was not in fact an independent state, but a rebellious province, was obstinately persevered in, and her avowed purpose in commencing a war with the United States was to reconquer Texas and to restore Mexican authority over the whole territory—not to the Nueces only, but to the Sabine. In view of the proclaimed menaces of Mexico to this effect, I deemed it my duty, as a measure of precaution and defense, to order our Army to occupy a position on our frontier as a military post, from which our troops could best resist and repel any attempted invasion which Mexico might make. Our Army had occupied a position at Corpus Christi, west of the Nueces, as early as August, 1845, without complaint from any quarter. Had the Nueces been regarded as the true western boundary of Texas, that boundary had been

passed by our Army many months before it advanced to the eastern bank of the Rio Grande. In my annual message of December last I informed Congress that upon the invitation of both the Congress and convention of Texas I had deemed it proper to order a strong squadron to the coasts of Mexico and to concentrate an efficient military force on the western frontier of Texas to protect and defend the inhabitants against the menaced invasion of Mexico. In that message I informed Congress that the moment the terms of annexation offered by the United States were accepted by Texas the latter became so far a part of our own country as to make it our duty to afford such protection and defense, and that for that purpose our squadron had been ordered to the Gulf and our Army to take a "position between the Nueces and the Del Norte" or Rio Grande and to "repel any invasion of the Texan territory which might be attempted by the Mexican forces."

It was deemed proper to issue this order, because soon after the President of Texas, in April, 1845, had issued his proclamation convening the Congress of that Republic for the purpose of submitting to that body the terms of annexation proposed by the United States the Government of Mexico made serious threats of invading the Texan territory. These threats became more imposing as it became more apparent in the progress of the question that the people of Texas would decide in favor of accepting the terms of annexation, and finally they had assumed such a formidable character as induced both the Congress and convention of Texas to request that a military force should be sent by the United States into her territory for the purpose of protecting and defending her against the threatened invasion. It would have been a violation of good faith toward the people of Texas to have refused to afford the aid which they desired against a threatened invasion to which they had been exposed by their free determination to annex themselves to our Union in compliance with the overture made to them by the joint resolution of our Congress. Accordingly, a portion of the Army was ordered to advance into Texas. Corpus Christi was the position selected by General Taylor. He encamped at that place in August, 1845, and the Army remained in that position until the 11th of March, 1846, when it moved westward, and on the 28th of that month reached the east bank of the Rio Grande opposite to Matamoras. This movement was made in pursuance of orders from the War Department, issued on the 13th of January, 1846. Before these orders were issued the dispatch of our minister in Mexico transmitting the decision of the council of government of Mexico advising that he should not be received, and also the dispatch of our consul residing in the City of Mexico, the former bearing date on the 17th and the latter on the 18th of December, 1845, copies of both of which accompanied my message to Congress of the 11th of May last, were received at the Department of State. These communications rendered it highly probable, if not absolutely certain, that our minister would not be received by the Government of General Herrera. It was also well known that but little hope could be entertained of a different result from General Paredes in case the revolutionary movement which he was prosecuting should prove successful, as was highly probable. The partisans of Paredes, as our minister in the dispatch referred to states, breathed the fiercest hostility against the United States, denounced the proposed negotiation as treason, and openly called upon the troops and the people to put down the Government of Herrera by force. The reconquest of Texas and war with the United States were openly threatened. These were the circumstances existing when it was deemed proper to order the Army under the command of General Taylor to advance to the western frontier of Texas and occupy a position on or near the Rio Grande.

The apprehensions of a contemplated Mexican invasion have been since fully justified by the event. The determination of Mexico to rush into hostilities with the United States was afterwards manifested from the whole tenor of the note of the Mexican minister of foreign affairs to our minister bearing date on the 12th of March, 1846. Paredes had then revolutionized the Government, and his minister, after referring to the resolution for the annexation of Texas which had been adopted by our Congress in March, 1845, proceeds to declare that—

A fact such as this, or, to speak with greater exactness, so notable an act of usurpation, created an imperious necessity that Mexico, for her own honor, should repel it with proper firmness and dignity. The supreme Government had beforehand declared that it would look upon such an act as a *casus belli*, and as a consequence of this declaration negotiation was by its very nature at an end, and war was the only recourse of the Mexican Government.

It appears also that on the 4th of April following General Paredes, through his minister of war, issued orders to the Mexican general in command on the Texan frontier to "attack" our Army "by every means which war permits." To this General Paredes had been pledged to the army and people of Mexico during the military revolution which had brought him into power. On the 18th of April, 1846, General Paredes addressed a letter to the commander on that frontier in which he stated to him: "At the present date I suppose you, at the head of that valiant army, either fighting already or preparing for the operations of a campaign;" and, "Supposing you already on the theater of operations and with all the forces assembled, it is indispensable that hostilities be commenced, yourself taking the initiative against the enemy."

The movement of our Army to the Rio Grande was made by the commanding general under positive orders to abstain from all aggressive acts toward Mexico or Mexican citizens, and to regard the relations between the two countries as peaceful unless Mexico should declare war or commit acts of hostility indicative of a state of war, and these orders he faithfully executed. Whilst occupying his position on the east bank of the Rio Grande, within the limits of Texas, then recently admitted as one of the States of our Union, the commanding general of the Mexican forces, who, in pursuance of the orders of his Government, had collected a large army on the opposite shore of the Rio Grande, crossed the river, invaded our territory, and commenced hostilities by attacking our forces. Thus, after all the injuries which we had received and borne from Mexico, and after she had insultingly rejected a minister sent to her on a mission of peace, and whom she had solemnly agreed to receive, she consummated her long course of outrage against our country by commencing an offensive war and shedding the blood of our citizens on our own soil.

The United States never attempted to acquire Texas by conquest. On the contrary, at an early period after the people of Texas had achieved their independence they sought to be annexed to the United States. At a general election in September, 1836, they decided with great unanimity in favor of "annexation," and in November following the Congress of the Republic authorized the appointment of a minister to bear their request to this Government. This Government, however, having remained neutral between Texas and Mexico during the war between them, and considering it due to the honor of our country and our fair fame among the nations of the earth that we should not at this early period consent to annexation, nor until it should be manifest to the whole world that the

reconquest of Texas by Mexico was impossible, refused to accede to the overtures made by Texas. On the 12th of April, 1844, after more than seven years had elapsed since Texas had established her independence, a treaty was concluded for the annexation of that Republic to the United States, which was rejected by the Senate. Finally, on the 1st of March, 1845, Congress passed a joint resolution for annexing her to the United States upon certain preliminary conditions to which her assent was required. The solemnities which characterized the deliberations and conduct of the Government and people of Texas on the deeply interesting questions presented by these resolutions are known to the world. The Congress, the Executive, and the people of Texas, in a convention elected for that purpose, accepted with great unanimity the proposed terms of annexation, and thus consummated on her part the great act of restoring to our Federal Union a vast territory which had been ceded to Spain by the Florida treaty more than a quarter of a century before.

After the joint resolution for the annexation of Texas to the United States had been passed by our Congress the Mexican minister at Washington addressed a note to the Secretary of State, bearing date on the 6th of March, 1845, protesting against it as "an act of aggression the most unjust which can be found recorded in the annals of modern history, namely, that of despoiling a friendly nation like Mexico of a considerable portion of her territory," and protesting against the resolution of annexation as being an act "whereby the Province of Texas, an integral portion of the Mexican territory, is agreed and admitted into the American Union;" and he announced that as a consequence his mission to the United States had terminated, and demanded his passports, which were granted. It was upon the absurd pretext, made by Mexico (herself indebted for her independence to a successful revolution), that the Republic of Texas still continued to be, notwithstanding all that had passed, a Province of Mexico that this step was taken by the Mexican minister.

Every honorable effort has been used by me to avoid the war which followed, but all have proved vain. All our attempts to preserve peace have been met by insult and resistance on the part of Mexico. My efforts to this end commenced in the note of the Secretary of State of the 10th of March, 1845, in answer to that of the Mexican minister. Whilst declining to reopen a discussion which had already been exhausted, and proving again what was known to the whole world, that Texas had long since achieved her independence, the Secretary of State expressed the regret of this Government that Mexico should have taken offense at the resolution of annexation passed by Congress, and gave assurance that our "most strenuous efforts shall be devoted to the amicable adjustment of every cause of complaint between the two Governments and to the cultivation of the kindest and most friendly relations between the sister Republics." That I have acted in the spirit of this assurance will appear from the events which have since occurred. Notwithstanding Mexico had abruptly terminated all diplomatic intercourse with the United States, and ought, therefore, to have been the first to ask for its resumption, yet, waiving all ceremony, I embraced the earliest favorable opportunity "to ascertain from the Mexican Government whether they would receive an envoy from the United States entrusted With full power to adjust all the questions in dispute between the two Governments." In September, 1845, I believed the propitious moment for such an overture had arrived. Texas, by the enthusiastic and almost unanimous will of her people,

had pronounced in favor of annexation. Mexico herself had agreed to acknowledge the independence of Texas, subject to a condition, it is true, which she had no right to impose and no power to enforce. The last lingering hope of Mexico, if she still could have retained any, that Texas would ever again become one of her Provinces, must have been abandoned.

The consul of the United States at the City of Mexico was therefore instructed by the Secretary of State on the 15th of September, 1845, to make the inquiry of the Mexican Government. The inquiry was made, and on the 15th of October, 1845, the minister of foreign affairs of the Mexican Government, in a note addressed to our consul, gave a favorable response, requesting at the same time that our naval force might be withdrawn from Vera Cruz while negotiations should be pending. Upon the receipt of this note our naval force was promptly withdrawn from Vera Cruz. A minister was immediately appointed, and departed to Mexico. Everything bore a promising aspect for a speedy and peaceful adjustment of all our difficulties. At the date of my annual message to Congress in December last no doubt was entertained but that he would be received by the Mexican Government, and the hope was cherished that all cause of misunderstanding between the two countries would be speedily removed. In the confident hope that such would be the result of his mission, I informed Congress that I forbore at that time to "recommend such ulterior measures of redress for the wrongs and injuries we had so long borne as it would have been proper to make had no such negotiation been instituted." To my surprise and regret the Mexican Government, though solemnly pledged to do so, upon the arrival of our minister in Mexico refused to receive and accredit him. When he reached Vera Cruz, on the 30th of November, 1845, he found that the aspect of affairs had undergone an unhappy change. The Government of General Herrera, who was at that time President of the Republic, was tottering to its fall. General Paredes, a military leader, had manifested his determination to overthrow the Government of Herrera by a military revolution, and one of the principal means which he employed to effect his purpose and render the Government of Herrera odious to the army and people of Mexico was by loudly condemning its determination to receive a minister of peace from the United States, alleging that it was the intention of Herrera, by a treaty with the United States, to dismember the territory of Mexico by ceding away the department of Texas. The Government of Herrera is believed to have been well disposed to a pacific adjustment of existing difficulties, but probably alarmed for its own security, and in order to ward off the danger of the revolution led by Paredes, violated its solemn agreement and refused to receive or accredit our minister; and this although informed that he had been invested with full power to adjust all questions in dispute between the two Governments. Among the frivolous pretexts for this refusal, the principal one was that our minister had not gone upon a special mission confined to the question of Texas alone, leaving all the outrages upon our flag and our citizens unredressed. The Mexican Government well knew that both our national honor and the protection due to our citizens imperatively required that the two questions of boundary and indemnity should be treated of together, as naturally and inseparably blended, and they ought to have seen that this course was best calculated to enable the United States to extend to them the most liberal justice. On the 30th of December, 1845, General Herrera resigned the Presidency and yielded up the Government to General Paredes without a struggle. Thus a revolution was accomplished solely by the army commanded by Paredes, and the supreme power in Mexico passed

into the hands of a military usurper who was known to be bitterly hostile to the United States.

Although the prospect of a pacific adjustment with the new Government was unpromising from the known hostility of its head to the United States, yet, determined that nothing should be left undone on our part to restore friendly relations between the two countries, our minister was instructed to present his credentials to the new Government and ask to be accredited by it in the diplomatic character in which he had been commissioned. These instructions he executed by his note of the 1st of March, 1846, addressed to the Mexican minister of foreign affairs, but his request was insultingly refused by that minister in his answer of the 12th of the same month. No alternative remained for our minister but to demand his passports and return to the United States.

Thus was the extraordinary spectacle presented to the civilized world of a Government, in violation of its own express agreement, having twice rejected a minister of peace invested with full powers to adjust all the existing differences between the two countries in a manner just and honorable to both. I am not aware that modern history presents a parallel case in which in time of peace one nation has refused even to hear propositions from another for terminating existing difficulties between them. Scarcely a hope of adjusting our difficulties, even at a remote day, or of preserving peace with Mexico, could be cherished while Paredes remained at the head of the Government. He had acquired the supreme power by a military revolution and upon the most solemn pledges to wage war against the United States and to reconquer Texas, which he claimed as a revolted province of Mexico. He had denounced as guilty of treason all those Mexicans who considered Texas as no longer constituting a part of the territory of Mexico and who were friendly to the cause of peace. The duration of the war which he waged against the United States was indefinite, because the end which he proposed of the reconquest of Texas was hopeless. Besides, there was good reason to believe from all his conduct that it was his intention to convert the Republic of Mexico into a monarchy and to call a foreign European prince to the throne. Preparatory to this end, he had during his short rule destroyed the liberty of the press, tolerating that portion of it only which openly advocated the establishment of a monarchy. The better to secure the success of his ultimate designs, he had by an arbitrary decree convoked a Congress, not to be elected by the free voice of the people, but to be chosen in a manner to make them subservient to his will and to give him absolute control over their deliberations.

Under all these circumstances it was believed that any revolution in Mexico founded upon opposition to the ambitious projects of Paredes would tend to promote the cause of peace as well as prevent any attempted European interference in the affairs of the North American continent, both objects of deep interest to the United States. Any such foreign interference, if attempted, must have been resisted by the United States. My views upon that subject were fully communicated to Congress in my last annual message. In any event, it was certain that no change whatever in the Government of Mexico which would deprive Paredes of power could be for the worse so far as the United States were concerned, while it was highly probable that any change must be for the better. This was the state of affairs existing when Congress, on the 13th of May last, recognized the existence of the war which had been commenced by the Government of Paredes; and it became an object of much importance, with a view to a speedy settlement of our

difficulties and the restoration of an honorable peace, that Paredes should not retain power in Mexico.

Before that time there were symptoms of a revolution in Mexico, favored, as it was understood to be, by the more liberal party, and especially by those who were opposed to foreign interference and to the monarchical form of government. Santa Anna was then in exile in Havana, having been expelled from power and banished from his country by a revolution which occurred in December, 1844; but it was known that he had still a considerable party in his favor in Mexico. It was also equally well known that no vigilance which could be exerted by our squadron would in all probability have prevented him from effecting a landing somewhere on the extensive Gulf coast of Mexico if he desired to return to his country. He had openly professed an entire change of policy, had expressed his regret that he had subverted the federal constitution of 1824, and avowed that he was now in favor of its restoration. He had publicly declared his hostility, in strongest terms, to the establishment of a monarchy and to European interference in the affairs of his country. Information to this effect had been received, from sources believed to be reliable, at the date of the recognition of the existence of the war by Congress, and was afterwards fully confirmed by the receipt of the dispatch of our consul in the City of Mexico, with the accompanying documents, which are herewith transmitted. Besides, it was reasonable to suppose that he must see the ruinous consequences to Mexico of a war with the United States, and that it would be his interest to favor peace.

It was under these circumstances and upon these considerations that it was deemed expedient not to obstruct his return to Mexico should he attempt to do so. Our object was the restoration of peace, and, with that view, no reason was perceived why we should take part with Paredes and aid him by means of our blockade in preventing the return of his rival to Mexico. On the contrary, it was believed that the intestine divisions which ordinary sagacity could not but anticipate as the fruit of Santa Anna's return to Mexico, and his contest with Paredes, might strongly tend to produce a disposition with both parties to restore and preserve peace with the United States. Paredes was a soldier by profession and a monarchist in principle. He had but recently before been successful in a military revolution, by which he had obtained power. He was the sworn enemy of the United States, with which he had involved his country in the existing war. Santa Anna had been expelled from power by the army, was known to be in open hostility to Paredes, and publicly pledged against foreign intervention and the restoration of monarchy in Mexico. In view of these facts and circumstances it was that when orders were issued to the commander of our naval forces in the Gulf, on the 13th day of May last, the same day on which the existence of the war was recognized by Congress, to place the coasts of Mexico under blockade, he was directed not to obstruct the passage of Santa Anna to Mexico should he attempt to return.

A revolution took place in Mexico in the early part of August following, by which the power of Paredes was overthrown, and he has since been banished from the country, and is now in exile. Shortly afterwards Santa Anna returned. It remains to be seen whether his return may not yet prove to be favorable to a pacific adjustment of the existing difficulties, it being manifestly his interest not to persevere in the prosecution of a war commenced by Paredes to accomplish a purpose so absurd as the reconquest of Texas to

the Sabine. Had Paredes remained in power, it is morally certain that any pacific adjustment would have been hopeless.

Upon the commencement of hostilities by Mexico against the United States the indignant spirit of the nation was at once aroused. Congress promptly responded to the expectations of the country, and by the act of the 13th of May last recognized the fact that war existed, by the act of Mexico, between the United States and that Republic, and granted the means necessary for its vigorous prosecution. Being involved in a war thus commenced by Mexico, and for the justice of which on our part we may confidently appeal to the whole world, I resolved to prosecute it with the utmost vigor. Accordingly the ports of Mexico on the Gulf and on the Pacific have been placed under blockade and her territory invaded at several important points. The reports from the Departments of War and of the Navy will inform you more in detail of the measures adopted in the emergency in which our country was placed and of the gratifying results which have been accomplished.

The various columns of the Army have performed their duty under great disadvantages with the most distinguished skill and courage. The victories of Palo Alto and Resaca de la Palma and of Monterey, won against greatly superior numbers and against most decided advantages in other respects on the part of the enemy, were brilliant in their execution, and entitle our brave officers and soldiers to the grateful thanks of their country. The nation deplors the loss of the brave officers and men who have gallantly fallen while vindicating and defending their country's rights and honor.

It is a subject of pride and satisfaction that our volunteer citizen soldiers, who so promptly responded to their country's call, with an experience of the discipline of a camp of only a few weeks, have borne their part in the hard-fought battle of Monterey with a constancy and courage equal to that of veteran troops and worthy of the highest admiration. The privations of long marches through the enemy's country and through a wilderness have been borne without a murmur. By rapid movements the Province of New Mexico, with Santa Fe, its capital, has been captured without bloodshed. The Navy has cooperated with the Army and rendered important services; if not so brilliant, it is because the enemy had no force to meet them on their own element and because of the defenses which nature has interposed in the difficulties of the navigation on the Mexican coast. Our squadron in the Pacific, with the cooperation of a gallant officer of the Army and a small force hastily collected in that distant country, has acquired bloodless possession of the Californias, and the American flag has been raised at every important point in that Province.

I congratulate you on the success which has thus attended our military and naval operations. In less than seven months after Mexico commenced hostilities, at a time selected by herself, we have taken possession of many of her principal ports, driven back and pursued her invading army, and acquired military possession of the Mexican Provinces of New Mexico, New Leon, Coahuila, Tamaulipas, and the Californias, a territory larger in extent than that embraced in the original thirteen States of the Union, inhabited by a considerable population, and much of it more than 1,000 miles from the points at which we had to collect our forces and commence our movements. By the blockade the import and export trade of the enemy has been cut off. Well may the

American people be proud of the energy and gallantry of our regular and volunteer officers and soldiers. The events of these few months afford a gratifying proof that our country can under any emergency confidently rely for the maintenance of her honor and the defense of her rights on an effective force, ready at all times voluntarily to relinquish the comforts of home for the perils and privations of the camp. And though such a force may be for the time expensive, it is in the end economical, as the ability to command it removes the necessity of employing a large standing army in time of peace, and proves that our people love their institutions and are ever ready to defend and protect them.

While the war was in a course of vigorous and successful prosecution, being still anxious to arrest its evils, and considering that after the brilliant victories of our arms on the 8th and 9th of May last the national honor could not be compromised by it, another overture was made to Mexico, by my direction, on the 27th of July last to terminate hostilities by a peace just and honorable to both countries. On the 31st of August following the Mexican Government declined to accept this friendly overture, but referred it to the decision of a Mexican Congress to be assembled in the early part of the present month. I communicate to you herewith a copy of the letter of the Secretary of State proposing to reopen negotiations, of the answer of the Mexican Government, and of the reply thereto of the Secretary of State.

The war will continue to be prosecuted with vigor as the best means of securing peace. It is hoped that the decision of the Mexican Congress, to which our last overture has been referred, may result in a speedy and honorable peace. With our experience, however, of the unreasonable course of the Mexican authorities, it is the part of wisdom not to relax in the energy of our military operations until the result is made known. In this view it is deemed important to hold military possession of all the Provinces which have been taken until a definitive treaty of peace shall have been concluded and ratified by the two countries.

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.

By the laws of nations a conquered country is subject to be governed by the conqueror during his military possession and until there is either a treaty of peace or he shall voluntarily withdraw from it. The old civil government being necessarily superseded, it is the right and duty of the conqueror to secure his conquest and to provide for the maintenance of civil order and the rights of the inhabitants. This right has been exercised and this duty performed by our military and naval commanders by the establishment of temporary governments in some of the conquered Provinces of Mexico, assimilating them as far as practicable to the free institutions of our own country. In the Provinces of New Mexico and of the Californias little, if any, further resistance is apprehended from the inhabitants to the temporary governments which have thus, from the necessity of the case and according to the laws of war, been established. It may be proper to provide for the security of these important conquests by making an adequate appropriation for the

purpose of erecting fortifications and defraying the expenses necessarily incident to the maintenance of our possession and authority over them.

Near the close of your last session, for reasons communicated to Congress, I deemed it important as a measure for securing a speedy peace with Mexico, that a sum of money should be appropriated and placed in the power of the Executive, similar to that which had been made upon two former occasions during the Administration of President Jefferson.

On the 26th of February, 1803, an appropriation of \$2,000,000 was made and placed at the disposal of the President. Its object is well known. It was at that time in contemplation to acquire Louisiana from France, and it was intended to be applied as a part of the consideration which might be paid for that territory. On the 13th of February, 1806, the same sum was in like manner appropriated, with a view to the purchase of the Floridas from Spain. These appropriations were made to facilitate negotiations and as a means to enable the President to accomplish the important objects in view. Though it did not become necessary for the President to use these appropriations, yet a state of things might have arisen in which it would have been highly important for him to do so, and the wisdom of making them can not be doubted. It is believed that the measure recommended at your last session met with the approbation of decided majorities in both Houses of Congress. Indeed, in different forms, a bill making an appropriation of \$2,000,000 passed each House, and it is much to be regretted that it did not become a law. The reasons which induced me to recommend the measure at that time still exist, and I again submit the subject for your consideration and suggest the importance of early action upon it. Should the appropriation be made and be not needed, it will remain in the Treasury; should it be deemed proper to apply it in whole or in part, it will be accounted for as other public expenditures.

Immediately after Congress had recognized the existence of the war with Mexico my attention was directed to the danger that privateers might be fitted out in the ports of Cuba and Porto Rico to prey upon the commerce of the United States, and I invited the special attention of the Spanish Government to the fourteenth article of our treaty with that power of the 27th of October, 1795, under which the citizens and subjects of either nation who shall take commissions or letters of marque to act as privateers against the other "shall be punished as pirates."

It affords me pleasure to inform you that I have received assurances from the Spanish Government that this article of the treaty shall be faithfully observed on its part. Orders for this purpose were immediately transmitted from that Government to the authorities of Cuba and Porto Rico to exert their utmost vigilance in preventing any attempts to fit out privateers in those islands against the United States. From the good faith of Spain I am fully satisfied that this treaty will be executed in its spirit as well as its letter, whilst the United States will on their part faithfully perform all the obligations which it imposes on them.

Information has been recently received at the Department of State that the Mexican Government has sent to Havana blank commissions to privateers and blank certificates of naturalization signed by General Salas, the present head of the Mexican Government.

There is also reason to apprehend that similar documents have been transmitted to other parts of the world. Copies of these papers, in translation, are herewith transmitted.

As the preliminaries required by the practice of civilized nations for commissioning privateers and regulating their conduct appear not to have been observed, and as these commissions are in blank, to be filled up with the names of citizens and subjects of all nations who may be willing to purchase them, the whole proceeding can only be construed as an invitation to all the freebooters upon earth who are willing to pay for the privilege to cruise against American commerce. It will be for our courts of justice to decide whether under such circumstances these Mexican letters of marque and reprisal shall protect those who accept them, and commit robberies upon the high seas under their authority, from the pains and penalties of piracy.

If the certificates of naturalization thus granted be intended by Mexico to shield Spanish subjects from the guilt and punishment of pirates under our treaty with Spain, they will certainly prove unavailing. Such a subterfuge would be but a weak device to defeat the provisions of a solemn treaty.

I recommend that Congress should immediately provide by law for the trial and punishment as pirates of Spanish subjects who, escaping the vigilance of their Government, shall be found guilty of privateering against the United States. I do not apprehend serious danger from these privateers. Our Navy will be constantly on the alert to protect our commerce. Besides, in case prizes should be made of American vessels, the utmost vigilance will be exerted by our blockading squadron to prevent the captors from taking them into Mexican ports, and it is not apprehended that any nation will violate its neutrality by suffering such prizes to be condemned and sold within its jurisdiction.

I recommend that Congress should immediately provide by law for granting letters of marque and reprisal against vessels under the Mexican flag. It is true that there are but few, if any, commercial vessels of Mexico upon the high seas, and it is therefore not probable that many American privateers would be fitted out in case a law should pass authorizing this mode of warfare. It is, notwithstanding, certain that such privateers may render good service to the commercial interests of the country by recapturing our merchant ships should any be taken by armed vessels under the Mexican flag, as well as by capturing these vessels themselves. Every means within our power should be rendered available for the protection of our commerce.

The annual report of the Secretary of the Treasury will exhibit a detailed statement of the condition of the finances. The imports for the fiscal year ending on the 30th of June last were of the value of \$121,691,797, of which the amount exported was \$11,346,623, leaving the amount retained in the country for domestic consumption \$110,345,174. The value of the exports for the same period was \$113,488,516, of which \$102,141,893 consisted of domestic productions and \$11,346,623 of foreign articles.

The receipts into the Treasury for the same year were \$29,499,247.06, of which there was derived from customs \$26,712,667.87, from the sales of public lands \$2,694,452.48, and from incidental and miscellaneous sources \$92,126.71. The expenditures for the same period were \$28,031,114.20, and the balance in the Treasury on the 1st day of July last was \$9,126,439.08.

The amount of the public debt, including Treasury notes, on the 1st of the present month was \$24,256,494.60, of which the sum of \$17,788,799.62 was outstanding on the 4th of March, 1845, leaving the amount incurred since that time \$6,467,694.98.

In order to prosecute the war with Mexico with vigor and energy, as the best means of bringing it to a speedy and honorable termination, a further loan will be necessary to meet the expenditures for the present and the next fiscal year. If the war should be continued until the 30th of June, 1848, being the end of the next fiscal year, it is estimated that an additional loan of \$23,000,000 will be required. This estimate is made upon the assumption that it will be necessary to retain constantly in the Treasury \$4,000,000 to guard against contingencies. If such surplus were not required to be retained, then a loan of \$19,000,000 would be sufficient. If, however, Congress should at the present session impose a revenue duty on the principal articles now embraced in the free list, it is estimated that an additional annual revenue of about two millions and a half, amounting, it is estimated, on the 30th of June, 1848, to \$4,000,000, would be derived from that source, and the loan required would be reduced by that amount. It is estimated also that should Congress graduate and reduce the price of such of the public lands as have been long in the market the additional revenue derived from that source would be annually, for several years to come, between half a million and a million dollars; and the loan required may be reduced by that amount also. Should these measures be adopted, the loan required would not probably exceed \$18,000,000 or \$19,000,000, leaving in the Treasury a constant surplus of \$4,000,000. The loan proposed, it is estimated, will be sufficient to cover the necessary expenditures both for the war and for all other purposes up to the 30th of June, 1848, and an amount of this loan not exceeding one-half may be required during the present fiscal year, and the greater part of the remainder during the first half of the fiscal year succeeding.

In order that timely notice may be given and proper measures taken to effect the loan, or such portion of it as may be required, it is important that the authority of Congress to make it be given at an early period of your present session. It is suggested that the loan should be contracted for a period of twenty years, with authority to purchase the stock and pay it off at an earlier period at its market value out of any surplus which may at any time be in the Treasury applicable to that purpose. After the establishment of peace with Mexico, it is supposed that a considerable surplus will exist, and that the debt may be extinguished in a much shorter period than that for which it may be contracted. The period of twenty years, as that for which the proposed loan may be contracted, in preference to a shorter period, is suggested, because all experience, both at home and abroad, has shown that loans are effected upon much better terms upon long time than when they are reimbursable at short dates.

Necessary as this measure is to sustain the honor and the interests of the country engaged in a foreign war, it is not doubted but that Congress will promptly authorize it.

The balance in the Treasury on the 1st July last exceeded \$9,000,000, notwithstanding considerable expenditures had been made for the war during the months of May and June preceding. But for the war the whole public debt could and would have been extinguished within a short period; and it was a part of my settled policy to do so, and thus relieve the people from its burden and place the Government in a position which would enable it to

reduce the public expenditures to that economical standard which is most consistent with the general welfare and the pure and wholesome progress of our institutions.

Among our just causes of complaint against Mexico arising out of her refusal to treat for peace, as well before as since the war so unjustly commenced on her part, are the extraordinary expenditures in which we have been involved. Justice to our own people will make it proper that Mexico should be held responsible for these expenditures.

Economy in the public expenditures is at all times a high duty which all public functionaries of the Government owe to the people. This duty becomes the more imperative in a period of war, when large and extraordinary expenditures become unavoidable. During the existence of the war with Mexico all our resources should be husbanded, and no appropriations made except such as are absolutely necessary for its vigorous prosecution and the due administration of the Government. Objects of appropriation which in peace may be deemed useful or proper, but which are not indispensable for the public service, may when the country is engaged in a foreign war be well postponed to a future period. By the observance of this policy at your present session large amounts may be saved to the Treasury and be applied to objects of pressing and urgent necessity, and thus the creation of a corresponding amount of public debt may be avoided.

It is not meant to recommend that the ordinary and necessary appropriations for the support of Government should be withheld; but it is well known that at every session of Congress appropriations are proposed for numerous objects which may or may not be made without materially affecting the public interests, and these it is recommended should not be granted.

The act passed at your last session "reducing the duties on imports" not having gone into operation until the 1st of the present month, there has not been time for its practical effect upon the revenue and the business of the country to be developed. It is not doubted, however, that the just policy which it adopts will add largely to our foreign trade and promote the general prosperity. Although it can not be certainly foreseen what amount of revenue it will yield, it is estimated that it will exceed that produced by the act of 1842, which it superseded. The leading principles established by it are to levy the taxes with a view to raise revenue and to impose them upon the articles imported according to their actual value.

The act of 1842, by the excessive rates of duty which it imposed on many articles, either totally excluded them from importation or greatly reduced the amount imported, and thus diminished instead of producing revenue. By it the taxes were imposed not for the legitimate purpose of raising revenue, but to afford advantages to favored classes at the expense of a large majority of their fellow-citizens. Those employed in agriculture, mechanical pursuits, commerce, and navigation were compelled to contribute from their substance to swell the profits and overgrown wealth of the comparatively few who had invested their capital in manufactures. The taxes were not levied in proportion to the value of the articles upon which they were imposed, but, widely departing from this just rule, the lighter taxes were in many cases levied upon articles of luxury and high price and the heavier taxes on those of necessity and low price, consumed by the great mass of

the people. It was a system the inevitable effect of which was to relieve favored classes and the wealthy few from contributing their just proportion for the support of Government, and to lay the burden on the labor of the many engaged in other pursuits than manufactures.

A system so unequal and unjust has been superseded by the existing law, which imposes duties not for the benefit or injury of classes or pursuits, but distributes and, as far as practicable, equalizes the public burdens among all classes and occupations. The favored classes who under the unequal and unjust system which has been repealed have heretofore realized large profits, and many of them amassed large fortunes at the expense of the many who have been made tributary to them, will have no reason to complain if they shall be required to bear their just proportion of the taxes necessary for the support of Government. So far from it, it will be perceived by an examination of the existing law that discriminations in the rates of duty imposed within the revenue principle have been retained in their favor. The incidental aid against foreign competition which they still enjoy gives them an advantage which no other pursuits possess, but of this none others will complain, because the duties levied are necessary for revenue. These revenue duties, including freights and charges, which the importer must pay before he can come in competition with the home manufacturer in our markets, amount on nearly all our leading branches of manufacture to more than one-third of the value of the imported article, and in some cases to almost one-half its value. With such advantages it is not doubted that our domestic manufacturers will continue to prosper, realizing in well-conducted establishments even greater profits than can be derived from any other regular business. Indeed, so far from requiring the protection of even incidental revenue duties, our manufacturers in several leading branches are extending their business, giving evidence of great ingenuity and skill and of their ability to compete, with increased prospect of success, for the open market of the world. Domestic manufactures to the value of several millions of dollars, which can not find a market at home, are annually exported to foreign countries. With such rates of duty as those established by the existing law the system will probably be permanent, and capitalists who are made or shall hereafter make their investments in manufactures will know upon what to rely. The country will be satisfied with these rates, because the advantages which the manufacturers still enjoy result necessarily from the collection of revenue for the support of Government. High protective duties, from their unjust operation upon the masses of the people, can not fail to give rise to extensive dissatisfaction and complaint and to constant efforts to change or repeal them, rendering all investments in manufactures uncertain and precarious. Lower and more permanent rates of duty, at the same time that they will yield to the manufacturer fair and remunerating profits, will secure him against the danger of frequent changes in the system, which can not fail to ruinously affect his interests.

Simultaneously with the relaxation of the restrictive policy by the United States, Great Britain, from whose example we derived the system, has relaxed hers. She has modified her corn laws and reduced many other duties to moderate revenue rates. After ages of experience the statesmen of that country have been constrained by a stern necessity and by a public opinion having its deep foundation in the sufferings and wants of impoverished millions to abandon a system the effect of which was to build up immense fortunes in the hands of the few and to reduce the laboring millions to pauperism and

misery. Nearly in the same ratio that labor was depressed capital was increased and concentrated by the British protective policy.

The evils of the system in Great Britain were at length rendered intolerable, and it has been abandoned, but not without a severe struggle on the part of the protected and favored classes to retain the unjust advantages which they have so long enjoyed. It was to be expected that a similar struggle would be made by the same classes in the United States whenever an attempt was made to modify or abolish the same unjust system here. The protective policy had been in operation in the United States for a much shorter period, and its pernicious effects were not, therefore, so clearly perceived and felt. Enough, however, was known of these effects to induce its repeal.

It would be strange if in the face of the example of *Great Britain*, our principal foreign customer, and of the evils of a system rendered manifest in that country by long and painful experience, and in the face of the immense advantages which under a more liberal commercial policy we are already deriving, and must continue to derive, by supplying her starving population with food, the United States should restore a policy which she has been compelled to abandon, and thus diminish her ability to purchase from us the food and other articles which she so much needs and we so much desire to sell. By the simultaneous abandonment of the protective policy by Great Britain and the United States new and important markets have already been opened for our agricultural and other products, commerce and navigation have received a new impulse, labor and trade have been released from the artificial trammels which have so long fettered them, and to a great extent reciprocity in the exchange of commodities has been introduced at the same time by both countries, and greatly for the benefit of both. Great Britain has been forced by the pressure of circumstances at home to abandon a policy which has been upheld for ages, and to open her markets for our immense surplus of breadstuffs, and it is confidently believed that other powers of Europe will ultimately see the wisdom, if they be not compelled by the pauperism and sufferings of their crowded population, to pursue a similar policy.

Our farmers are more deeply interested in maintaining the just and liberal policy of the existing law than any other class of our citizens. They constitute a large majority of our population, and it is well known that when they prosper all other pursuits prosper also. They have heretofore not only received none of the bounties or favors of Government, but by the unequal operations of the protective policy have been made by the burdens of taxation which it imposed to contribute to the bounties which have enriched others.

When a foreign as well as a home market is opened to them, they must receive, as they are now receiving, increased prices for their products. They will find a readier sale, and at better prices, for their wheat, flour, rice, Indian corn, beef, pork, lard, butter, cheese, and other articles which they produce. The home market alone is inadequate to enable them to dispose of the immense surplus of food and other articles which they are capable of producing, even at the most reduced prices, for the manifest reason that they can not be consumed in the country. The United States can from their immense surplus supply not only the home demand, but the deficiencies of food required by the whole world.

That the reduced production of some of the chief articles of food in Great Britain and other parts of Europe may have contributed to increase the demand for our breadstuffs and provisions is not doubted, but that the great and efficient cause of this increased demand and of increased prices consists in the removal of artificial restrictions heretofore imposed is deemed to be equally certain. That our exports of food, already increased and increasing beyond former example under the more liberal policy which has been adopted, will be still vastly enlarged unless they be checked or prevented by a restoration of the protective policy can not be doubted. That our commercial and navigating interests will be enlarged in a corresponding ratio with the increase of our trade is equally certain, while our manufacturing interests will still be the favored interests of the country and receive the incidental protection afforded them by revenue duties; and more than this they can not justly demand.

In my annual message of December last a tariff of revenue duties based upon the principles of the existing law was recommended, and I have seen no reason to change the opinions then expressed. In view of the probable beneficial effects of that law, I recommend that the policy established by it be maintained. It has but just commenced to operate, and to abandon or modify it without giving it a fair trial would be inexpedient and unwise. Should defects in any of its details be ascertained by actual experience to exist, these may be hereafter corrected; but until such defects shall become manifest the act should be fairly tested.

It is submitted for your consideration whether it may not be proper, as a war measure, to impose revenue duties on some of the articles now embraced in the free list. Should it be deemed proper to impose such duties with a view to raise revenue to meet the expenses of the war with Mexico or to avoid to that extent the creation of a public debt, they may be repealed when the emergency which gave rise to them shall cease to exist, and constitute no part of the permanent policy of the country.

The act of the 6th of August last, "to provide for the better organization of the Treasury and for the collection, safe-keeping, transfer, and disbursement of the public revenue," has been carried into execution as rapidly as the delay necessarily arising out of the appointment of new officers, taking and approving their bonds, and preparing and securing proper places for the safe-keeping of the public money would permit. It is not proposed to depart in any respect from the principles or policy on which this great measure is founded. There are, however, defects in the details of the measure, developed by its practical operation, which are fully set forth in the report of the Secretary of the Treasury, to which the attention of Congress is invited. These defects would impair to some extent the successful operation of the law at all times, but are especially embarrassing when the country is engaged in a war, when the expenditures are greatly increased, when loans are to be effected and the disbursements are to be made at points many hundred miles distant, in some cases, from any depository, and a large portion of them in a foreign country. The modifications suggested in the report of the Secretary of the Treasury are recommended to your favorable consideration.

In connection with this subject I invite your attention to the importance of establishing a branch of the Mint of the United States at New York. Two-thirds of the revenue derived from customs being collected at that point, the demand for specie to pay the duties will be

large, and a branch mint where foreign coin and bullion could be immediately converted into American coin would greatly facilitate the transaction of the public business, enlarge the circulation of gold and silver, and be at the same time a safe depository of the public money.

The importance of graduating and reducing the price of such of the public lands as have been long offered in the market at the minimum rate authorized by existing laws, and remain unsold, induces me again to recommend the subject to your favorable consideration. Many millions of acres of these lands have been offered in the market for more than thirty years and larger quantities for more than ten or twenty years, and, being of an inferior quality, they must remain unsalable for an indefinite period unless the price at which they may be purchased shall be reduced. To place a price upon them above their real value is not only to prevent their sale, and thereby deprive the Treasury of any income from that source, but is unjust to the States in which they lie, because it retards their growth and increase of population, and because they have no power to levy a tax upon them as upon other lands within their limits, held by other proprietors than the United States, for the support of their local governments.

The beneficial effects of the graduation principle have been realized by some of the States owning the lands within their limits in which it has been adopted. They have been demonstrated also by the United States acting as the trustee of the Chickasaw tribe of Indians in the sale of their lands lying within the States of Mississippi and Alabama. The Chickasaw lands, which would not command in the market the minimum price established by the laws of the United States for the sale of their lands, were, in pursuance of the treaty of 1834 with that tribe, subsequently offered for sale at graduated and reduced rates for limited periods. The result was that large quantities of these lands were purchased which would otherwise have remained unsold. The lands were disposed of at their real value, and many persons of limited means were enabled to purchase small tracts, upon which they have settled with their families. That similar results would be produced by the adoption of the graduation policy by the United States in all the States in which they are the owners of large bodies of lands which have been long in the market can not be doubted. It can not be a sound policy to withhold large quantities of the public lands from the use and occupation of our citizens by fixing upon them prices which experience has shown they will not command. On the contrary, it is a wise policy to afford facilities to our citizens to become the owners at low and moderate rates of freeholds of their own instead of being the tenants and dependents of others. If it be apprehended that these lands if reduced in price would be secured in large quantities by speculators or capitalists, the sales may be restricted in limited quantities to actual settlers or persons purchasing for purposes of cultivation.

In my last annual message I submitted for the consideration of Congress the present system of managing the mineral lands of the United States, and recommended that they should be brought into market and sold upon such terms and under such restrictions as Congress might prescribe. By the act of the 11th of July last "the reserved lead mines and contiguous lands in the States of Illinois and Arkansas and Territories of Wisconsin and Iowa" were authorized to be sold. The act is confined in its operation to "lead mines and contiguous lands." A large portion of the public lands, containing copper and other ores, is represented to be very valuable, and I recommend that provision be made authorizing

the sale of these lands upon such terms and conditions as from their supposed value may in the judgment of Congress be deemed advisable, having due regard to the interests of such of our citizens as may be located upon them.

It will be important during your present session to establish a Territorial government and to extend the jurisdiction and laws of the United States over the Territory of Oregon. Our laws regulating trade and intercourse with the Indian tribes east of the Rocky Mountains should be extended to the Pacific Ocean; and for the purpose of executing them and preserving friendly relations with the Indian tribes within our limits, an additional number of Indian agencies will be required, and should be authorized by law. The establishment of custom-houses and of post-offices and post-roads and provision for the transportation of the mail on such routes as the public convenience will suggest require legislative authority. It will be proper also to establish a surveyor-general's office in that Territory and to make the necessary provision for surveying the public lands and bringing them into market. As our citizens who now reside in that distant region have been subjected to many hardships, privations, and sacrifices in their emigration, and by their improvements have enhanced the value of the public lands in the neighborhood of their settlements, it is recommended that liberal grants be made to them of such portions of these lands as they may occupy, and that similar grants or rights of preemption be made to all who may emigrate thither within a limited period, prescribed by law.

The report of the Secretary of War contains detailed information relative to the several branches of the public service connected with that Department. The operations of the Army have been of a satisfactory and highly gratifying character. I recommend to your early and favorable consideration the measures proposed by the Secretary of War for speedily filling up the rank and file of the Regular Army, for its greater efficiency in the field, and for raising an additional force to serve during the war with Mexico.

Embarrassment is likely to arise for want of legal provision authorizing compensation to be made to the agents employed in the several States and Territories to pay the Revolutionary and other pensioners the amounts allowed them by law. Your attention is invited to the recommendations of the Secretary of War on this subject. These agents incur heavy responsibilities and perform important duties, and no reason exists why they should not be placed on the same footing as to compensation with other disbursing officers.

Our relations with the various Indian tribes continue to be of a pacific character. The unhappy dissensions which have existed among the Cherokees for many years past have been healed. Since my last annual message important treaties have been negotiated with some of the tribes, by which the Indian title to large tracts of valuable land within the limits of the States and Territories has been extinguished and arrangements made for removing them to the country west of the Mississippi. Between 3,000 and 4,000 of different tribes have been removed to the country provided for them by treaty stipulations, and arrangements have been made for others to follow.

In our intercourse with the several tribes particular attention has been given to the important subject of education. The number of schools established among them has been

increased, and additional means provided not only for teaching them the rudiments of education, but of instructing them in agriculture and the mechanic arts.

I refer you to the report of the Secretary of the Navy for a satisfactory view of the operations of the Department under his charge during the past year. It is gratifying to perceive that while the war with Mexico has rendered it necessary to employ an unusual number of our armed vessels on her coasts, the protection due to our commerce in other quarters of the world has not proved insufficient. No means will be spared to give efficiency to the naval service in the prosecution of the war; and I am happy to know that the officers and men anxiously desire to devote themselves to the service of their country in any enterprise, however difficult of execution.

I recommend to your favorable consideration the proposition to add to each of our foreign squadrons an efficient sea steamer, and, as especially demanding attention, the establishment at Pensacola of the necessary means of repairing and refitting the vessels of the Navy employed in the Gulf of Mexico.

There are other suggestions in the report which deserve and I doubt not will receive your consideration.

The progress and condition of the mail service for the past year are fully presented in the report of the Postmaster-General. The revenue for the year ending on the 30th of June last amounted to \$3,487,199, which is \$802,642.45 less than that of the preceding year. The payments for that Department during the same time amounted to \$4,084,297.22. Of this sum \$597,097.80 have been drawn from the Treasury. The disbursements for the year were \$236,434.77 less than those of the preceding year. While the disbursements have been thus diminished, the mail facilities have been enlarged by new mail routes of 5,739 miles, an increase of transportation of 1,764,145 miles, and the establishment of 418 new post-offices. Contractors, postmasters, and others engaged in this branch of the service have performed their duties with energy and faithfulness deserving commendation. For many interesting details connected with the operations of this establishment you are referred to the report of the Postmaster-General, and his suggestions for improving its revenues are recommended to your favorable consideration. I repeat the opinion expressed in my last annual message that the business of this Department should be so regulated that the revenues derived from it should be made to equal the expenditures, and it is believed that this may be done by proper modifications of the present laws, as suggested in the report of the Postmaster-General, without changing the present rates of postage.

With full reliance upon the wisdom and patriotism of your deliberations, it, will be my duty, as it will be my anxious desire, to cooperate with you in every constitutional effort to promote the welfare and maintain the honor of our common country.

JAMES K. POLK.

WASHINGTON, *December 22, 1846.*

To the House of Representatives of the United States:

In compliance with the request contained in the resolution of the House of Representatives of the 15th instant, I communicate herewith reports from the Secretary of War and the Secretary of the Navy, with the documents which accompany them.

These documents contain all the "orders or instructions" to any military, naval, or other officer of the Government "in relation to the establishment or organization of civil government in any portion of the territory of Mexico which has or might be taken possession of by the Army or Navy of the United States."

These orders and instructions were given to regulate the exercise of the rights of a belligerent engaged in actual war over such portions of the territory of our enemy as by military conquest might be "taken possession of" and be occupied by our armed forces—rights necessarily resulting from a state of war and clearly recognized by the laws of nations. This was all the authority which could be delegated to our military and naval commanders, and its exercise was indispensable to the secure occupation and possession of territory of the enemy which might be conquered. The regulations authorized were temporary, and dependent on the rights acquired by conquest. They were authorized as belligerent rights, and were to be carried into effect by military or naval officers. They were but the amelioration of martial law, which modern civilization requires, and were due as well to the security of the conquest as to the inhabitants of the conquered territory.

The documents communicated also contain the reports of several highly meritorious officers of our Army and Navy who have conquered and taken possession of portions of the enemy's territory.

Among the documents accompanying the report of the Secretary of War will be found a "form of government" "established and organized" by the military commander who conquered and occupied with his forces the Territory of New Mexico. This document was received at the War Department in the latter part of the last month, and, as will be perceived by the report of the Secretary of War, was not, for the reasons stated by that officer, brought to my notice until after my annual message of the 8th instant was communicated to Congress.

It is declared on its face to be a "temporary government of the said Territory," but there are portions of it which purport to "establish and organize" a permanent Territorial government of the United States over the Territory and to impart to its inhabitants political rights which under the Constitution of the United States can be enjoyed permanently only by citizens of the United States. These have not been "approved and recognized" by me. Such organized regulations as have been established in any of the conquered territories for the security of our conquest, for the preservation of order, for the protection of the rights of the inhabitants, and for depriving the enemy of the advantages of these territories while the military possession of them by the forces of the United States continues will be recognized and approved.

It will be apparent from the reports of the officers who have been required by the success which has crowned their arms to exercise the powers of temporary government over the conquered territories that if any excess of power has been exercised the departure has been the offspring of a patriotic desire to give to the inhabitants the privileges and immunities so cherished by the people of our own country, and which they believed calculated to improve their condition and promote their prosperity. Any such excess has resulted in no practical injury, but can and will be early corrected in a manner to alienate as little as possible the good feelings of the inhabitants of the conquered territory.

JAMES K. POLK

WASHINGTON, *December 29, 1846.*

To the Senate and House of Representatives of the United States:

In order to prosecute the war against Mexico with vigor and success, it is necessary that authority should be promptly given by Congress to increase the Regular Army and to remedy existing defects in its organization. With this view your favorable attention is invited to the annual report of the Secretary of War, which accompanied my message of the 8th instant, in which he recommends that ten additional regiments of regular troops shall be raised, to serve during the war.

Of the additional regiments of volunteers which have been called for from several of the States, some have been promptly raised; but this has not been the case in regard to all. The existing law, requiring that they should be organized by the independent action of the State governments, has in some instances occasioned considerable delay, and it is yet uncertain when the troops required can be ready for service in the field.

It is our settled policy to maintain in time of peace as small a Regular Army as the exigencies of the public service will permit. In a state of war, notwithstanding the great advantage with which our volunteer citizen soldiers can be brought into the field, this small Regular Army must be increased in its numbers in order to render the whole force more efficient.

Additional officers as well as men then become indispensable. Under the circumstances of our service a peculiar propriety exists for increasing the officers, especially in the higher grades. The number of such officers who from age and other causes are rendered incapable of active service in the field has seriously impaired the efficiency of the Army.

From the report of the Secretary of War it appears that about two-thirds of the whole number of regimental field officers are either permanently disabled or are necessarily detached from their commands on other duties. The long enjoyment of peace has prevented us from experiencing much embarrassment from this cause, but now, in a state of war, conducted in a foreign country, it has produced serious injury to the public service.

An efficient organization of the Army, composed of regulars and volunteers, whilst prosecuting the war in Mexico, it is believed would require the appointment of a general officer to take the command of all our military forces in the field. Upon the conclusion of the war the services of such an officer would no longer be necessary, and should be dispensed with upon the reduction of the Army to a peace establishment. I recommend that provision be made by law for the appointment of such a general officer to serve during the war.

It is respectfully recommended that early action should be had by Congress upon the suggestions submitted for their consideration, as necessary to insure active and efficient service in prosecuting the war, before the present favorable season for military operations in the enemy's country shall have passed away.

JAMES K. POLK

WASHINGTON, *February 13, 1847.*

To the Senate and House of Representatives of the United States:

Congress, by the act of the 13th of May last, declared that "by the act of the Republic of Mexico a state of war exists between that Government and the United States" and "for the purpose of enabling the Government of the United States to prosecute said war to a speedy and successful termination" authority was vested in the President to employ the "naval and military forces of the United States."

It has been my unalterable purpose since the commencement of hostilities by Mexico and the declaration of the existence of war by Congress to prosecute the war in which the country was unavoidably involved with the utmost energy, with a view to its "speedy and successful termination" by an honorable peace.

Accordingly all the operations of our naval and military forces have been directed with this view. While the sword has been held in one hand and our military movements pressed forward into the enemy's country and its coasts invested by our Navy, the tender of an honorable peace has been constantly presented to Mexico in the other.

Hitherto the overtures of peace which have been made by this Government have not been accepted by Mexico. With a view to avoid a protracted war, which hesitancy and delay on our part would be so well calculated to produce, I informed you in my annual message of the 8th December last that the war would "continue to be prosecuted with vigor, as the best means of securing peace," and recommended to your early and favorable consideration the measures proposed by the Secretary of War in his report accompanying that message.

In my message of the 4th January last these and other measures deemed to be essential to the "speedy and successful termination" of the war and the attainment of a just and honorable peace were recommended to your early and favorable consideration.

The worst state of things which could exist in a war with such a power as Mexico would be a course of indecision and inactivity on our part. Being charged by the Constitution and the laws with the conduct of the war, I have availed myself of all the means at my command to prosecute it with energy and vigor.

The act "to raise for a limited time an additional military force, and for other purposes," and which authorizes the raising of ten additional regiments to the Regular Army, to serve during the war and to be disbanded at its termination, which was presented to me on the 11th instant and approved on that day, will constitute an important part of our military force. These regiments will be raised and moved to the seat of war with the least practicable delay.

It will be perceived that this act makes no provision for the organization into brigades and divisions of the increased force which it authorizes, nor for the appointment of general officers to command it. It will be proper that authority be given by law to make such organization, and to appoint, by and with the advice and consent of the Senate, such number of major-generals and brigadier-generals as the efficiency of the service may demand. The number of officers of these grades now in service are not more than are

required for their respective commands; but further legislative action during your present session will, in my judgment, be required, and to which it is my duty respectfully to invite your attention.

Should the war, contrary to my earnest desire, be protracted to the close of the term of service of the volunteers now in Mexico, who engaged for twelve months, an additional volunteer force will probably become necessary to supply their place. Many of the volunteers now serving in Mexico, it is not doubted, will cheerfully engage at the conclusion of their present term to serve during the war. They would constitute a more efficient force than could be speedily obtained by accepting the services of any new corps who might offer their services. They would have the advantage of the experience and discipline of a year's service, and will have become accustomed to the climate and be in less danger than new levies of suffering from the diseases of the country. I recommend, therefore, that authority be given to accept the services of such of the volunteers now in Mexico as the state of the public service may require, and who may at the termination of their present term voluntarily engage to serve during the war with Mexico, and that provision be made for commissioning the officers. Should this measure receive the favorable consideration of Congress, it is recommended that a bounty be granted to them upon their voluntarily extending their term of service. This would not only be due to these gallant men, but it would be economy to the Government, because if discharged at the end of the twelve months the Government would be bound to incur a heavy expense in bringing them back to their homes and in sending to the seat of war new corps of fresh troops to supply their place.

By the act of the 13th of May last the President was authorized to accept the services of volunteers "in companies, battalions, squadrons, and regiments," but no provision was made for filling up vacancies which might occur by death or discharges from the service on account of sickness or other casualties. In consequence of this omission many of the corps now in service have been much reduced in numbers. Nor was any provision made for filling vacancies of regimental or company officers who might die or resign. Information has been received at the War Department of the resignation of more than 100 of these officers. They were appointed by the State authorities, and no information has been received except in a few instances that their places have been filled; and the efficiency of the service has been impaired from this cause. To remedy these defects, I recommend that authority be given to accept the services of individual volunteers to fill up the places of such as may die or become unfit for the service and be discharged, and that provision be also made for filling the places of regimental and company officers who may die or resign. By such provisions the volunteer corps may be constantly kept full or may approximate the maximum number authorized and called into service in the first instance.

While it is deemed to be our true policy to prosecute the war in the manner indicated, and thus make the enemy feel its pressure and its evils, I shall be at all times ready, with the authority conferred on me by the Constitution and with all the means which may be placed at my command by Congress, to conclude a just and honorable peace.

Of equal importance with an energetic and vigorous prosecution of the war are the means required to defray its expenses and to uphold and maintain the public credit.

In my annual message of the 8th December last I submitted for the consideration of Congress the propriety of imposing, as a war measure, revenue duties on some of the articles now embraced in the free list. The principal articles now exempt from duty from which any considerable revenue could be derived are tea and coffee. A moderate revenue duty on these articles it is estimated would produce annually an amount exceeding \$2,500,000. Though in a period of peace, when ample means could be derived from duties on other articles for the support of the Government, it may have been deemed proper not to resort to a duty on these articles, yet when the country is engaged in a foreign war and all our resources are demanded to meet the unavoidable increased expenditure in maintaining our armies in the field no sound reason is perceived why we should not avail ourselves of the revenues which may be derived from this source. The objections which have heretofore existed to the imposition of these duties were applicable to a state of peace, when they were not needed. We are now, however, engaged in a foreign war. We need money to prosecute it and to maintain the public honor and credit. It can not be doubted that the patriotic people of the United States would cheerfully and without complaint submit to the payment of this additional duty or any other that may be necessary to maintain the honor of the country, provide for the unavoidable expenses of the Government, and to uphold the public credit. It is recommended that any duties which may be imposed on these articles be limited in their duration to the period of the war.

An additional annual revenue, it is estimated, of between half a million and a million of dollars would be derived from the graduation and reduction of the price of such of the public lands as have been long offered in the market at the minimum price established by the existing laws and have remained unsold. And in addition to other reasons commending the measure to favorable consideration, it is recommended as a financial measure. The duty suggested on tea and coffee and the graduation and reduction of the price of the public lands would secure an additional annual revenue to the Treasury of not less than \$3,000,000, and would thereby prevent the necessity of incurring a public debt annually to that amount, the interest on which must be paid semiannually, and ultimately the debt itself by a tax on the people.

It is a sound policy and one which has long been approved by the Government and people of the United States never to resort to loans unless in cases of great public emergency, and then only for the smallest amount which the public necessities will permit.

The increased revenues which the measures now recommended would produce would, moreover, enable the Government to negotiate a loan for any additional sum which may be found to be needed with more facility and at cheaper rates than can be done without them.

Under the injunction of the Constitution which makes it my duty "from time to time to give to Congress information of the state of the Union and to recommend to their consideration such measures" as shall be judged "necessary and expedient," I respectfully and earnestly invite the action of Congress on the measures herein presented for their consideration. The public good, as well as a sense of my responsibility to our common constituents, in my judgment imperiously demands that I should present them for your

enlightened consideration and invoke favorable action upon them before the close of your present session.

JAMES K. POLK

Colonel Alexander W. Doniphan, at Chihuahua, Mexico, to Roger Jones, Adjutant-General of the Army, at Washington, D.C. Dispatch communicating Doniphan's official report of the Battle of Sacramento.

Headquarters of the Army in Chihuahua,
City of Chihuahua, March 4, 1847.

Sir: - I have the honor to report to you the movements of the army under my command since my last official report.

On the evening of the 8th of February 1847, we left the town of El Paso del Norte, escorting the merchant train or caravan or about 315 wagons for the city of Chihuahua. Our force consisted of 924 effective men, 117 officers and privates of the artillery, 93 of Lieut. Colonel Mitchell's escort, and the remainder the 1st Missouri mounted volunteers. We progressed in the direction of this place until the 25th, when we were informed by our spies that the enemy, to the number of 1,500 men, were at Inseneas, the country seat of Gov. Trias, about 25 miles in advance.

When we arrived, on the evening of the 26th, near that point, we found that the force had retreated in the direction of this city. On the evening of the 27th we arrived at Sans, and learned from our spies that then enemy, in great force, had fortified the pass of the Sacramento river, about fifteen miles in advance, and about the same distance from this city. We were also informed that there was no water between the point we were at and that occupied by the enemy; we therefore determined to halt until morning. At sunrise on the 28th, the last day of February, we took up the line of march and formed the whole train, consisting of 315 heavy traders' wagons and our commissary and company wagons, into four columns, thus shortening our line so as to make it more easily protected. We placed the artillery and all the command, except 200 cavalry proper, in the intervals between the columns of wagons. We thus fully concealed our force and its position, by masking our force with the cavalry.

When we arrived within three miles of the enemy, we made a reconnoissance of his position and the arrangement of his forces. This we could easily do - the road leading through an open prairie valley between the sterile mountains. The pass of the Sacramento is formed by a point of the mountains on our right, their left extending into the valley or plain, so as to narrow the valley to about one and a half miles. On our left was a deep, dry, sandy channel of a creek, and between these points the plain rises to sixty feet abruptly. This rise is in the form of a crescent, the convex part being to the north of our forces. On the right, from the point of the mountains, a narrow part of the plain extends north one and a half miles further than on the left. The main road passes down the centre of the valley and across the crescent, near the left or dry branch. The Sacramento rises in the mountains on the right, and the road falls on to it about one mile below the battle-field or entrenchment of the enemy.

We ascertained that the enemy had one battery of four guns, two nine and 6-pounders, on the point of the mountain on our right, (their left,) at a good elevation to

sweep the plain, and at the point where the mountains extended furthest into the plain. On our left (their right) they had another battery on an elevation commanding the road, and three entrenchments of two six-pounders, and on the brow of the crescent, near the centre, another of two 6 and two 4 and 6 culverins, or rampart pieces, mounted on carriages; and on the crest of the hill or ascent between the batteries and the right and left they had 27 redoubts dug and thrown up, extending at short intervals across the whole ground. In these their infantry were placed and were entirely protected. Their cavalry was drawn up in front of the redoubts in the intervals four deep, and in front of the redoubts two deep, so as to mask them as far as practicable.

When we had arrived within one and a half miles of the entrenchments along the main road, we advanced the cavalry still further, and suddenly diverged with the columns to the right, so as to gain the narrow part of the ascent on our right, which the enemy discovering, endeavored to prevent, by moving forward with 1,000 cavalry and four pieces of cannon in their rear masked by them. Our movements were so rapid that we gained the elevation with our forces and the advance of our wagons in time to form before they arrived within reach of our guns. The enemy halted, and we advanced the head of our column within twelve hundred yards of them, so as to let our wagons attain the highlands and form as before.

We now commenced the action by a brisk fire from our battery, and the enemy unmasked and commenced also. Our fires proved effective at this distance, killing fifteen men, wounding and disabling one of the enemy's guns. We had two men slightly wounded, and several horses and mules killed. The enemy then slowly retreated behind their works in some confusion, and we resumed our march in our former order, still diverging more to the right to avoid their battery on our left, (their right,) and their strongest redoubts, which were on the left near where the road passes. After marching as far as we safely could without coming within range of their heavy battery on our right, Captain Weightman, of the artillery, was ordered to charge with two 12-pound howitzers, to be supported by the cavalry, under Captains Reid, Parsons, and Hudson. The howitzers charged at speed, and were gallantly sustained by Capt. Reid; but, by some misunderstanding, my order was not given to the other two companies. - Captain Hudson, anticipating my order, charged in time to give ample support to the howitzers. Capt. Parsons at the same moment came to me and asked permission for his company to charge the redoubts immediately to the left of Capt. Weightman, which he did very gallantly.

The remainder of the two battalions of the first regiment were dismounted during the cavalry charge, and, following rapidly on foot, and Major Clarke advancing as fast as practicable with the remainder of the battery, we charged their redoubts from right to left with a brisk and deadly fire of riflemen, while Major Clarke opened a rapid and well-directed fire on a column of cavalry attempting to pass to our left so as to attack the wagons and our rear. The fire was so well directed as to force them to fall back; and our riflemen, with the cavalry and howitzers, cleared after an obstinate resistance. Our forces advanced to the very brink of their redoubts and attacked them with their sabres. When the redoubts were cleared, and the batteries in the centre and our left were silenced, the main battery on our right still continued to pour in a constant and heavy fire, as it had

done during the heat of the engagement; but as the whole fate of the battle depended upon carrying the redoubts and centre battery, this one on the right remained unattacked, and the enemy had rallied there five hundred strong.

Major Clark was directed to commence a heavy fire upon it, while Lieut. Cols. Mitchell and Jackson, commanding the 1st battalion, were ordered to remount and charge the battery on the left, while Major Gilpin was directed to pass the 2d battalion on foot up the rough ascent of the mountain on the opposite side. The fire of our battery was so effective as to completely silence theirs, and the rapid advance of our column put them to flight over the mountains in great confusion.

Captain Thompson, of the 1st dragoons, acted as my aid and adviser on the field during the whole engagement, and was of the most essential service to me. - Also, Lieut. Wooster, of the United States army who acted very coolly and gallantly. Major Campbell, of Springfield, Missouri, also acted as a volunteer aid during part of the time, but left me and joined Captain Reid in his gallant charge. Thus ended the battle of Sacramento.

The force of the enemy was 1,200 cavalry from Durango and Chihuahua, with the Vera Cruz dragoons, 1,200 infantry from Chihuahua, 300 artillerists, and 1,420 rancheros, badly armed with lassos, lances, and machetes or corn knives, ten pieces of artillery, two nine, two eight, four six, and two four pounders, and six culverins or rampart pieces. - Their forces were commanded by Major General Heredia, General of Durango, Chihuahua, Sonora, and New Mexico; Brigadier General Garcia Conde, formerly minister of War for the Republic of Mexico, who is a scientific man, and planned this whole field of defence; General Uguerte, and Governor Trias, who acted as brigadier general on the field, and colonels and other officers without number.

Our force was nine hundred and twenty-four effective men, at least one hundred and twenty-four effective men, at least one hundred of whom were engaged in holding horses and driving teams.

The loss of the enemy was his entire artillery, ten wagons, masses of beans and pinola, and other Mexican provisions, about three hundred killed and about the same number wounded, many of whom have since died, and forty prisoners.

The field was literally covered with the dead and wounded from our artillery and the unerring fire of our riflemen. Night put a stop to the carnage, the battle having commenced about three o'clock. Our loss was one killed, one mortally wounded, and seven so wounded as to recover without any loss of limbs. I cannot speak too highly of the coolness, gallantry, and bravery of the officers and men under my command.

I was ably sustained by the field officers, Lieut. Colonels Mitchell and Jackson, of the first battalion, and Major Gilpin, of the second battalion; and Major Clarke and his artillery acted nobly, and did the most effective service in every part of the field. It is abundantly shown, in the charge made by Captain Weightman with the section of howitzers, that they can be used in any charge of cavalry with great effect. Much has

been said, and justly said, of the gallantry of our artillery, unlimbering within two hundred and fifty yards of the enemy at Palo Alto; but how much more daring was the charge of Capt. Weightman, when he unlimbered within fifty yards of the redoubts of the enemy! On the 1st day of March we took formal possession of the capital of Chihuahua in the name of our government.

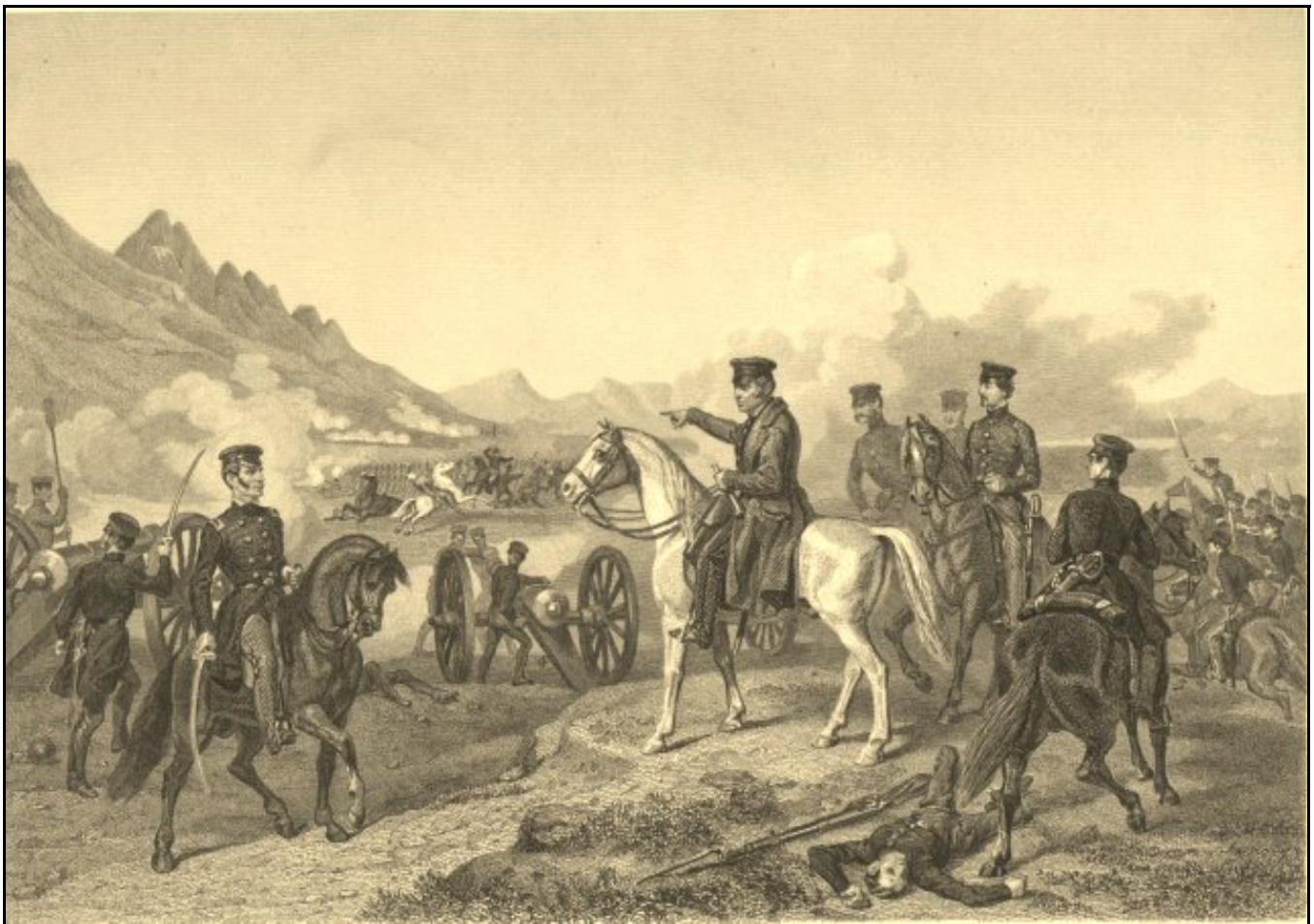
We were ordered by General Kearny to report to General Wool at this place. Since our arrival, we hear he is at Saltillo, surrounded by the enemy. Our present purpose is either to force our way to him, or return by Bexar, as our term of service expires on the last day of May next.

I have the honor to be your obedient servant,

A. W. DONIPHAN,
Colonel 1st regiment Missouri Volunteers.

Major-General Zachary Taylor, at Agua Nueva, Mexico, to William L. Marcy, Secretary of War, at Washington, D.C. Dispatch communicating Taylor's official report of the Battle of Buena Vista.

Headquarters, Army of Occupation,
Agua Nueva, March 6th, 1847.



The Battle of Buena Vista engraving from a painting by W. H. Powell

TO THE HON. SECRETARY OF WAR:

Sir: - I have the honor to submit a detailed report of the operations of the forces under my command, which resulted in the engagement of Buena Vista, the repulse of the Mexican army, and the reoccupation of this position.

The information which reached me of the advance and concentration of a heavy Mexican force in my front, had assumed such a probable form as to induce a special examination far beyond the reach of our pickets to ascertain its correctness. A small party of Texan spies, under Major McCullough, dispatched to the hacienda of Encarnacion, thirty miles from this, on the route to San Luis Potosi, had reported a cavalry force of

unknown strength at that place. On the 20th of February, a strong reconnaissance, under Lieutenant-colonel May, was dispatched to the hacienda of Hecliondo, while Major McCullough made another examination of Encarnacion. The result of these expeditions left no doubt that the enemy was in large force at Encarnacion, under the orders of General Santa Anna, and that he meditated a forward movement and attack upon our position.

As the camp of Agua Nueva could be turned on either flank, and as the enemy's force was greatly superior to our own, particularly in the arm of cavalry, I determined, after much consideration, to take up a position about eleven miles in rear, and there await the attack. The army broke up its camp and marched at noon on the 21st, encamping at the new position a little in front of the hacienda of Buena Vista. With a small force I proceeded to Saltillo, to make some necessary arrangements for the defence of the town, leaving Brigadier-General Wool in the immediate command of the troops.

Before these arrangements were completed, on the morning of the 22d, I was advised that the enemy was sight, advancing. Upon reaching the ground it was found that his cavalry advance was in our front, having marched from Encarnacion, as we have since learned, at eleven o'clock the day previous, and driving in a mounted force left at Agua Nueva to cover the removal of public stores.

Our troops were in position, occupying a line of remarkable strength. The road at this point becomes a narrow defile, the valley on its right being rendered quite impracticable for artillery by a succession of deep and impassable gullies, while on the left a succession of rugged ridges and precipitous ravines extends far back towards the mountain which bounds the valley. The features of the ground were such as nearly to paralyze the artillery and cavalry of the enemy, while his infantry could not derive all the advantage of its numerical superiority. In this position we prepared to receive him. Captain Washington's battery (Fourth artillery) was posted to command the road, while the First and Second Illinois regiments, under Colonels Hardin and Bissell, each eight companies, (to the latter of which was attached Captain Conner's company of Texas volunteers,) and the Second Kentucky, under Colonel McKee, occupied the crests of the ridges on the left and in rear. The Arkansas and Kentucky regiments of cavalry, commanded by Colonels Yell and H. Marshall, occupied the extreme left near the base of the mountain, while the Indiana brigade, under Brigadier-General Lane, (composed of the Second and Third regiments, under Colonels Bowles and Lane,) the Mississippi riflemen, under Colonel Davis, the squadrons of the First and Second dragoons, under Captain Steene and Lieutenant-colonel May, and the light batteries of Captains Sherman and Bragg, Third artillery, were held in reserve.

At eleven o'clock I received from General Santa Anna a summons to surrender at discretion, which, with a copy of my reply, I have already transmitted. The enemy still forbore his attack, evidently waiting for the arrival of his rear columns, which could be distinctly seen by our look-outs as they approached the field. A demonstration made on his left caused me to detach the Second Kentucky regiment and a section of artillery to our right, in which position they bivouacked for the night. In the mean time the Mexican

light troops had engaged ours on the extreme left (composed of parts of the Kentucky and Arkansas cavalry dismounted, and a rifle battalion from the Indiana brigade under Major Gorman, the whole commanded by Colonel Marshall,) and kept up a sharp fire, climbing the mountain side, and apparently endeavoring to gain our flank. Three pieces of Captain Washington's battery had been detached to the left, and were supported by the Second Indiana regiment. An occasional shell was thrown by the enemy into this part of our line, but without effect. The skirmishing of the light troops was kept up with trifling loss on our part until dark, when I became convinced that no serious attack would be made before the morning, and returned, with the Mississippi regiment and squadron of Second dragoons, to Saltillo. The troops bivouacked without fires, and laid upon their arms. A body of cavalry, some fifteen hundred strong, had been visible all day in rear of the town, having entered the valley through a narrow pass, east of the city. This cavalry, commanded by General Minon, had evidently been thrown in our rear to break up and harass our retreat, and perhaps make some attempt against the town, if practicable. The city was occupied by four excellent companies of Illinois volunteers, under Major Warren, of the First regiment. A field-work, which commanded most of the approaches, was garrisoned by Captain Webster's company, First artillery, and armed with two twenty-four pound howitzers, while the train and head-quarter camp was guarded by two companies of Mississippi riflemen, under Captain Rogers, and a field-piece, commanded by Captain Shover, Third artillery. Having made these dispositions for the protection of the rear, I proceeded on the morning of the 23d to Buena Vista, ordering forward all the other available troops. The action had commenced before my arrival on the field.

During the evening and night of the 22d, the enemy had thrown a body of light troops on the mountain side, with the purpose of outflanking our left; and it was here that the action of the 23d commenced at an early hour. Our riflemen, under Colonel Marshall, who had been reinforced by three companies under Major Trail, Second Illinois volunteers, maintained their ground handsomely against a greatly superior force, holding themselves under cover, and using their weapons with deadly effect. About eight o'clock, a strong demonstration was made against the centre of our position, a heavy column moving along the road. This force was soon dispersed by a few rapid and well-directed shots from Captain Washington's battery. In the mean time the enemy was concentrating a large force of infantry and cavalry under cover of the ridges, with the obvious intention of forcing our left, which was posted on an extensive plateau. The Second Indiana and Second Illinois regiments formed this part of our line, the former covering three pieces of light artillery, under the orders of Captain O'Brien - Brigadier-General Lane being in the immediate command. In order to bring his men within effective range, General Lane ordered the artillery and Second Indiana regiment forward. The artillery advanced within musket-range of it with great effect, but without being able to check its advance. The infantry ordered to its support had fallen back in disorder, being exposed, as well as the battery, not only to a severe fire of small-arms from the front, but also to a murderous cross-fire of grape and canister, from a Mexican battery on the left. Captain O'Brien found it impossible to retain his position without support, but was only able to withdraw two of his pieces, all the horses and cannoneers of the third piece being killed or disabled. The Second Indiana regiment, which had fallen back as stated, could not be rallied, and took no farther part in the action, except a handful of men, who, under its gallant colonel,

Bowles, joined the Mississippi regiment, and did good service, and those fugitives who, at a later period in the day, assisted in defending the train and depot at Buena Vista. This portion of our line having given way, and the enemy appearing in overwhelming force against our left flank, the light troops which had rendered such good service on the mountain were compelled to withdraw, which they did, for the most part, in good order. Many, however, were not rallied until they reached the depot at Buena Vista, to the defence of which they afterwards contributed.

Col. Bissell's regiment, (Second Illinois,) which had been joined by a section of Captain Sherman's battery, had become completely outflanked, and was compelled to fall back, being entirely unsupported. The enemy was now pouring masses of infantry and cavalry along the base of the mountain on our left, and was gaining our rear in great force. At this moment I arrived upon the field. The Mississippi regiment had been directed to the left before reaching the position, and immediately came into action against the Mexican infantry which had turned our flank. The Second Kentucky regiment, and section of artillery under Captain Bragg, had previously been ordered from the right to reinforce our left, and arrived at a most opportune moment. That regiment, and a portion of the First Illinois, under Colonel Hardin, gallantly drove the enemy, and recovered a portion of the ground we had lost. The batteries of Captains Sherman and Bragg were in position on the plateau, and did much execution, not only in front, but particularly upon the masses which had gained our rear. Discovering that the enemy was heavily pressing upon the Mississippi regiment, the Third Indiana regiment, under Colonel Lane, was dispatched to strengthen that part of our line which formed a croquet perpendicular to the first line of battle. At the same time Lieutenant Kilburn, with a piece of Captain Bragg's battery, was directed to support the infantry there engaged. The action was for a long time warmly sustained at that point - the enemy making several efforts both with infantry and cavalry against our line, and being always repulsed with heavy loss. I had placed all the regular cavalry and Captain Pike's squadron of Arkansas horse under the orders of Brevet Lieutenant-colonel May, with directions to hold in check the enemy's column, still advancing to the rear along the base of the mountain, which was done in conjunction with the Kentucky and Arkansas cavalry, under Colonels Marshall and Yell.

In the mean time our left, which was still strongly threatened by a superior force, was farther strengthened by the detachment of Captain Bragg's and a portion of Captain Sherman's batteries to that quarter. The concentration of artillery-fire upon the masses of the enemy along the base of the mountain, and the determined resistance offered by the two regiments opposed to them, had created confusion in their ranks, and some of the corps attempted to effect a retreat upon their main line of battle. The squadron of the First dragoons, under Lieutenant Rucker, was now ordered up the deep ravine which these retreating corps were endeavoring to cross, in order to charge and disperse them. The squadron proceeded to the point indicated, but could not accomplish the object, being exposed to a heavy fire from a battery established to cover the retreat of those corps. While the squadron was detached on this service, a large body of the enemy was observed to concentrate on our extreme left, apparently with the view of making a descent upon the hacienda of Buena Vista, where our train and baggage were deposited. Lieutenant-colonel May was ordered to the support of that point, with two pieces of

Captain Sherman's battery under Lieutenant Reynolds. In the mean time, the scattered forces near the hacienda, composed in part of Majors Trail and Gorman's commands, had been to some extent organized under the advice of Major Munroe, chief of artillery, with the assistance of Major Morrison, volunteer staff, and were posted to defend the position. Before our cavalry had reached the hacienda, that of the enemy had made its attack; having been handsomely met by the Kentucky and Arkansas cavalry under Colonels Marshall and Yell. The Mexican column immediately divided, one portion sweeping by the depot, where it received a destructive fire from the force which had collected there, and then gaining the mountain opposite, under a fire from Lieutenant Reynold's section, the remaining portion regaining the base of the mountain on our left. In the charge at Buena Vista, Colonel Yell fell gallantly at the head of his regiment; we also lost Adjutant Vaughan, of the Kentucky cavalry - a young officer of much promise. Lieutenant-colonel May, who had been rejoined by the squadron of the First dragoons and by portions of the Arkansas and Indiana troops, under Lieutenant-colonel Roane and Major Gorman, now approached the base of the mountain, holding in check the right flank of the enemy, upon whose masses, crowded in the narrow gorges and ravines, our artillery was doing fearful execution.

The position of that portion of the Mexican army which had gained our rear was now very critical, and it seemed doubtful whether it could regain the main body. At this moment I received from General Santa Anna a message by a staff officer, desiring to know what I wanted. I immediately dispatched Brigadier-general Wool to the Mexican general-in-chief, and sent orders to cease firing. Upon reaching the Mexican lines, General Wool could not cause the enemy to cease their fire, and accordingly returned without having an interview. The extreme right of the enemy continued its retreat along the base of the mountain, and finally, in spite of all our efforts, effected a junction with the remainder of the army.

During the day, the cavalry of General Minon had ascended the elevated plain above Saltillo, and occupied the road from the city to the field of battle, where they intercepted several of our men. Approaching the town, they were fired upon by Captain Webster, from the redoubt occupied by his company, and then moved off towards Buena Vista. At this time, Captain Shover moved rapidly forward with his piece, supported by a miscellaneous command of mounted volunteers, and fired several shots at the cavalry with great effect. They were driven into the ravines which lead to the lower valley, closely pursued by Captain Shover, who was farther supported by a piece of Captain Webster's battery, under Lieutenant Donaldson, which had advanced from the redoubt, supported by Captain Wheeler's company of Illinois volunteers. The enemy made one or two efforts to charge the artillery, but was finally driven back in a confused mass, and did not again appear upon the plain.

In the mean time, the firing had partially ceased upon the principal field. The enemy seemed to confine his efforts to the protection of his artillery, and I had left the plateau for a moment, when I was recalled thither by a very heavy musketry fire. On regaining that position, I discovered that our infantry (Illinois and Second Kentucky) had engaged a greatly superior force of the enemy - evidently his reserve - and that they

had been overwhelmed by numbers. The moment was most critical. Captain O'Brien, with two pieces, had sustained this heavy charge to the last and was finally obliged to leave his guns on the field - his infantry support being entirely routed. Captain Bragg, who had just arrived from the left, was ordered at once into battery. Without any infantry to support him, and at the imminent risk of losing his guns, this officer came rapidly into action, the Mexican line being but a few yards from the muzzle of his pieces. The first discharge of canister caused the enemy to hesitate; the second and third drove him back in disorder and saved the day. The Second Kentucky regiment, which had advanced beyond supporting distance in this affair, was driven back and closely pressed by the enemy's cavalry. Taking a ravine which led in the direction of Captain Washington's battery, their pursuers became exposed to his fire, which soon checked and drove them back with loss. In the mean time the rest of our artillery had taken position on the plateau, covered by the Mississippi and Third Indiana regiments, the former of which had reached the ground in time to pour a fire into the right flank of the enemy, and thus contribute to his repulse.

In this last conflict we had the misfortune to sustain a very heavy loss. Colonel Hardin, First Illinois, and Colonel McKee and Lieutenant-colonel Clay, Second Kentucky regiment, fell at this time, while gallantly leading their commands.

No farther attempt was made by the enemy to force our position, and the approach of night gave an opportunity to pay proper attention to the wounded, and also to refresh the soldiers, who had been exhausted by incessant watchfulness and combat. Though the night was severely cold, the troops were compelled for the most to bivouac without fires, expecting that morning would renew the conflict. During the night the wounded were removed to Saltillo, and every preparation made to receive the enemy, should he again attack our position. Seven fresh companies were drawn from the town, and Brigadier-general Marshall, with a reinforcement of Kentucky cavalry and four heavy guns, under Captain Prentiss, First artillery, was near at hand, when it was discovered that the enemy had abandoned his position during the night. Our scouts soon ascertained that he had fallen back upon Agua Nueva. The great disparity of numbers, and the exhaustion of our troops, rendered it inexpedient and hazardous to attempt pursuit. A staff officer was dispatched to General Santa Anna, to negotiate an exchange of prisoners, which was satisfactorily completed on the following day. Our own dead were collected and buried and the Mexican wounded, of which a large number had been left upon the field, were removed to Saltillo, and rendered as comfortable as circumstances would permit.

On the evening of the 26th, a close reconnoissance was made of the enemy's position, which was found to be occupied only by a small body of cavalry, the infantry and artillery having retreated in the direction of San Luis Potosi. On the 27th, our troops resumed their former camp at Agua Nueva, the enemy's rear-guard evacuating the place as we approached, leaving a considerable number of wounded. It was my purpose to beat up his quarters at Encarnacion early the next morning, but upon examination, the weak condition of the cavalry horses rendered it inadvisable to attempt so long a march without water. A command was finally dispatched to Encarnacion, on the 1st of March, under Captain Belknap. Some two hundred wounded, and about sixty Mexican soldiers were

found there, the army having passed on in the direction of Matehuala, with greatly reduced numbers, and suffering much from hunger. The dead and dying were strewn upon the road and crowded the buildings of the hacienda.



General Taylor at the Battle of Buena Vista from *Ballou's Pictorial Drawing Room Companion*. No date.

The American force engaged in the action of Buena Vista is shown, by the accompanying field report, to have been three hundred and thirty-four officers, and four thousand four hundred and twenty-five men, exclusive of the small command left in and near Saltillo. Of this number, two squadrons of cavalry and three batteries of light artillery, making not more than four hundred and fifty-three men, composed the only force of regular troops. The strength of the Mexican army is stated by General Santa Anna, in his summons, to be twenty thousand; and that estimate is confirmed by all the information since obtained. Our loss is two hundred and sixty-seven killed, four hundred and fifty-six wounded, and twenty-three missing. Of the numerous wounded, many did not require removal to the hospital, and it is hoped that a comparatively small number will be permanently disabled. The Mexican loss in killed and wounded may be fairly estimated at one thousand and five hundred, and will probably reach two thousand. At least five hundred of their killed were left upon the field of battle. We have no means of ascertaining the number of deserters and dispersed men from their ranks, but it is known to be very great.

Our loss has been especially severe in officers, twenty-eight having been killed upon the field. We have to lament the death of Captain George Lincoln, assistant adjutant-general, serving in the staff of General Wool - a young officer of high bearing and approved gallantry, who fell early in the action. No loss falls more heavily upon the

army in the field than that of Colonels Hardin and McKee, and Lieutenant-colonel Clay. Possessing in a remarkable degree the confidence of their commands, and the last two having enjoyed the advantage of a military education, I had looked particularly to them for support in case we met the enemy. I need not say that their zeal in engaging the enemy, and the cool and steadfast courage with which they maintained their positions during the day, fully realized my hopes, and caused me to feel yet more sensibly their untimely loss.

I perform a grateful duty in bringing to the notice of the government the general good conduct of the troops. Exposed for successive nights, without fires, to the severity of the weather, they were very prompt and cheerful in the discharge of every duty; and finally displayed conspicuous steadiness and gallantry in repulsing, at great odds, a disciplined foe. While the brilliant success achieved by their arms releases me from the painful necessity of specifying many cases of bad conduct before the enemy, I feel an increased obligation to mention particular corps and officers, whose skill, coolness, and gallantry in trying situations, and under a continued and heavy fire, seem to merit particular notice. To Brigadier-general Wool my obligations are especially due. The high state of discipline and instruction of several of the volunteer regiments was attained under his command, and to his vigilance and arduous service before the action, and his gallantry and activity on the field, a large share of our success may justly be attributed. During most of the engagement he was in immediate command of the troops thrown back on our left flank. I beg leave to recommend him to the favorable notice of the government. Brigadier-general Lane (slightly wounded) was active and zealous throughout the day, and displayed great coolness and gallantry before the enemy.

The services of the light artillery, always conspicuous, were more than usually distinguished. Moving rapidly over the roughest ground, it was always in action at the right place and the right time, and its well-directed fire dealt destruction in the masses of the enemy. While I recommend to particular favor the gallant conduct and valuable services of Major Munroe, chief of artillery, and Captains Washington, Fourth artillery, and Sherman and Bragg, Third artillery, commanding batteries, I deem it no more than just to mention all the subaltern officers. They were nearly all detached at different times, and in every situation exhibited conspicuous skill and gallantry. Captain O'Brien, Lieutenants Brent, Whiting, and Couch, Fourth artillery, and Bryan, topographical engineers, (slightly wounded,) were attached to Captain Washington's battery. Lieutenants Thomas, Reynolds, and French, Third artillery, (severely wounded,) to that of Captain Sherman; and Captain Shover and Lieutenant Donaldson, First artillery, rendered gallant and important service in repulsing the cavalry of General Minon. The regular cavalry, under Lieutenant-colonel May, with which was associated Captain Pike's squadron of Arkansas horse, rendered useful service in holding the enemy in check and in covering the batteries at several points. Captain Steene, First Dragoons, was severely wounded early in the day, while gallantly endeavoring, with my authority, to rally the troops which were falling to the rear.

The Mississippi riflemen, under Colonel Davis, were highly conspicuous for their gallantry and steadiness, and sustained throughout the engagement the reputation of

veteran troops. Brought into action against an immensely superior force, they maintained themselves for a long time unsupported and with heavy loss, and held an important part of the field until reinforced. Colonel Davis, though severely wounded, remained in the saddle until the close of the action. His distinguished coolness and gallantry at the head of his regiment on this day, entitle him to the particular notice of the government. The Third Indiana regiment, under Colonel Lane, and a fragment of the Second, under Colonel Bowles, were associated with the Mississippi regiment during the greater portion of the day, and acquitted themselves creditably in repulsing the attempts of the enemy to break that portion of our line. The Kentucky cavalry, under Colonel Marshall, rendered good service dismounted, acting as light troops on our left, and afterwards, with a portion of the Arkansas regiment, in meeting and dispersing the column of cavalry at Buena Vista. The First and Second Illinois, and the Kentucky regiments, served immediately under my eye, and I bear a willing testimony to their excellent conduct throughout the day. The spirit and gallantry with which the First Illinois and Second Kentucky engaged the enemy in the morning, restored confidence to that part of the field, while the list of casualties will show how much these three regiments suffered in sustaining the heavy charge of the enemy in the afternoon. Captain Conner's company of Texas volunteers, attached to the Second Illinois regiment, fought bravely, its captain being wounded and two subalterns killed. Colonel Bissell, the only surviving colonel of these regiments, merits notice for his coolness and bravery on this occasion. After the fall of the field-officers of the First Illinois and Second Kentucky regiments, the command of the former devolved upon Lieutenant-colonel Weatherford; that of the latter upon Major Fry.

Regimental commanders and other who have rendered reports, speak in general terms of the good conduct of their officers and men, and specified many names, but the limits of this report forbid a recapitulation of them here. I may, however, mention Lieutenants Rucker and Campbell of the dragoons, and Captain Pike, Arkansas cavalry, commanding squadrons; Lieutenant-colonel Field, Kentucky cavalry; Lieutenant-colonel Roane, Arkansas cavalry, upon whom the command devolved after the fall of Colonel Yell; Major Bradford, Captain Sharpe, (severely wounded,) and Adjutant Griffith, Mississippi regiment; Lieutenant-colonel Hadden, Second Indiana regiment and Lieutenant Robinson, aid-de-camp to General Lane; Lieutenant-colonel Weatherford, First Illinois regiment; Lieutenant-colonel Morrison, Major Trail, and Adjutant Whiteside, (severely wounded,) Second Illinois regiment; and Major Fry, Second Kentucky regiment, as being favorably noticed for gallantry and good conduct. Major McCulloch, quartermaster in the volunteer service, rendered services before the engagement, in the command of a spy company, and during the affair was associated with the regular cavalry. To Major Warren, First Illinois volunteers, I feel much indebted for his firm and judicious course, while exercising command in the city of Saltillo.

The medical staff, under the able direction of Assistant-surgeon Hitchcock, were assiduous in attention to the wounded on the field, and in their careful removal to the rear. Both in these respects, and in the subsequent organization and service of the hospitals, the administration of this department was every thing that could be wished.

Brigadier-general Wool speaks in high terms of the officers of his staff, and I take pleasure in mentioning them here, having witnessed their activity and zeal upon the field. Lieutenant and Aid-de-camp McDowell, Colonel Churchill, inspector-general, Captain Chapman, assistant-quartermaster, Lieutenant Sitgreaves, topographical engineers, and Captains Howard and Davis, volunteer service, are conspicuously noticed by the General for their gallantry and good conduct. Messrs. March, Addicks, Potts, Harrison, Burgess, and Dusenbery, attached in various capacities to General Wool's headquarters, are likewise mentioned for their intelligent alacrity in conveying orders to all parts of the field.

In conclusion, I beg leave to speak of my own staff, to whose exertions in rallying troops and communicating orders I feel greatly indebted. Major Bliss, assistant-adjutant-general, Captain J. H. Eaton, and Lieutenant R. S. Garnett, aids-de-camp, served near my person, and were prompt and zealous in the discharge of every duty. Major Munroe, besides rendering valuable service as chief of artillery, was active and instrumental, as were also Colonels Churchill and Belknap, inspectors-general, in rallying troops and disposing them for the defence of the train and baggage. Colonel Whiting, quartermaster-general, and Captain Eaton, chief of the subsistence department, were engaged with the duties of their departments, and also served in my immediate staff on the field. Captain Sibley, assistant-quartermaster, was necessarily left with the headquarter camp near town, where his services were highly useful. Major Mansfield and Lieutenant Benham, engineers, and Captain Linnard and Lieutenants Pope and Franklin, topographical engineers, were employed before and during the engagement in making reconnoissances, and on the field were very active in bringing information and in conveying my orders to distant points. Lieutenant Kingsbury, in addition to his proper duties as ordnance officer, Captain Chilton, assistant-quartermaster, and Majors Dix and Coffee, served also as extra aids-de-camp, and were actively employed in the transmission of orders. Mr. Thomas L. Crittenden, of Kentucky, though not in service, volunteered as my aid-de-camp on this occasion, and served with credit in that capacity. Major Craig, chief of ordnance, and Surgeon Craig, medical director, had been detached on duty from headquarters, and did not reach the ground until the morning of the 24th - too late to participate in the action, but in time to render useful services in their respective departments of the staff.

I respectfully enclose the returns of the troops engaged, and of casualties incident to the battle.

I am, sir, very respectfully, your obedient servant,

Z. TAYLOR,
Major General U.S.A. Comm'g.

EXECUTIVE ORDERS.

WASHINGTON, *March 23, 1847.*

The SECRETARY OF THE TREASURY.

SIR: The Government of Mexico having repeatedly rejected the friendly overtures of the United States to open negotiations with a view to the restoration of peace, sound policy and a just regard to the interests of our own country require that the enemy should be made, as far as practicable, to bear the expenses of a war of which they are the authors, and which they obstinately persist in protracting.

It is the right of the conqueror to levy contribution upon the enemy in their seaports, towns, or provinces which may be in his military possession by conquest and to apply the same to defray the expenses of the war. The conqueror possesses the right also to establish a temporary military government over such seaports, towns, or provinces and to prescribe the conditions and restrictions upon which commerce with such places may be permitted. He may, in his discretion, exclude all trade, or admit it with limitation or restriction, or impose terms the observance of which will be the condition of carrying it on. One of these conditions may be the payment of a prescribed rate of duties on tonnage and imports.

In the exercise of these unquestioned rights of war, I have, on full consideration, determined to order that all the ports or places in Mexico which now are or hereafter may be in the actual possession of our land and naval forces by conquest shall be opened while our military occupation may continue to the commerce of all neutral nations, as well as our own, in articles not contraband of war, upon the payment of prescribed rates of duties, which will be made known and enforced by our military and naval commanders.

While the adoption of this policy will be to impose a burden on the enemy, and at the same time to deprive them of the revenue to be derived from trade at such ports or places, as well as to secure it to ourselves, whereby the expenses of the war maybe diminished, a just regard to the general interests of commerce and the obvious advantages of uniformity in the exercise of these belligerent rights require that well-considered regulations and restrictions should be prepared for the guidance of those who may be charged with carrying it into effect.

You are therefore instructed to examine the existing Mexican tariff of duties and report to me a schedule of articles of trade to be admitted at such ports or places as may be at any time in our military possession, with such rates of duty on them and also on tonnage as will be likely to produce the greatest amount of revenue. You will also communicate the considerations which may recommend the scale of duties which you may propose, and will submit such regulations as you may deem advisable in order to enforce their collection.

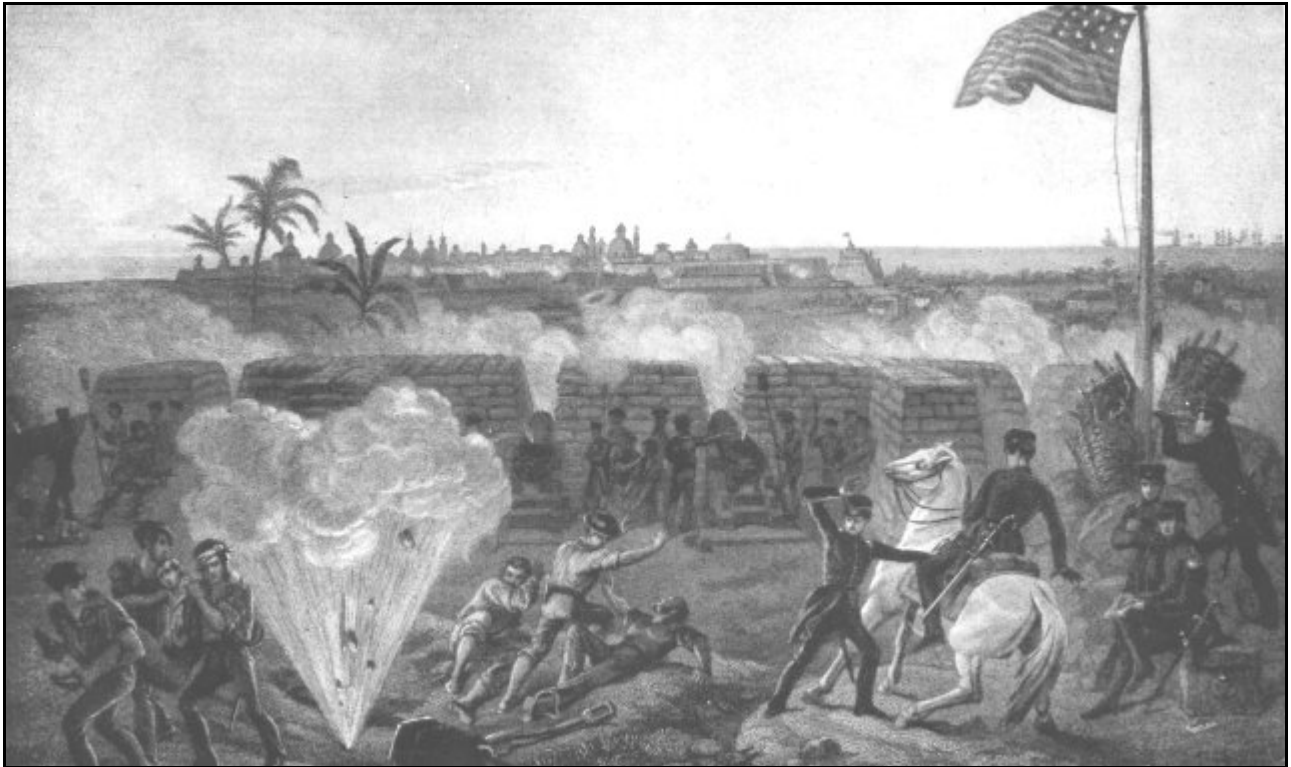
As the levy of the contribution proposed is a military right, derived from the laws of nations, the collection and disbursement of the duties will be made, under the orders of

the Secretary of War and the Secretary of the Navy, by the military and naval commanders at the ports or places in Mexico which may be in possession of our arms. The report requested is therefore necessary in order to enable me to give the proper directions to the War and Navy Departments.

JAMES K POLK

Major-General Winfield Scott, at Vera Cruz, Mexico, to William L. Marcy, Secretary of War, at Washington, D.C. Dispatch communicating the capitulation of Vera Cruz.

Head-Quarters of the Army,
Vera Cruz, March 29, 1847.



Seige of Vera Cruz from *A Compilation of the Message and Papers of the Presidents*, 1897

Sir: - The flag of the United States of America floats triumphantly over the walls of this city and the castle of San Juan d'Ulloa.

Our troops have garrisoned both since ten o'clock; it is now noon. Brigadier-General Worth is in command of the two places.

Articles of capitulation were signed and exchanged at a late hour night before last. I enclose a copy of the document.

I have heretofore reported the principal incidents of the siege up to the 25th instant. Nothing of striking interest occurred till early in the morning of the next day, when I received overtures from General Landero, on whom General Morales had devolved the principal command. A terrible storm of wind and sand made it difficult to communicate with the city, and impossible to refer to Commodore Perry. I was obliged to entertain the proposition alone, or continue the fire upon a place that had shown a disposition to surrender; for the loss of a day, perhaps several, could not be permitted. The accompanying papers will show the proceedings and results.

Yesterday, after the norther had abated, and the commissioners appointed by me early the morning before had again met those appointed by General Landero, Commodore Perry sent ashore his second in command, Captain Aulick, as a commissioner on the part of the navy. Although not included in my specific arrangement made with the Mexican commander, I did not hesitate, with proper courtesy, to desire that Captain Aulick might be duly introduced and allowed to participate in the discussions and acts of the commissioners who had been reciprocally accredited. Hence the preamble to his signature. The original American commissioners were Brevet Brigadier-General Worth, Brigadier-General Pillow, and Colonel Totten. Four more able or judicious officers could not have been desired.

I have to add but little more. The remaining details of the siege - the able co-operation of the United States squadron, successively under the command of Commodores Conner and Perry - the admirable conduct of the whole army, regulars and volunteers - I should be happy to dwell upon as they deserve; but the steamer Princeton, with Commodore Conner on board, is under way, and I have commenced organizing an advance into the interior. This may be delayed a few days, waiting the arrival of additional means of transportation. In the mean time, a joint operation, by land and water, will be made upon Alvarado. No lateral expedition, however, shall interfere with the grand movement towards the capital.

In consideration of the great services of Colonel Totten, in the siege that has just terminated most successfully, and the importance of his presence at Washington, as the head of the engineer bureau, I intrust this despatch to his personal care, and beg to commend him to the very favourable consideration of the department.

I have the honor to remain sir, with high respect, your most obedient servant,

WINFIELD SCOTT

TREASURY DEPARTMENT, *March 30, 1847.*

The PRESIDENT.

SIR: Your instructions of the 23d instant have been received by this Department, and in conformity thereto I present you herewith, for your consideration, a scale of duties proposed to be collected as a military contribution during the war in the ports of Mexico in possession of our Army or Navy by conquest, with regulations for the ascertainment and collection of such duties, together with the reasons which appear to me to recommend their adoption.

It is clear that we must either adopt our own tariff or that of Mexico, or establish a new system of duties. Our own tariff could not be adopted, because the Mexican exports and imports are so different from our own that different rates of duties are indispensable in order to collect the largest revenue. Thus upon many articles produced in great abundance here duties must be imposed at the lowest rate in order to collect any revenue, whereas many of the same articles are not produced in Mexico, or to a very inconsiderable extent, and would therefore bear there a much higher duty for revenue. A great change is also rendered necessary by the proposed exaction of duties on all imports to any Mexican port in our possession from any other Mexican port occupied by us in the same manner. This measure would largely increase the revenue which we might collect. It is recommended, however, for reasons of obvious safety, that this Mexican coastwise trade should be confined to our own vessels, as well as the interior trade above any port of entry in our possession, but that in all other respects the ports of Mexico held by us should be freely opened at the rate of duties herein recommended to the vessels and commerce of all the world. The *ad valorem* system of duties adopted by us, although by far the most just and equitable, yet requires an appraisement to ascertain the actual value of every article. This demands great mercantile skill, knowledge, and experience, and therefore, for the want of skillful appraisers (a class of officers wholly unknown in Mexico), could not at once be put into successful operation there. If also, as proposed, these duties are to be ascertained and collected as a military contribution through the officers of our Army and Navy, those brave men would more easily perform almost any other duty than that of estimating the value of every description of goods, wares, and merchandise.

The system of specific duties already prevails in Mexico, and may be put by us into immediate operation; and if, as conceded, specific duties should be more burdensome upon the people of Mexico, the more onerous the operation of these duties upon them the sooner it is likely that they will force their military rulers to agree to a peace. It is certain that a mild and forbearing system of warfare, collecting no duties in their ports in our possession on the Gulf and levying no contributions, whilst our armies purchase supplies from them at high prices, by rendering the war a benefit to the people of Mexico rather than an injury has not hastened the conclusion of a peace. It may be, however, that specific duties, onerous as they are, and heavy contributions, accompanied by a vigorous prosecution of the war, may more speedily insure that peace which we have failed to obtain from magnanimous forbearance, from brilliant victories, or from proffered negotiation. The duties, however, whilst they may be specific, and therefore more onerous than *ad valorem* duties, should not be so high as to defeat revenue.

It is impossible to adopt as a basis the tariff of Mexico, because the duties are extravagantly high, defeating importation, commerce, and revenue and producing innumerable frauds and smuggling. There are also sixty articles the importation of which into Mexico is strictly prohibited by their tariff, embracing most of the necessaries of life and far the greater portion of our products and fabrics.

Among the sixty prohibited articles are sugar, rice, cotton, boots and half-boots, coffee, nails of all kinds, leather of most kinds, flour, cotton yarn and thread, soap of all kinds, common earthenware, lard, molasses, timber of all kinds, saddles of all kinds, coarse woolen cloth, cloths for cloaks, ready-made clothing of all kinds, salt, tobacco of all kinds, cotton goods or textures, chiefly such as are made by ourselves; pork, fresh or salted, smoked or corned; woolen or cotton blankets or counterpanes, shoes and slippers, wheat and grain of all kinds. Such is a list of but part of the articles whose importation is prohibited by the Mexican tariff. These prohibitions should not be permitted to continue, because they exclude most of our products and fabrics and prevent the collection of revenue. We turn from the prohibitions to the actual duties imposed by Mexico. The duties are specific throughout, and almost universally by weight, irrespective of value; are generally protective or exorbitant, and without any discrimination for revenue. The duties proposed to be substituted are moderate when compared with those imposed by Mexico, being generally reduced to a standard more than one-half below the Mexican duties. The duties are also based upon a discrimination throughout for revenue, and, keeping in view the customs and habits of the people of Mexico, so different from our own, are fixed in each case at that rate which it is believed will produce in the Mexican ports the largest amount of revenue.

In order to realize from this system the largest amount of revenue, it would be necessary that our Army and Navy should seize every important port or place upon the Gulf of Mexico or California, or on the Pacific, and open the way through the interior for the free transit of exports and imports, and especially that the interior passage through the Mexican isthmus should be secured from ocean to ocean, for the benefit of our commerce and that of all the world. This measure, whilst it would greatly increase our revenue from these duties and facilitate communication between our forces upon the eastern and western coasts of Mexico, would probably lead at the conclusion of a peace to results of incalculable importance to our own commerce and to that of all the world.

In the meantime the Mexican Government monopoly in tobacco, from which a considerable revenue is realized by Mexico, together with the culture there which yields that revenue, should be abolished, so as to diminish the resources of that Government and augment our own by collecting the duty upon all the imported tobacco. The Mexican interior transit duties should also be abolished, and also their internal Government duty on coin and bullion. The prohibition of exports and the duties upon exports should be annulled, and especially the heavy export duty on coin and bullion, so as to cheapen and facilitate the purchase of imports and permit the precious metals, untaxed, to flow out freely from Mexico into general circulation. Quicksilver and machinery for working the mines of precious metals in Mexico, for the same reasons, should also be admitted duty free, which, with the measures above indicated, would largely increase the production and circulation of the precious metals, improve our own commerce and industry and that of all neutral powers.

In thus opening the ports of Mexico to the commerce of the world you will present to all nations with whom we are at peace the best evidence of your desire to maintain with them our friendly relations, to render the war to them productive of as little injury as possible, and even to advance their interests, so far as it safely can be done, by affording to them in common with ourselves the advantages of a liberal commerce with Mexico. To extend this commerce, you will have unsealed the ports of Mexico, repealed their interior transit duties, which obstruct the passage of merchandise to and from the coast; you will have annulled the Government duty on coin and bullion and abolished the heavy export duties on the precious metals, so as to permit them to flow out freely for the benefit of mankind; you will have expunged the long list of their prohibited articles and reduced more than one-half their duties on imports, whilst the freest scope would be left for the mining of the precious metals. These are great advantages which would be secured to friendly nations, especially when compared with the exclusion of their commerce by rigorous blockades. It is true, the duties collected from these imports would be for the benefit of our own Government, but it is equally true that the expenses of the war, which Mexico insists upon prosecuting, are borne exclusively by ourselves, and not by foreign nations. It can not be doubted but that all neutral nations will see in the adoption of such a course by you a manifestation of your good will toward them and a strong desire to advance those just and humane principles which make it the duty of belligerents, as we have always contended, to render the war in which they are engaged as little injurious as practicable to neutral powers.

These duties would not be imposed upon any imports into our own country, but only upon imports into Mexico, and the tax would fall upon the people of Mexico in the enhancement to them of the prices of these imports. Nearly all our own products are excluded by the Mexican tariff even in time of peace; they are excluded also during the war so far as we continue the system of blockading any of the ports of Mexico; and they are also excluded even from the ports not blockaded in possession of Mexico; whereas the new system would soon open to our commerce all the ports of Mexico as they shall fall into our military possession. Neither our own nor foreign merchants are required to send any goods to Mexico, and if they do so voluntarily it will be because they can make a profit upon the importation there, and therefore they will have no right to complain of the duties levied in the ports of Mexico upon the consumers of those goods—the people of Mexico. The whole money collected would inure to the benefit of our own Government and people, to sustain the war and to prevent to that extent new loans and increased taxation. Indeed, in view of the fact that the Government is thrown upon the ordinary revenues for peace, with no other additional resources but loans to carry on the war, the income to be derived from the new system, which it is believed will be large if these suggestions are adopted, would be highly important to sustain the credit of the Government, to prevent the embarrassment of the Treasury, and to save the country from such ruinous sacrifices as occurred during the last war, including the inevitable legacy to posterity of a large public debt and onerous taxation. The new system would not only arrest the expensive transfer and ruinous drain of specie to Mexico, but would cause it, in duties and in return for our exports, to reflow into our country to an amount, perhaps, soon exceeding the \$9,000,000 which it had reached in 1835 even under the restrictive laws of Mexico, thus relieving our own people from a grievous tax and imposing it where it should fall, upon our enemies, the people of Mexico, as a contribution levied upon

them to conquer a peace as well as to defray the expenses of the war; whereas by admitting our exports freely, without duty, into the Mexican ports which we may occupy from time to time, and affording those goods, including the necessaries of life, at less than one-half the prices which they had heretofore paid for them, the war might in time become a benefit instead of a burden to the people of Mexico, and they would therefore be unwilling to terminate the contest. It is hoped also that Mexico, after a peace, will never renew her present prohibitory and protective system, so nearly resembling that of ancient China or Japan, but that, liberalized, enlightened, and regenerated by the contact and intercourse with our people and those of other civilized nations, she will continue the far more moderate system of duties resembling that prescribed by these regulations.

In the meantime it is not just that Mexico, by her obstinate persistence in this contest, should compel us to overthrow our own financial policy and arrest this great nation in her high and prosperous career. To reimpose high duties would be alike injurious to ourselves and to all neutral powers, and, unless demanded by a stern necessity, ungenerous to those enlightened nations which have adopted cotemporaneously with us a more liberal commercial policy. The system you now propose of imposing the burden as far as practicable upon our enemies, the people of Mexico, and not upon ourselves or upon friendly nations, appears to be most just in itself, and is further recommended as the only policy which is likely to hasten the conclusion of a just and honorable peace.

A tonnage duty on all vessels, whether our own or of neutral powers, of \$1 per ton, which is greatly less than that imposed by Mexico, is recommended in lieu of all port duties and charges. Appended to these regulations are tables of the rates at which foreign money is fixed by law, as also a separate table of currencies by usage, in which a certificate of value is required to be attached to the invoice. There is also annexed a table of foreign weights and measures reduced to the standard of the United States, together with blank forms to facilitate the transaction of business.

It is recommended that the duties herein suggested shall be collected exclusively in gold or silver coin. These duties can only be collected as a military contribution through the agency of our brave officers of the Army and Navy, who will no doubt cheerfully and faithfully collect and keep these moneys and account for them, not to the Treasury, but to the Secretaries of War or of the Navy, respectively.

It is recommended that these duties be performed by the commandant of the port, whether naval or military, aided by the paymaster or purser or other officer, the accounts of each being countersigned by the other, as a check upon mistakes or error, in the same manner as is now the case with the collector and naval officer of our several principal ports, which has introduced so much order and accuracy in our system. It is suggested that as in some cases the attention of the commandant of the port might be necessary for the performance of other duties that he be permitted to substitute some other officer, making known the fact to the Secretaries of War or of the Navy, and subject to their direction.

I have the honor to be, with great respect, your obedient servant,

R.J. WALKER,
Secretary of the Treasury.

WASHINGTON, *March 31, 1847.*

SIR: Being charged by the Constitution with the prosecution of the existing war with Mexico, I deem it proper, in the exercise of an undoubted belligerent right, to order that military contributions be levied upon the enemy in such of their ports or other places as now are or may be hereafter in the possession of our land and naval forces by conquest, and that the same be collected and applied toward defraying the expenses of the war. As one means of effecting this object, the blockade at such conquered ports will be raised, and they will be opened to our own commerce and that of all neutral nations in articles not contraband of war during our military occupation of them, and duties on tonnage and imports will be levied and collected through the agency of our military and naval officers in command at such ports, acting under orders from the War and Navy Departments.

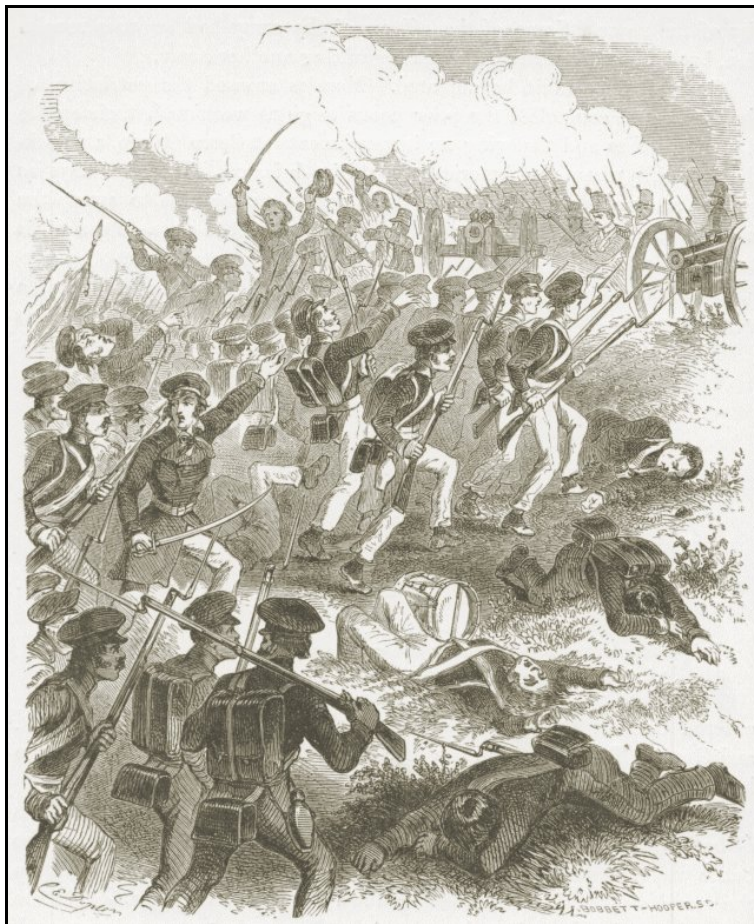
I transmit to you herewith, for your information and guidance, a copy of a communication addressed by me to the Secretary of the Treasury on the 23d instant, instructing him to examine the existing Mexican tariff and to report to me, for my consideration, a scale of duties which he would recommend to be levied on tonnage and imports in such conquered ports, together with such regulations as he would propose as necessary and proper in order to carry this policy into effect; and also a copy of the report of the Secretary of the Treasury made on the 30th instant in answer to my communication to him. The scale of duties and the regulations for their collection as military contributions exacted from the enemy, recommended by the Secretary of the Treasury in this report, have been approved by me.

You will, after consulting with the Secretary of the Navy, so as to secure concert of action between the War and Navy Departments, issue the necessary orders to carry the measure proposed into immediate effect.

JAMES K. POLK

Major-General Winfield Scott, at Plan del Rio, Mexico, to William L. Marcy, Secretary of War, at Washington, D.C. Dispatch communicating Scott's official report of the Battle of Cerro Gordo.

Headquarters of the Army,
Plan del Rio, 50 miles from Vera Cruz,
April 19, 1847



The Battle of Cerro Gordo from Coffin's *Building the Nation*, 1883

Sir: - The plan of attack, sketched in General Orders, No. 111, forwarded herewith, was finely executed by this gallant army, before two o'clock P.M. yesterday. We are quite embarrassed with the results of victory - prisoners of war, heavy ordnance, field batteries, small arms, and accoutrements.

About 3,000 men laid down their arms, with the usual proportion of field and company officers, besides five generals, several of them of great distinction - Pinson, Jarrero, La Vega, Noriega, and Obando. A sixth general, Vasquez, was killed in defending the battery (tower) in the rear of the whole Mexican army, the capture of which gave us those glorious results.

Our loss, though comparatively small in numbers, has been serious. Brigadier-general Shields, a commander of activity, zeal, and talent, is, I fear, if not dead, mortally wounded. He is some five miles from me at the moment. The field of operations covered many miles, broken by mountains and deep chasms, and I have not a report, as yet, from any division or brigade.

Twiggs' division, followed by Shields' (now Colonel Baker's) brigade, are now at or near Xalapa, and Worth's division is in route thither, all pursuing, with good results, as I learn, that part of the Mexican army - perhaps six or seven thousand men - who had fled before our right had carried the tower, and gained the Xalapa road.

Pillow's brigade alone, is near me at this depot of wounded, sick, and prisoners; and I have time only to give from him the names of 1st Lieut. F. B. Nelson, and 2d C. G. Hill, both of the 2d Tennessee foot, (Haskell's regiment,) among the killed, and in the brigade 106, of all ranks, killed or wounded.

Among the latter, the gallant Brigadier-general himself has a smart wound in the arm, but not disabled; and Major R. Farqueson, 2d Tennessee, Captain H. F. Murray, 2d Lieut. G. T. Sutherland, 1st Lieut. W. P. Hale, Adjutant, all of the same regiment, severely, and 1st Lieut. W. Yearwood, mortally wounded. And I know, from personal observation on the ground, that 1st Lieut. Ewell, of the rifles, if not now dead, was mortally wounded in entering, sword in hand, the intrenchments around the captured tower.

2d Lieut. Derby, topographical engineers, I also saw, at the same place, severely wounded, and Captain Patton, 2d United States Infantry, lost his right hand. Major Summer, 2d United States dragoons, was slightly wounded the day before, and Capt. Johnston, topographical engineers, (now Lieut.-colonel of infantry,) was very severely wounded some days earlier while reconnoitring. I must not omit to add that Capt. Mason, and 2d Lieut. Davis, both of the rifles, were among the very severely wounded in storming the same tower.

I estimate our total loss, in killed and wounded, may be about 250, and that of the enemy at 350. In the pursuit towards Xalapa (25 miles hence) I learn we have added much to the enemy's loss in prisoners, killed, and wounded. In fact, I suppose his retreating army to be nearly disorganized, and hence my haste to follow, in an hour or two, to profit by events.

In this hurried and imperfect report I must not omit to say that Brigadier-general Twiggs, in passing the mountain-range beyond Cerro Gordo, crowned with the tower, detached from his division, as I suggested the day before, a strong force to carry that height, which commanded the Xalapa road at the foot, and could not fail, if carried, to cut off the whole, or any part of the enemy's forces, from a retreat in any direction.

A portion of the 1st artillery, under the often-distinguished Brevet Colonel Childs, the 3d infantry, under Captain Alexander, the 7th infantry, under Lieut.-colonel Plymton,

and the rifles, under Major Loring, all under the temporary command of Colonel Harney, 2d dragoons, during the confinement to his bed of Brevet Brig.-general P. F. Smith, composed that detachment. The style of execution, which I had the pleasure to witness, was most brilliant and decisive.

The brigade ascended the long and difficult slope of Cerro Gordo, without shelter, and under the tremendous fire of artillery and musketry with the utmost steadiness, reached the breastworks, drove the enemy from them, planted the colors of the 1st artillery, 3d and 7th infantry - the enemy's flag still flying - and, after some minutes' sharp firing, finished the conquest with the bayonet.



The Battle of Cerro Gordo from *A Compilation of the Message and Papers of the Presidents*, 1897.

It is a most pleasing duty to say that the highest praise is due to Harney, Childs, Plymton, Loring, Alexander, their gallant officers and men, for this brilliant service, independent of the great results which soon followed.

Worth's division of regulars coming up at this time, he detached Brevet Lieutenant-colonel C. F. Smith, with his light battalion, to support the assault, but not in time. The general, reaching the tower a few minutes before me, and observing a white flag displayed from the nearest portion of the enemy towards the batteries below, sent out Colonels Harney and Childs to hold a parley. The surrender followed in an hour or two.

Major-general Patterson left a sick-bed to share in the dangers and fatigues of the day; and after the surrender went forward to command the advanced forces towards Xalapa.

Brig.-general Pillow and his brigade twice assaulted with great daring the enemy's line of batteries on our left; and though without success, they contributed much to distract and dismay their immediate opponents.

President Santa Anna, with Generals Canalizo and Almonte, and some six or eight thousand men, escaped towards Xalapa just before Cerro Gordo was carried, and before Twiggs' division reached the National road above.

I have determined to parole the prisoners - officers and men - as I have not the means of feeding them here, beyond to-day, and cannot afford to detach a body of horse and foot, with wagons, to accompany them to Vera Cruz. Our baggage train, though increasing, is not half large enough to give an assured progress to this army.

Besides, a greater number of prisoners would, probably, escape from the escort in the long and deep sandy road, without subsistence - ten to one - than we shall find again, out of the same body of men, in the ranks opposed to us. Not one of the Vera Cruz prisoners is believed to have been in the lines of Cerro Gordo. Some six of the officers, highest in rank, refuse to give their paroles, except to go to Vera Cruz, and thence, perhaps, to the United States.

The small-arms and accoutrements, being of no value to our army here or at home, I have ordered them to be destroyed; for we have not the means of transporting them. I am, also, somewhat embarrassed with the - pieces of artillery, all bronze, which we have captured. It would take a brigade, and half the mules of our army, to transport them fifty miles.

A field battery I shall take for service with the army; but the heavy metal must be collected, and left here for the present. We have our own siege-train and the proper carriages with us.

Being much occupied with the prisoners, and all the details of a forward movement, besides looking to the supplies which are to follow from Vera Cruz, I have time to add no more - intending to be at Xalapa early to-morrow. We shall not, probably, again meet with serious opposition this side of Perote - certainly not, unless delayed by the want of the means of transportation.

I have the honor to remain, sir, with high respect, your most obedient servant,

WINFIELD SCOTT

TREASURY DEPARTMENT, *June 10, 1847.*

The PRESIDENT.

SIR: In compliance with your directions, I have examined the questions presented by the Secretary of War in regard to the military contributions proposed to be levied in Mexico under the tariff and regulations sanctioned by you on the 31st of March last, and respectfully recommend the following modifications, namely:

First. On all manufactures of cotton, or of cotton mixed with any other material except wool, worsted, and silk, in the piece or in any other form, a duty, as a military contribution, of 30 per cent *ad valorem*.

Second. When goods on which the duties are levied by weight are imported into said ports in the package, the duties shall be collected on the net weight only; and in all cases an allowance shall be made for all deficiencies, leakage, breakage, or damage proved to have actually occurred during the voyage of importation, and made known before the goods are warehoused.

Third. The period named in the eighth of said regulations during which the goods may remain in warehouse before the payment of duties is extended from thirty to ninety days, and within said period of ninety days any portion of the said goods on which the duties, as a military contribution, have been paid may be taken, after such payment, from the warehouse and entered free of any further duty at any other port or ports of Mexico in our military possession, the facts of the case, with a particular description of said goods and a statement that the duties thereon have been paid, being certified by the proper officer of the port or ports of reshipment.

Fourth. It is intended to provide by the treaty of peace that all goods imported during the war into any of the Mexican ports in our military possession shall be exempt from any new import duty or confiscation by Mexico in the same manner as if said goods had been imported and paid the import duties prescribed by the Government of Mexico.

Most respectfully, your obedient servant,

R.J. WALKER,
Secretary of the Treasury.

Major-General Winfield Scott, near Mexico City, to William L. Marcy, Secretary of War, at Washington, D.C. Dispatch communicating Scott's official report of the Battles of Contreras and Churubusco.

Headquarters of the army,
Tacubaya, at the gates of Mexico, August 28, 1847.



The Battle of Churubusco from Coffin's *Building the Nation*, 1883.

Sir: - My report No. 31, commenced in the night of the 19th instant, closed the operations of the army with that day.

The morning of the 20th opened with one of series of unsurpassed achievements, all in view of the capital, and to which I shall give the general name - battle of Mexico.

In the night of the 19th, Brigadier Generals Shields, P. F Smith, and Cadwallader, and Colonel Riley, with their brigades, and the 15th regiment, under Colonel Morgan, detached from Brigadier General Pierce, found themselves in and about the important position - the village, hamlet, or hacienda, called, indifferently, Contreras, Ansaldo, San Geronimo, half a mile nearer to the city than the enemy's entrenched camp, on the same road, towards the factory of Magdalena.

That camp had been, unexpectedly, our formidable point of attack the afternoon before, and we had now to take it, without the aid of cavalry or artillery, or to throw back our advanced corps upon the road from San Augustin to the city, and thence force a passage through San Antonio.

Accordingly, to meet contingencies, Major General Worth was ordered to leave, early in the morning of the 20th, one of his brigades to mask San Antonio, and to march, with the other, six miles, via San Augustin, upon Contreras. A like destination was given to Major General Quitman and his remaining brigade in San Augustin - replacing, for the moment, the garrison of that important depot with Harney's brigade of cavalry, as horse could not pass over the intervening rocks, &c. to reach the field.

A diversion for an earlier hour (daylight) had been arranged for the night before, according to the suggestion of Brigadier General Smith, received through the engineer, Captain Lee, who conveyed my orders to our troops remaining on the ground opposite the enemy's centre - the point for the diversion or a real attack, as circumstances might allow.

Guided by Captain Lee, it proved the latter, under the command of Colonel Ransom, of the 9th, having with him that regiment and some companies of three others - the 3d, 12th, and rifles.

Shields, the senior officer at the hamlet, having arrived in the night, after Smith had arranged with Cadwallader and Riley the plan of attack for the morning, delicately waived interference; but reserved to himself the double task of holding the hamlet with his two regiments (South Carolina and New York volunteers) against ten times his numbers on the side of the city, including the slopes to his left, and, in case the camp in his rear should be carried, to face about and cut off the flying enemy.

At 3 o'clock A. N. the great movement commenced on the rear of the enemy's camp, Riley leading, followed successively by Cadwallader's and Smith's brigades, the latter temporarily under the orders of Major Dimick, of the 1st artillery - the whole force being commanded by Smith, the senior in the general attack, and whose arrangements, skill, and gallantry always challenge the highest admiration.

The march was rendered tedious by the darkness, rain, and mud; but about sunrise, Riley, conducted by Lieut. Tower, engineer, had reached an elevation behind the enemy, whence he precipitated his columns; stormed the entrenchments; planted his several colors upon them, and carried the work - all in seventeen minutes.

Conducted by Lieut. Beauregard, engineer, and Lieutenant Brooks, of Twigg's staff - both of whom, like Lieut. Tower, had in the night, twice reconnoitered the ground - Cadwallader brought up to the general assault two of his regiments - the voltigeurs and the 11th; and at the appointed time, Col. Ransom, with his temporary brigade, conducted by Captain Lee, engineer, not only made the movement to divert and distract the enemy, but, after crossing the deep ravine in his front, advanced, and poured into the works and upon the fugitives many volleys from his destructive musketry.

In the mean time Smith's own brigade, under the temporary command of Major Dimick, following the movements of Riley and Cadwallader, discovered opposite to and outside of the works, a long line of Mexican cavalry, drawn up as a support. Dimick,

having at the head of the brigade the company of sappers and miners, under Lieut. Smith, engineer, who had conducted the march, was ordered by Brigadier General Smith to form line faced to the enemy, and in a charge against a flank, routed the cavalry.

Shields too, by the wise disposition of his brigade and gallant activity, contributed much to the general results. He held masses of cavalry and infantry, supported by artillery, in check below him, and captured hundreds, with one General (Mendoza) of those who fled from above.

I doubt whether a more brilliant or decisive victory - taking into view ground, artificial defences, batteries, and the extreme disparity of numbers - without cavalry or artillery on our side - is to be found on record. Including all our corps directed against the entrenched camp, with Shield's brigade at the hamlet, we positively did not number over 4500 rank and file; and we knew by sight, and since more certainly by many captured documents and letters, that the enemy had actually engaged on the spot 7000 men, with at least 12,000 more hovering within sight and striking distance - both on the 19th and 20th. All not killed or captured, now fled with precipitation.

Thus was the great victory of Contreras achieved: one road to the capital opened; 700 of the enemy killed; 813 prisoners, including, among 88 officers, 4 generals; besides many colors and standards; 22 pieces of brass ordnance - half of large caliber; thousands of small arms and accoutrements; an immense quantity of shot, shells, powder, and cartridges, 700 pack mules, many horses, &c. - all in our hands.

It is highly gratifying to find that, by skillful arrangement and rapidity of execution, our loss in killed and wounded, did not exceed, on the spot, 60; among the former the brave Captain Charles Hanson, of the 7th infantry - not more distinguished for gallantry than for modesty, morals, and piety. Lieut. J. P. Johnston, 1st artillery, serving with Magruder's battery, a young officer of the highest promise, was killed the evening before.

One of the most pleasing incidents of the victory is the recapture, in the works, by Captain Drum, 4th artillery, under Major Gardner, of the two brass six pounders, taken from another company of the same regiment, though without the loss of honor, at the glorious battle of Buena Vista - about which guns the whole regiment had mourned for so many long months! Coming up, a little later, I had the happiness to join in the protracted cheers of the gallant 4th on the joyous event; and, indeed, the whole army sympathizes in its just pride and exultation.

The battle being won before the advancing brigades of Worth's and Quitman's divisions were in sight, both were ordered back to their late positions - Worth to attack San Antonio in front with his whole force, a soon as approached in the rear by Pillow's and Twiggs's divisions, moving from Contreras through San Angel and Coyoacan. By carrying San Antonio we knew that we should open another - a shorter and better road to the capital for our siege and other trains.

Accordingly, the two advanced divisions and Shield's brigade marched from Contreras, under the immediate orders of Major Gen. Pillow, who was now joined by the gallant Brig. Gen. Pierce, of his division, personally thrown out of activity late in the evening before by a severe hurt received from the fall of his horse.

After giving necessary orders, on the field, in the midst of prisoners and trophies, and sending instructions to Harney's brigade of cavalry, left at San Augustine to join me, I personally followed Pillow's movement.

Arriving at Contreras, two miles by a cross road, from the rear of San Antonio, I first detached Captain Lee, engineer, with Kearney's troop, (1st dragoons,) supported by the rifle regiment under Major Loring, to reconnoitre that strong point; and next dispatched Major General Pillow, with one of his brigades, (Cadwallader's) to make the attack upon it, in concert with Major General Worth, on the opposite side.

At the same time, by another road to the left, Lieutenant Stevens, of the engineers, supported by Lieutenant G. W. Smith's company of sappers and miners, of the same corps, was to reconnoitre the strongly fortified church or convent of San Pablo, in the hamlet of Churubusco - one mile off. - Twiggs, with one of his brigades (Smith's - less the rifles) and Captain Taylor's field battery, were ordered to follow and to attack the convent. Major Smith, senior engineer, was dispatched to concert with Twiggs the mode and means of attack, and Twiggs's other brigade (Riley's) I soon ordered up to support him.

Next (but all in ten minutes) I sent Pierce (just able to keep the saddle) with his brigade (Pillow's division) conducted by Captain Lee, engineer, by a third road, a little farther to our left, to attack the enemy's right and rear, in order to favor the movement upon the convent, and cut off the retreat towards the capital. And, finally, Shields, senior brigadier to Pierce, with the New York and South Carolina volunteers, (Quitman's division,) was ordered to follow Pierce, closely, and to take the command of our left wing. All these movements were made with the utmost alacrity by our gallant troops and commanders.

Finding myself at Coyoacan, from which so many roads conveniently branched, without escort or reserve, I had to advance, for safety, close upon Twiggs's rear. The battle now raged from the right to the left of our whole line.

Learning, on the return of Captain Lee, that Shields, in rear of Churubusco, was hard pressed, and in danger of being outflanked, if not overwhelmed, by greatly superior numbers, I immediately sent, under Major Sumner, 2d dragoons, the rifles (Twiggs' reserve) and Capt. Sibley's troop, 2d dragoons, then at hand, to support our left, guided by the same engineer.

About an hour earlier, Worth had, by skillful and daring movements upon the front and right, turned and forced San Antonio - its garrison, no doubt, much shaken by our decisive victory at Contreras.

His second brigade (Colonel Clarke's) conducted by Captain Mason, engineer, assisted by Lieutenant Hardcastle, topographical engineer, turned the right, and by a wide sweep came out upon the high road to the capital. At this point the heavy garrison (3,000 men) in retreat was, by Clarke, cut in the centre, one portion, the rear, driven upon Dolores, off to the right; and the other upon Churubusco, in the direct line of our operations. The first brigade, (Colonel Garland's) same division, consisting of the 2d artillery, under Major Galt, the 3d artillery, under Lieutenant Colonel Belton, and the 4th infantry, commanded by Major Lee, with Lieutenant Colonel Duncan's field battery (temporarily) followed in pursuit through the town, taking one general prisoner, the abandoned guns, (five pieces,) much ammunition, and other public property.

The forcing of San Antonio was the second brilliant event of the day.

Worth's division being soon reunited in hot pursuit, he was joined by Maj. Gen. Pillow, who, marching from Coyoacan and discovering that San Antonio had been carried, immediately turned to the left, according to my instructions, and though much impeded by ditches and swamps, hastened to the attack of Churubusco.

The hamlet of scattered houses, bearing this name, presented, besides the fortified convent, a strong field-work (tete du pont) with regular bastions and curtains, at the head of a bridge over which the road passes from San Antonio to the capital.

The whole remaining forces of Mexico - some 27,000 men - cavalry,, artillery, and infantry, collected from every quarter - were now in, on the flanks or within supporting distance of, those works, and seemed resolved to make a last and desperate stand; for if beaten here, the feebler defences at the gates of the city - four miles off - could not, as was well known to both parties, delay the victors an hour. - The capital of an ancient empire, now of a great republic; or an early peace, the assailants were resolved to win. Not an American - and we had less than a third of the enemy's numbers - had a doubt as to the result.

The fortified church or convent, hotly pressed by Twiggs, had already held out about an hour, when Worth and Pillow - the latter having with him only Cadwallader's brigade - began to manoeuvre closely upon the tete du pont, with the convent at half gunshot, to their left. Garland's brigade, (Worth's division,) to which had been added the light battalion under Lieut. Col. Smith, continued to advance in front, and under the fire of a long line of infantry, off on the left of the bridge; and Clarke, of the same division, directed his brigade along the road or close by its side. Two of Pillow's and Cadwallader's regiments, the 11th and 14th, supported and participated in this direct movement: the other (the voltigeurs) was left in reserve. Most of these corps - particularly Clarke's brigade - advancing perpendicularly, were made to suffer much by the fire of the tete du pont, and they would have suffered greatly more by flank attacks from the convent, but for the pressure of Twiggs on the other side of that work.

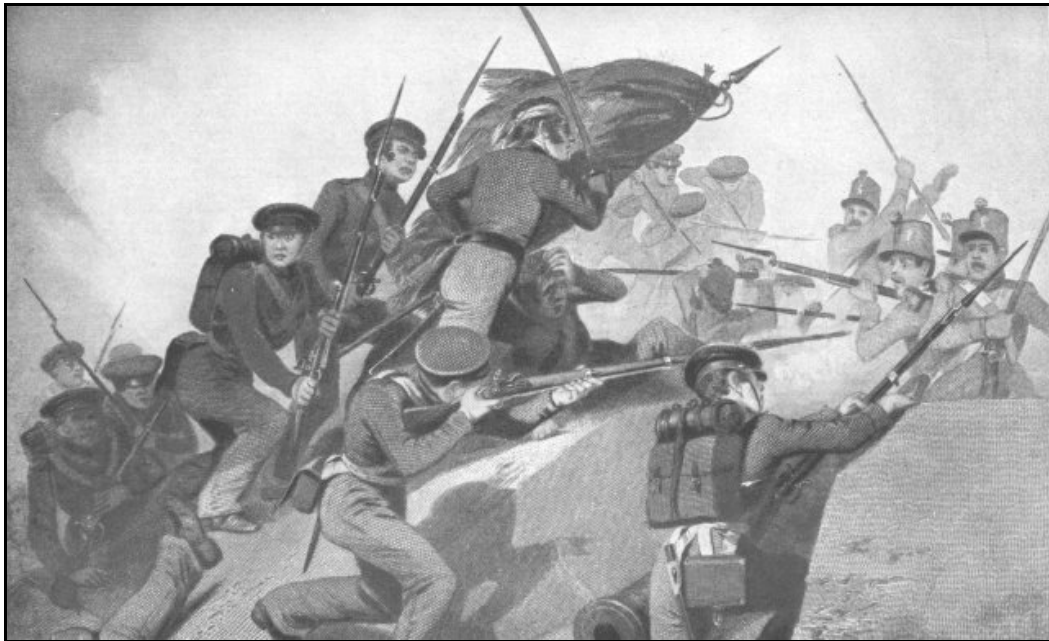
This well combined and daring movement at length reached the principal point of attack, and the formidable tete du pont was, at once, assaulted and carried by the bayonet.

Its deep wet ditch was first gallantly crossed by the 8th and 5th infantry, commanded, respectively, by Maj. Waite and Lieut. Colonel Scott - followed closely by the 6th infantry (same brigade) which had been so much exposed in the road - the 11th regiment, under Lieut. Col. Graham, and the 14th, commanded by Col. Trousdale, both of Cadwallader's brigade, Pillow's division. About the same time, the enemy, in front of Garland, after a hot conflict of an hour and a half, gave way, in retreat towards the capital.

The immediate results of this third signal triumph of the day were: three field-pieces, 192 prisoners, much ammunition and two colors, taken in the *tete du pont*.

Lieut. J. F. Irons, 1st artillery, aid-de-camp to Brigadier Gen. Cadwallader, a young officer of great merit and conspicuous in battle on several previous occasions, received in front of the work, a mortal wound. (Since dead.)

As the concurrent attack upon the convent favored, physically and morally, the assault upon the *tete du pont*, so, reciprocally, no doubt the fall of the latter contributed to the capture of the former. The two works were only some 450 yards apart; and as soon as we were in possession of the *tete du pont*, a captured four-pounder was turned and fired - first by Captain Larkin Smith, and next by Lieutenant Snelling, both of the eighth infantry - several times upon the convent. In the same brief interval, Lieutenant Colonel Duncan, (also of Worth's division,) gallantly brought two of his guns to bear, at a short range, from the San Antonio road, upon the principal face of the work, and on the tower of the church, which, in the obstinate contest, had been often refilled with some of the best sharp-shooters of the enemy.



The Battle of Churubusco from *A Compilation of the Message and Papers of the Presidents*, 1897.

Finally, twenty minutes after the tete du pont had been carried by Worth and Pillow, and at the end of a desperate conflict of two hours and a half, the church, or convent - the citadel of the strong line of defence along the rivulet of Churubusco - yielded to Twiggs' division, and threw out, on all sides, signals of surrender. The white flags, however, were not exhibited until the moment when the 3d infantry, under Captain Alexander, had cleared the way by fire and bayonet, and had entered the work. Captain J. M. Smith and Lieutenant O. L. Shepherd, both of that regiment, with their companies, had the glory of leading the assault. The former received the surrender, and Captain Alexander instantly hung out, from the balcony, the colors of the gallant 3d. Major Dimick, with a part of the 1st artillery, serving as infantry, entered nearly abreast with leading troops.

Captain Taylor's field battery, attached to Twiggs' division, opened its effective fire, at an early moment, upon the out works of the convent and the tower of its churches. Exposed to the severest fire of the enemy, the captain, his officers and men, won universal admiration; but at length much disabled, in men and horses, the battery was, by superior orders, withdrawn from the action thirty minutes before the surrender of the convent.

Those corps, excepting Taylor's battery, belonging to the brigade of Brig. Gen. Smith, who closely directed the whole attack in front, with his habitual coolness and ability; while Riley's brigade - the 2d and 7th infantry, under Capt. T. Morris and Lieut. Col. Plympton, respectively - vigorously engaged the right of the work and part of its rear. At the moment, the rifles, belonging to Smith's, were detached in support of Brig. Gen. Shields' on our extreme left; and the 4th artillery, acting as infantry, under Maj. Gardner, belonging to Riley's brigade, had been left in charge of the camp, trophies, &c., at Contreras. Twiggs' division, at Churubusco, had thus been deprived of the services of two of its most gallant and effective regiments.

The immediate results of this victory were - the capture of 7 field pieces, some ammunition; one color, three generals, and 1,261 prisoners, including other officers.

Captains E. A. Capron and M. J. Burke, and Lieut. S. Hoffman, all of the 1st artillery, and Capt. J. W. Anderson and Lieut. Thomas Easley, both of the 2d infantry - five officers of great merit - fell gallantly before this work.

The capture of the enemy's citadel was the fourth great achievement of our arms in the same day.

It has been stated that, some two hours and a half before, Pierce's, followed closely by the volunteer brigade - both under the command of Brigadier General Shields - had been detached to our left to turn the enemy's works; - to prevent the escape of the garrisons, and to oppose the extension of the enemy's numerous corps, from the rear, upon and around our left.

Considering the inferior numbers of the two brigades, the objects of the movements were difficult to accomplish. Hence the reinforcements (the rifles, &c.,) sent forward a little later.

In a winding march of a mile around to the right, this temporary division found itself on the edge of an open wet meadow, near the road from San Antonio to the capital, and in the presence of some 4,000 of the enemy's infantry, a little in rear of Churubusco, on that road. Establishing the right at a strong building, Shields extended his left, parallel to the road, to outflank the enemy towards the capital. But the enemy extending his right, supported by 3,000 cavalry, more rapidly (being favored by their ground) in the same direction, Shields concentrated the division about a hamlet, and determined to attack in front. The battle was long, hot, and varied; but, ultimately, success crowned the zeal and gallantry of our troops, ably directed by their distinguished commander, Brig. Gen. Shields. The 9th, 12th, and 15th regiments, under Col. Ransom, Captain Wood, and Col. Morgan, respectively, of Pearce's brigade, (Pillow's division,) and the New York and South Carolina volunteers, under Cols. Burnett and Butler, respectively, of Shields' own brigade, (Quitman's division,) together with the mountain howitzer battery, now under Lieut. Reno, of the ordnance corps, all shared in the glory of this action - our fifth victory in the same day.

Brigadier General Pierce, from the hurt of the evening before - under pain and exhaustion - fainted in the action. Several other changes in command occurred on this field. Thus Colonel Morgan being severely wounded, the command of the 15th infantry devolved on Lieutenant Colonel Howard; Colonel Burnett receiving a like wound, the command of the New York volunteers fell to Lieutenant Colonel Baxter; and on the fall of the lamented Colonel P. M. Butler - earlier badly wounded, but continuing to lead nobly in the hottest of the battle - the command of the South Carolina volunteers devolved - first on Lieut. Col. Dickenson, who being severely wounded, (as before the siege of Vera Cruz) the regiment ultimately fell under the orders of Major Gladden.

Lieuts. David Adams and W. R. Williams of the same corps; Capt. Augustus Quarles, and Lieut. J. B. Goodman of the 15th, and Lieut. E. Chandler, New York volunteers - all gallant officers, nobly fell in the same action.

Shields took 380 prisoners, including officers; and it cannot be doubted that the rage of the conflict between him and the enemy, just in the rear of the tete du pont and the convent, had some influence on the surrender of those formidable defences.

As soon as the tete du pont was carried, the greater part of Worth's and Pillow's forces passed that bridge in rapid pursuit of the flying enemy. These distinguished generals, coming up with Brigadier General Shields, now also victorious, the three continued to press upon the fugitives to within a mile and a half of the capital. Here, Col. Harney, with a small part of his brigade of cavalry, rapidly passed to the front, and charged the enemy up the nearest gate.

The cavalry charge was headed by Captain Kearney, of the 1st dragoons, having in squadron, with his own troop, that of Captain McReynolds of the 3d - making the usual escort to general headquarters; but being early in the day detached for general service, was now under Col. Harney's orders. The gallant captain not hearing the recall, that had been sounded, dashed up to the San Antonio gate, sabreing, in his way all that resisted. Of the seven officers of the squadron, Kearney lost his left arm; McReynolds and Lieut. Lorimer Graham were both severely wounded, Lieut. R. S. Ewell, who succeeded to the command of the escort, had two horses killed under him. Major F. D. Mills, of the 15th infantry, a volunteer in this charge, was killed at the gate.

So terminated the series of events which I have but feebly presented. My thanks were but freely poured out on the different fields - to the abilities and science of generals and other officers - to the gallantry and prowess of all - the rank and file included. But a reward infinitely higher - the applause of a grateful country and government - will, I cannot doubt, be accorded, in due time, to so much merit, of every sort, displayed by this glorious army, which has now overcome all difficulties - distance, climate, ground, fortifications, numbers.

It has in a single day, in many battles, as often defeated 32,000 men; made about 3,000 prisoners, including eight generals (two of them ex-presidents) and 205 other officers; killed or wounded 4,000 of all ranks - besides entire corps dispersed and dissolved; captured 37 pieces of ordnance - more than trebling our siege train and field batteries - with a large number of small arms, a full supply of ammunition of every kind, &c., &c.

These great results have overwhelmed the enemy.

Our loss amounts to 1,053 - killed 139, including 16 officers: wounded, 876, with 60 officers. The greater number of the dead and disabled were of the highest worth. Those under treatment, thanks to our very able medical officers, are generally doing well.

I regret having been obliged, on the 20th, to leave Major General Quitman, an able commander, with a part of his division - the fine 2d Pennsylvania volunteers and the veteran detachment of U. States marines - at our important depot, San Augustin. It was there that I had placed our sick and wounded; the siege, supply, and baggage trains. If these had been lost, the army would have been driven almost to despair; and considering the enemy's very great excess of numbers, and the many approaches to the depot, it might well have become emphatically the post of honor.

After so many victories, we might, with but little additional loss, have occupied the capital the same evening. But Mr. Trist, commissioner, &c., as well as myself, had been admonished by the best friends of peace - intelligent neutrals and some American residents - against precipitation; lest, by wantonly driving away the government and others - dishonored - we might scatter the elements of peace, excite a spirit of national desperation, and thus, indefinitely postpone the hope of accommodation. Deeply impressed with this danger, and remembering our mission - to conquer a peace - the army

very cheerfully sacrificed to patriotism - to the great wish and want of our country - the eclat that would have followed an entrance - sword in hand - into a great capital. - Willing to have something to this republic - of no immediate value to us - on which to rest her pride, and to recover temper - I halted our victorious corps at the gates of the city, (at least for a time,) and have them now cantoned in the neighboring villages, where they are still sheltered and supplied with all necessaries.

On the morning of the 21st, being about to take up battering or assaulting positions to authorise me to summon the city to surrender, or to sign an armistice with a pledge to enter at once into negotiations for a peace - a mission came out to propose a truce. Rejecting its terms, I dispatched my contemplated note to President Santa Anna - omitting the summons. The 22d, commissioners were appointed by the commanders of the two armies, the armistice was signed the 23d, and ratifications exchanged the 24th. All matters in dispute between the two governments have been, thus happily turned over to their plenipotentiaries, who have now had several conferences, and with, I think, some hope of signing a treaty of peace.

There will be transmitted to the adjutant general reports from divisions, brigades, &c., on the foregoing operations, to which I must refer, with my hearty concurrence in the just applause bestowed on the corps and individuals by their respective commanders. I have been able - this report being necessarily a summary - to bring out, comparatively, but little of individual merit not lying directly in the way of the narrative. Thus I doubt whether I have, in express terms, given my approbation and applause to the commanders of divisions and independent brigades; but left their fame upon higher grounds - the simple record of their great deeds and the brilliant results.

To the staff, both general and personal, attached to the general headquarters, I was again under high obligations for services on the field, as well as in the bureaux. I add their names, &c.; Lieut. Col. Hitchcock, acting inspector general; Major J. L. Smith, Captain R. E. Lee, (as distinguished for felicitous execution as for science and daring) Captain Mason, Lieuts. Stevens, Beauregard and Tower - all of the engineers; Major Turnbull, Capt. McClellan and Lieut. Hardcastle, topographical engineers; Captain Huger and Lieut. Hagner, of the ordinance; Captains Irwin and Wayne, of the quartermaster's department; Capt. Grayson, of the commissarial; Surgeon General Lawson, in his particular department: Captain H. L. Scott, acting assistant adjutant general; Lieut. Williams, aid-de-camp, and Lieut. Lay, military secretary. Lieut. Schuyler Hamilton, another aid-de-camp, had a week before, been thrown out of activity by a severe wound received in a successful charge of cavalry against cavalry, and four times his number; but on the 20th, I had the valuable services as volunteer aids, of Majors Kirby and Van Buren, of the pay department, always eager for activity and distinction; and of a third, the gallant Major J. P. Gaines, of the Kentucky volunteers.

I have the honor to be, sir, with high respect, your most obedient servant,

WINFIELD SCOTT

Major-General Winfield Scott, near Mexico City, to William L. Marcy, Secretary of War, at Washington, D.C. Dispatch communicating Scott's official report of the Battle of Molino del Rey.

Headquarters of the army,
Tacubaya, near Mexico, September 11, 1847.



The Battle of El Molino del Rey , from Coffin's *Building the Nation*, 1883.

Sir: - I have heretofore reported that I had, Aug. 24th, concluded an armistice with President Santa Anna, which was promptly followed by meeting between Mr. Trist and Mexican commissioners appointed to treat of peace.

Negotiations were actively continued, with, as we understood, some prospect of a successful result up the 2d instant, when our commissioner handed in his ultimatum, (on boundaries,) and the negotiators adjourned to meet again on the 6th.

Some infractions of the truce, in respect to our supplies from the city, were earlier committed, followed by apologies, on the part of the enemy. Those vexations I was willing to put down to the imbecility of the government, and waived pointed demands of reparation while any hope remained of a satisfactory termination of the war. But on the 5th, and more fully on the 6th, I learned that as soon as the ultimatum had been considered in a general council of ministers and others, President Santa Anna, on the 4th or 5th, without giving me the slightest notice, actively recommended strengthening the military defences of the city, in gross violation of the 3d article of the armistice.

On that information, which has since received the fullest verification, I addressed to him my note of the 6th. His reply, dated the same day, received the next morning, was absolutely and notoriously false, both in recrimination and explanation. I enclose copies of both papers, and have had no subsequent correspondence with the enemy.

Being delayed by the terms of the armistice more than two weeks, we had now, late on the 7th, to begin to reconnoiter the different approaches to the city, within our reach, before I could lay down any definitive plan of attack.

The same afternoon a large body of the enemy was discovered hovering about the Molino del Rey, within a mile and a third of this village, where I am quartered with the general staff of Worth's division.

It might have been supposed that an attack upon us was intended; but knowing the great value to the enemy of those mills, (Molinos del Rey,) containing a cannon foundry, with a large deposit of powder in Casa Mata near them; and having heard, two days before, that many church bells had been sent out to be cast into guns, the enemy's movement was easily understood, and I resolved, at once, to drive him early the next morning, to seize the powder, and to destroy the foundry.

Another motive for this decision - leaving the general plan of attack upon the city for full reconnoissances - was, that we knew our recent captures had left the enemy not a fourth of the guns necessary to arm, all at the same time, the strong works of each of the eight city gates; and we could not cut the communication between the foundry and the capital without first taking the formidable castle on the heights of Chapultepec, which overlooked both and stood between.

For this difficult operation, we were not entirely ready and moreover we might altogether neglect the castle, if as we then hoped, our reconnoissances should prove that the distant southern approaches to the city were more eligible than this southwestern approach.

Hence the decision promptly taken, the execution of which was assigned to Brevet Major General Worth, whose division was reinforced with Cadwallader's brigade of Pillow's division, three squadrons of dragoons under Major Sumner, and some heavy guns of the siege train under Captain Huger of the ordnance, and Capt. Drum of the 4th artillery - two officers of the highest merit.

For the decisive and brilliant results, I beg to refer the report of the immediate commander - Major General Worth - in whose commendations of the gallant officers and men - dead and living - I heartily concur; having witnessed, but with little interference, their noble devotion to fame and to country.

The enemy having several times reinforced his line and the action soon becoming much more general than I had expected, I called up, from the distance of three miles, first Major General Pillow, with his remaining brigade, (Pierce's,) and next Riley's brigade of Twiggs' division - leaving his other brigade (Smith's) in observation at San Angel. Those corps approached with zeal and rapidity; but the battle was won just as Brigadier General Pierce reached the ground, and had interposed his corps between Garland's brigade (Worth's division) and the retreating enemy.

The accompanying report mentions, with just commendation, two of my volunteer aids - Major Kirby, paymaster, and Major Gaines, of the Kentucky volunteers, I also had the valuable services, on the same field, of several other officers of my staff, general and personal - Lieut. Col. Hitchcock; acting inspector general; Captain R. E. Lee, engineer; Capt. Irwin, chief quartermaster; Captain Grayson, chief commissary, Capt. H. L. Scott, acting assistant adjutant general; Lieut. Williams, aid de camp, and Lieut. Lay, military secretary.

I have the honor to be, sir, with high respect,

Your most obedient servant,
WINFIELD SCOTT

Major-General Winfield Scott, at Mexico City, to William L. Marcy, Secretary of War, at Washington, D.C. Dispatch communicating Scott's report of the battles for, and occupation of, Mexico City.

Head-Quarters of the Army,
National Palace of Mexico, Sept. 18, 1847.



General Scott's entrance into Mexico City. Source unknown. No date

Sir: - At the end of another series of arduous and brilliant operations of more than forty-eight hours' continuance, this glorious army hoisted, on the morning of the 14th, the colours of the United States on the walls of this palace.

The victory of the 8th, at the Molino del Rey, was followed by daring reconnoissances on the part of our distinguished engineers - Captain Lee, Lieutenants Beauregard, Stevens, and Tower - Major Smith, senior, being sick, and Captain Mason, third in rank, wounded. Their operations were directed principally to the south - towards the gates of the Piedad, San Angel (Niño Perdido), San Antonio, and the Paseo de la Vega.

This city stands on a slight swell of ground, near the centre of an irregular basin, and is girdled with a ditch in its greater extent - a navigable canal of great breadth and depth - very difficult to bridge in the presence of an enemy, and serving at once for

drainage, custom-house purposes, and military defence; leaving eight entrances or gates, over arches - each of which we found defended by a system of strong works, that seemed to require nothing but some men and guns to be impregnable.

Outside and within the cross-fires of those gates, we found to the south other obstacles but little less formidable. All the approaches near the city are over elevated causeways, cut in many places (to oppose us), and flanked on both sides by ditches, also of unusual dimensions. The numerous cross-roads are flanked in like manner, having bridges at the intersections, recently broken. The meadows thus checkered are, moreover, in many spots, under water or marshy; for, it will be remembered, we were in the midst of the wet season, though with less rain than usual, and we could not wait for the fall of the neighbouring lakes and the consequent drainage of the wet grounds at the edge of the city - the lowest in the whole basin.

After a close personal survey of the southern gates, covered by Pillow's division and Riley's brigade of Twiggs' - with four times our numbers concentrated in our immediate front - I determined on the 11th to avoid that net-work of obstacles, and to seek, by a sudden diversion to the south-west and west, less unfavourable approaches.

To economize the lives of our gallant officers and men, as well as to insure success, it became indispensable that this resolution should be long masked from the enemy; and again, that the new movement, when discovered, should be mistaken for a feint, and the old as indicating our true and ultimate point of attack.

Accordingly, on the spot, the 11th, I ordered Quitman's division from Cuyoacan, to join Pillow, by daylight, before the southern gates, and then that the two major-generals, with their divisions, should, by night, proceed (two miles) to join me at Tacubaya, where I was quartered with Worth's division. Twiggs, with Riley's brigade and Captains Taylor's and Steptoe's field batteries - the latter of 12-pounders - was left in front of those gates, to maneuver, to threaten, or to make false attacks, in order to occupy and deceive the enemy. Twiggs' other brigade (Smith's) was left at supporting distance, in the rear, at San Angel, till the morning of the 13th, and also to support our general depot at Mixcoac. The stratagem against the south was admirably executed throughout the 12th and down to the afternoon of the 13th, when it was too late for the enemy to recover from the effects of his delusion.

The first step in the new movement was to carry Chapultepec, a natural and isolated mound, of great elevation, strongly fortified at its base, on its acclivities, and heights. Besides a numerous garrison, here was the military college of the republic, with a large number of sub-lieutenants and other students. Those works were within direct gun-shot of the village of Tacubaya, and until carried, we could not approach the city on the west, without marking a circuit too wide and too hazardous.

In the course of the same night (that of the 11th) heavy batteries, within easy ranges, were established. No. 1, on our right, under the command of Captain Drum, 4th artillery (relieved late next day, for some hours, by Lieutenant Andrews of the 3d), and

No. 2, commanded by Lieutenant Hagner, Ordnance - both supported by Quitman's division. Nos. 3 and 4 on the opposite side, supported by Pillow's division, were commanded, the former by Captain Brooks and Lieutenant S. S. Anderson, 2d artillery, alternately, and the latter by Lieutenant Stone, Ordnance. The batteries were traced by Captain Huger and Captain Lee, Engineer, and constructed by them with the able assistance of the young officers of those corps and artillery.

To prepare for an assault, it was foreseen that the play of the batteries might run into the second day; but recent captures had not only trebled our siege-pieces, but also our ammunition; and we knew that we should greatly augment both by carrying the place. I was, therefore, in no haste in ordering an assault before the works were well crippled by our missiles.

The bombardment and cannonade, under the direction of Captain Huger, were commenced early in the morning of the 12th. Before nightfall, which necessarily stopped our batteries, we had perceived that a good impression had been made on the castle and its outworks, and that a large body of the enemy had remained outside, towards the city, from an early hour to avoid our fire, and to be at hand on its cessation, in order to reinforce the garrison against an assault. The same outside force was discovered the next morning, after our batteries had reopened upon the castle, by which we again reduced its garrison to the minimum needed for the guns.

Pillow and Quitman had been in position since early in the night of the 11th. Major-General Worth was now ordered to hold his division in reserve, near the foundry, to support Pillow; and Brigadier-General Smith, of Twigg's division, had just arrived with his brigade from Piedad (two miles), to support Quitman. Twigg's guns, before the southern gates, again reminded us, as the day before, that he, with Riley's brigade and Taylor's and Steptoe's batteries, was in activity, threatening the southern gates, and there holding a great part of the Mexican army on the defensive.

Worth's division furnished Pillow's attack with an assaulting party of some two hundred and fifty volunteer officers and men, under Captain McKenzie, of the 2d artillery; and Twigg's division supplied a similar one, commanded by Captain Casey, 2d infantry, to Quitman. Each of those little columns was furnished with scaling ladders.

The signal I had appointed for the attack was the momentary cessation of fire on the part of our heavy batteries. About eight o'clock in the morning of the 13th, judging that the time had arrived by the effect of the missiles we had thrown, I sent an aid-de-camp to Pillow, and another to Quitman, with notice that the concerted signal was about to be given. Both columns now advanced with an alacrity that gave assurance of prompt success. The batteries, seizing opportunities, threw shots and shells upon the enemy over the heads of our men, with good effect, particularly at every attempt to reinforce the works from without to meet our assault.

Major-General Pillow's approach, on the west side, lay through an open grove, filled with sharp-shooters, who were speedily dislodged; when being up with the front of

the attack, and emerging into open space, at the foot of a rocky acclivity, that gallant leader was struck down by an agonizing wound. The immediate command devolved on Brigadier-General Cadwallader, in the absence of the senior Brigadier (Pierce), of the same division - an invalid since the events of August 19. On a previous call of Pillow, Worth had just sent him a reinforcement - Colonel Clarke's brigade.

The broken acclivity was still to be ascended, and a strong redoubt, midway, to be carried, before reaching the castle on the heights. The advance of our brave men, led by brave officers, though necessarily slow, was unwavering, over rocks, chasms, and mines, and under the hottest fire of cannon and musketry. The redoubt now yielded to resistless valour, and the shouts that followed announced to the castle the fate that impended. The enemy were steadily driven from shelter to shelter. The retreat allowed not time to fire a single mine, without the certainty of blowing up friend and foe. Those who at a distance attempted to apply matches to the long trains, were shot down by our men. There was death below, as well as above ground. At length the ditch and wall of the main work were reached; the scaling-ladders were brought up and planted by the storming parties; some of the daring spirits first in the assault were cast down - killed or wounded; but a lodgement was soon made; streams of heroes followed; all opposition was overcome, and several of our regimental colors flung out from the upper walls, amidst long-continued shouts and cheers, which sent dismay into the capital. No scene could have been more animating or glorious.

Major-General Quitman, nobly supported by Brigadier-General Shields and Smith (P. F.), his other officers and men, was up with the part assigned him. Simultaneously with the movement on the west, he had gallantly approached the south-east of the same works, over a causeway with cuts and batteries, and defended by an army strongly posted outside, to the east of the works. Those formidable obstacles Quitman had to face, with but little shelter for his troops or space for maneuvering. Deep ditches flanking the causeway, made it difficult to cross on either side into the adjoining meadows, and these again were intersected by other ditches. Smith and his brigade had been early thrown out to make a sweep to the right, in order to present a front against the enemy's line (outside), and to turn two intervening batteries near the foot of Chapultepec. This movement was also intended to support Quitman's storming-parties, both on the causeway. The first of these, furnished by Twiggs's division, was commanded in succession by Captain Casey, 2d infantry, and Captain Paul, 7th infantry, after Casey had been severely wounded; and the second, originally under the gallant Major Twiggs, marine corps, killed, and then Captain Miller, 2d Pennsylvania volunteers. The storming-party, now commanded by Captain Paul seconded by Captain Roberts, of the Rifles, Lieutenant Stewart, and others of the same regiment, Smith's brigade, carried the two batteries in the road, took some guns, with many prisoners, and drove the enemy posted behind in support. The New York and South Carolina volunteers (Shield's brigade) and the 2d Pennsylvania volunteers, all on the left of Quitman's line, together with portions of his storming-parties, crossed the meadows in front, under a heavy fire, and entered the outer enclosure of Chapultepec just in time to join in the final assault from the west.

Besides Major-Generals Pillow and Quitman, Brigadier-Generals Shields, Smith, and Cadwallader, the following are the officers and corps most distinguished in those brilliant operations: The voltigeur regiment in two detachments, commanded respectively by Colonel Andrews and Lieutenant-Colonel Johnstone - the latter mostly in the lead, accompanied by Major Caldwell; Captains Barnard and Biddle, of the same regiment - the former the first to plant a regimental colour, and the latter among the first in the assault; the storming party of Worth's division, under Captain McKenzie, 2d artillery, with Lieutenant Seldon, 8th infantry, early on the ladder and badly wounded; Lieutenant Armistead, 6th infantry, the first to leap into the ditch to plant a ladder; Lieutenants Rodgers of the 4th, and J. P. Smith of the 5th infantry - both mortally wounded; the 9th infantry, under Colonel Ransom, who was killed while gallantly leading that gallant regiment; the 15th infantry, under Lieutenant-Colonel Howard and Major Woods, with Captain Chase, whose company gallantly carried the redoubt, midway up the acclivity; Colonel Clarke's brigade (Worth's division), consisting of the 5th, 8th, and part of the 6th regiments of infantry, commanded respectively by Captain Chapman, Major Montgomery, and Lieutenant Edward Johnson - the latter specially noticed, with Lieutenants Longstreet (badly wounded, advancing, colours in hand), Pickett, and Merchant, the last three of the 8th infantry; portions of the United States marines, New York, South Carolina, and 2d Pennsylvania volunteers, which, delayed with their division (Quitman's), by the hot engagement below, arrived just in time to participate under Lieutenant Reid, New York volunteers, consisting of a company of the same, with one of marines; and another detachment, a portion of the storming-party (Twiggs' division, serving with Quitman), under Lieutenant Steele, 2d infantry, after the fall of Lieutenant Gantt, 7th infantry.

In this connexion, it is but just to recall the decisive effect of the heavy batteries, Nos. 1, 2, 3, and 4, commanded by those excellent officers, Captain Drum, 4th artillery, assisted by Lieutenants Benjamin and Porter of his own company; Captain Brooks and Lieutenant Anderson, 2d artillery, assisted by Lieutenant Russell, 4th infantry, a volunteer; Lieutenants Hagner and Stone of the Ordnance, and Lieutenant Andrews, 3d artillery; the whole superintended by Captain Huger, chief of Ordnance with this army - an officer distinguished by every kind of merit. The mountain-howitzer battery, under Lieutenant Reno of the Ordnance, deserves, also, to be particularly mentioned. Attached to the voltigeurs, it followed the movements of that regiment and again won applause.

In adding to the list of individuals of conspicuous merit, I must limit myself to a few of the many names which might be enumerated: Captain Hooker, Assistant Adjutant-General, who won special applause, successively, in the staff of Pillow and Cadwalader; Lieutenant Lovell, 4th artillery (wounded), chief of Quitman's staff; Captain Page, Assistant Adjutant-General, (wounded), and Lieutenant Hammond, 3d artillery, both of Shields's staff, and Lieutenant Van Dorn (7th infantry), aid-de-camp to Brigadier-General Smith.

Those operations all occurred on the west, south-east, and heights of Chapultepec. To the north, and at the base of the mound, inaccessible on that side, the 11th infantry, under Lieutenant-Colonel Hebert; the 14th, under Colonel Trousdale, and Captain

Magruder's field battery, 1st artillery - one section advanced under Lieutenant Jackson - all of Pillow's division - had, at the same time, some spirited affairs against superior numbers, driving the enemy from a battery in the road, and capturing a gun. In these, the officers and corps named gained merited praise. Colonel Trousdale, the commander, though twice wounded, continued on duty until the heights were carried.

Early in the morning of the 13th, I repeated the orders of the night before to Major-General Worth, to be, with his division, at hand, to support the movement of Major-General Pillow from our left. The latter seems soon to have called for that entire division, standing momentarily in reserve, and Worth sent him Colonel Clarke's brigade. The call, if not unnecessary, was at least, from the circumstances, unknown to me at the time; for, soon observing that the very large body of the enemy, in the road in front of Major-General Quitman's right, was receiving reinforcements from the city - less than a mile and a half to the east - I sent instructions to Worth, on our opposite flank, to turn Chapultepec with his division, and to proceed cautiously, by the road at its northern base, in order, if not met by very superior numbers, to threaten or to attack, in rear, that body of the enemy. The movement, it was also believed, could not fail to distract and to intimidate the enemy generally.

Worth promptly advanced with his remaining brigade - Colonel Garland's - Lieutenant-Colonel C. F. Smith's light battalion, Lieutenant-Colonel Duncan's field battery - all of his division - and three squadrons of dragoons, under Major Sumner, which I had just ordered up to join in the movement.

Having turned the forest on the west, and arriving opposite to the north centre of Chapultepec, Worth came up with troops in the road, under Colonel Trousdale, and aided, by a flank movement of a part of Garland's brigade, in taking the one-gun breastwork, then under the fire of Lieutenant Jackson's section of Captain Magruder's field battery. Continuing to advance, this division passed Chapultepec, attacking the right of the enemy's line, resting on that road, about the moment of the general retreat consequent upon the capture of the formidable castle and its outworks.

Arriving some minutes later, and mounting to the top of the castle, the whole field to the east lay plainly under my view.

There are two routes from Chapultepec to the capital - the one on the right entering the same gate, Belen, with the road from the south, via Piedad; and the other obliquing to the left, to intersect the great western, or San Cosmé road, in a suburb outside of the gate of San Cosmé.

Each of these routes (an elevated causeway) presents a double roadway on the sides of an aqueduct of strong masonry and great height, resting on open arches and massive pillars, which together afford fine points both for attack and defence. The sideways of both aqueducts are, moreover, defended by many strong breastworks at the gates, and before reaching them. As we had expected, we found the four tracks unusually dry and solid for the season.

Worth and Quitman were prompt in pursuing the retreating enemy - the former by the San Cosmé aqueduct, and the latter along that of Belen. Each had now advanced some hundred yards.

Deeming it all-important to profit by our successes, and the consequent dismay of the enemy, which could not be otherwise than general, I hastened to despatch from Chapultepec - first Clarke's brigade, and then Cadwalader's, to the support of Worth, and gave orders that the necessary heavy guns should follow. Pierce's brigade was, at the same time, sent to Quitman, and, in the course of the afternoon, I caused some additional siege-pieces to be added to his train. Then, after designating the 15th infantry, under Lieutenant-Colonel Howard - Morgan, the colonel, had been disabled by a wound at Churubusco - as the garrison of Chapultepec, and giving directions for the care of prisoners of war, the captured ordnance and ordnance stores, I proceeded to join the advance of Worth, within the suburb, and beyond the turn at the junction of the aqueduct with the great highway from the west to the gate of San Cosmé.

At this junction of roads, we first passed one of those formidable systems of city defences, spoken of above, and it had not a gun! - a strong proof, 1. That the enemy had expected us to fail in the attack upon Chapultepec, even if we meant anything more than a feint; 2. That, in either case, we designed, in his belief, to return and double our forces against the southern gates - a delusion kept up by the active demonstrations of Twiggs and the forces posted on that side; and, 3. That advancing rapidly from the reduction of Chapultepec, the enemy had not time to shift guns - our previous captures had left him, comparatively, but few - from the southern gates.

Within those disgarnished works, I found our troops engaged in a street-fight against the enemy posted in gardens, at windows, and on house-tops - all flat, with parapets. Worth ordered forward the mountain-howitzers of Cadwalader's brigade, preceded by skirmishers and pioneers, with pickaxes and crowbars, to force windows and doors, or to burrow through walls. The assailants were soon in an equality of position fatal to the enemy. By eight o'clock in the evening, Worth had carried two batteries in this suburb. According to my instructions, he here posted guards and sentinels, and placed his troops under shelter for the night. There was but one more obstacle - the San Cosmé gate (custom-house), between him and the great square in front of the cathedral and palace, the heart of the city; and that barrier it was known could not, by daylight, resist our siege-guns thirty minutes.

I had gone back to Chapultepec, the point from which the two aqueducts begin to diverge, some hours earlier, in order to be near that new depot, and in easy communication with Quitman and Twiggs, as well as with Worth.

From this point I ordered all detachments and stragglers to their respective corps, then in advance; sent to Quitman additional siege-guns, ammunition, intrenching tools; directed Twiggs's remaining brigade (Riley's) from Piedad, to support Worth, and Captain Steptoe's field-battery, also at Piedad, to rejoin Quitman's division.

I had been, from the first, well aware that the western, or San Cosmé, was the less difficult route to the centre, and conquest of the capital, and therefore intended that Quitman should only manoeuvre and threaten the Belen or south-western gate, in order to favour the main attack by Worth, knowing that the strong defences at the Belen were directly under the guns of the much stronger fortress, called the Citadel, just within. Both of these defences of the enemy were also within easy supporting distance from the San Angel (or Niño Perdido) and San Antonio gates. Hence the greater support, in numbers, given to Worth's movement as the main attack.

These views I repeatedly, in the course of the day, communicated to Major-General Quitman; but being in hot pursuit - gallant himself, and ably supported by Brigadier-General Shields and Smith, Shields badly wounded before Chapultepec, and refusing to retire, as well as by all the officers and men of the column - Quitman continued to press forward, under flank and direct fires, carried an intermediate battery of two guns, and then the gate, before two o'clock in the afternoon, but not without proportionate loss, increased by his steady maintenance of that position.

Here, of the heavy battery (4th artillery), Captain Drum and Lieutenant Benjamin were mortally wounded, and Lieutenant Porter, its third in rank, slightly. The loss of those two most distinguished officers the army will long mourn. Lieutenants J. B. Morange and William Cauty, of the South Carolina volunteers, also of high merit, fell on the same occasion, besides many of our bravest non-commissioned officers and men, particularly in Captain Drum's veteran company. I cannot, in this place, give names or numbers; but full returns of the killed and wounded of all corps, in their recent operations, will accompany this report.

Quitman within the city - adding several new defences to the position he had won, and sheltering his corps as well as practicable - now awaited the return of daylight under the guns of the formidable citadel, yet to be subdued.

About four o'clock next morning (Sept. 14), a deputation of the Ayuntamiento (city council) waited upon me to report that the federal government and the army of Mexico had fled from the capital some three hours before; and to demand terms of capitulation in favour of the church, the citizens, and the municipal authorities. I promptly replied, that I would sign no capitulation; that the city had been virtually in our possession from the time of the lodgements effected by Worth and Quitman the day before; that I regretted the silent escape of the Mexican army; that I should levy upon the city a moderate contribution, for special purposes; and that the American army should come under no terms not self-imposed: such only as its own honour, the dignity of the United States, and the spirit of the age, should, in my opinion, imperiously demand and impose.

For the terms so imposed, I refer the department to subsequent General Orders, Nos. 287 and 289 (paragraphs 7, 8, and 9 of the latter), copies of which are herewith enclosed.

At the termination of the interview with the city deputation, I communicated, about daylight, orders to Worth and Quitman to advance slowly and cautiously (to guard against treachery) towards the heart of the city, and to occupy its stronger and more commanding points. Quitman proceeded to the great plaza or square, planted guards, and hoisted the colours of the United States on the National Palace, containing the halls of Congress and executive departments of federal Mexico. In this grateful service, Quitman might have been anticipated by Worth, but for my express orders, halting the latter at the head of the Alameda (a green park), within three squares of that goal of general ambition. The capital, however, was not taken by any one or two corps, but by the talent, the science, the gallantry, the prowess of this entire army. In the glorious conquest, all had contributed early and powerfully, the killed, the wounded, and the fit for duty, at Vera Cruz, Cerro Gordo, Contreras, San Antonio, Churubusco (three battles), the Molino del Rey, and Chapultepec, as much as those who fought at the gates of Belen and San Cosmé.

Soon after we had entered, and were in the act of occupying the city, a fire was opened upon us from the flat roofs of the houses, from windows and corners of streets, by some two thousand convicts, liberated the night before by the flying government, joined by, perhaps, as many Mexican soldiers, who had disbanded themselves, and thrown off their uniforms. This unlawful war lasted more than twenty-four hours, in spite of the exertions of the municipal authorities, and was not put down till we had lost many men, including several officers, killed or wounded, and had punished the miscreants. Their objects were to gratify national hatred, and, in the general alarm and confusion, to plunder the wealthy inhabitants, particularly the deserted houses. But families are now generally returning; business of every kind has been resumed, and the city is already tranquil and cheerful, under the admirable conduct (with exceptions very few and trifling) of our gallant troops.

This army has been more disgusted than surprised, that by some sinister process on the part of certain individuals at home, its numbers have been, generally, almost trebled in our public papers, beginning at Washington.

Leaving, as we all feared, inadequate garrisons at Vera Cruz, Perote, and Puebla, with much larger hospitals; and being obliged, most reluctantly, from the same cause (general paucity of numbers) to abandon Jalapa, we marched (August 7-10) from Puebla with only 10,738 rank and file. This number includes the garrison of Jalapa, and the 2,429 men brought up by Brigadier-General Pierce, August 6.

At Contreras, Churubusco, &c. (August 20), we had but 8,497 men engaged - after deducting the garrison at San Augustin (our general depot), the intermediate sick and the dead; at the Molino del Rey (September 8) but three brigades, with some cavalry and artillery - making in all 3,251 men - were in the battle; in the two days - September 12th and 13th - our whole operating force, after deducting, again, the recent killed, wounded, and sick, together with the garrison of Mixcoac (the then general depot), and that of Tacubaya, was but 7,180; and finally, after deducting the new garrison of Chapultepec, with the killed and wounded of the two days, we took possession

(September 14th) of this great capital with less than six thousand men. And I reassert, upon accumulated and unquestionable evidence, that, in not one of those conflicts was this army opposed by fewer than three-and-a-half times its numbers - in several of them, by a yet greater excess.

I recapitulate our losses since we arrived in the basin of Mexico: -

august 19, 20. - Killed, 137, including 14 officers. Wounded, 877, including 62 officers. Missing (probably killed), 38 rank and file. Total, 1,052.

september 8. - Killed, 116, including 9 officers. Wounded, 665, including 49 officers. Missing, 18 rank and file. Total, 789.

september 12, 13, 14. - Killed, 130, including 10 officers. Wounded, 703, including 68 officers. Missing, 29 rank and file. Total, 862.

Grand total of losses, 2,703, including 383 officers.

On the other hand, this small force has beaten on the same occasions in view of their capital, the whole Mexican army, of (at the beginning) thirty-odd thousand men - posted, always, in chosen positions, behind intrenchments, or more formidable defences of nature and art; killed or wounded, of that number, more than seven thousand officers and men; taken 3,730 prisoners, one-seventh officers, including thirteen generals, of whom three have been presidents of this republic; captured more than twenty colours and standards, seventy-five pieces of ordnance, besides fifty-seven wall-pieces, twenty-thousand small-arms, an immense quantity of shot, shells, powder, &c. &c.

Of that enemy, once so formidable in numbers, appointments, artillery, &c., twenty-odd thousand have disbanded themselves in despair, leaving, as is known, not more than three fragments - the largest about 2,500 - now wandering in different directions, without magazines or a military chest, and living at free quarters upon their own people.

General Santa Anna, himself a fugitive, is believed to be on the point of resigning the chief-magistracy, and escaping to neutral Guatemala. A new President, no doubt, will soon be declared, and the federal Congress is expected to reassemble at Queretaro, a hundred and twenty-five miles north of this, on the Zacatecas road, some time in October. I have seen and given safe-conduct through this city, to several of its members. The government will find itself without resources; no army, no arsenals, no magazines, and but little revenue, internal or external. Still, such is the obstinacy, or rather infatuation, of this people, that it is very doubtful whether the new authorities will dare to sue for peace on the terms which, in the recent negotiations, were made known by our minister.

* * * * *

In conclusion, I beg to enumerate, once more, with due commendation and thanks, the distinguished staff officers, general and personal, who, in our last operations

in front of the enemy, accompanied me, and communicated orders to every point and through every danger. Lieutenant-Colonel Hitchcock, acting Inspector-General; Major Turnbull and Lieutenant Hardcastle, topographical engineers; Major Kirby, chief paymaster; Captain Irwin, chief quartermaster; Captain Grayson, chief commissary; Captain H. L. Scott, chief in the Adjutant-General's department; Lieutenant Williams, aid-de-camp; Lieutenant Lay, military secretary; and Major J. P. Gaines, Kentucky cavalry, volunteer aid-de-camp; Captain Lee, engineer, so constantly distinguished, also bore important orders from me (September 13) until he fainted from a wound and the loss of two nights' sleep at the batteries. Lieutenants Beauregard, Stevens, and Tower, all wounded, were employed with the divisions, and Lieutenants G. W. Smith and G. B. McClellan, with the company of sappers and miners. Those five lieutenants of engineers, like their captains, won the admiration of all about them. The ordnance officers, Captain Huger, Lieutenants Hagner, Stone, and Reno, were highly effective, and distinguished at the several batteries; and I must add that Captain McKinstry, assistant quartermaster, at the close of the operations, executed several important commissions for me as a special volunteer.

Surgeon-General Lawson, and the medical staff generally, were skilful and untiring, in and out of fire, in ministering to the numerous wounded.

To illustrate the operations in this basin, I enclose two beautiful drawings, prepared under the directions of Major Turnbull, mostly from actual survey.

I have the honour to be, sir, with high respect, your most obedient servant,

WINFIELD SCOTT

TREASURY DEPARTMENT, *November 5, 1847.*

The PRESIDENT.

SIR: The military contributions in the form of duties upon imports into Mexican ports have been levied by the Departments of War and of the Navy during the last six months under your order of the 31st of March last, and in view of the experience of the practical operation of the system I respectfully recommend the following modifications in some of its details, which will largely augment the revenue:

That the duty on silk, flax, hemp or grass, cotton, wool, worsted or any manufactures of the same, or of either or mixtures thereof; coffee, teas, sugar, molasses, tobacco and all manufactures thereof, including cigars and cigarritos; glass, china, and stoneware, iron and steel and all manufactures of either not prohibited, be 30 per cent *ad valorem*; on copper and all manufactures thereof, tallow, tallow candles, soap, fish, beef, pork, hams, bacon, tongues, butter, lard, cheese, rice, Indian corn and meal, potatoes, wheat, rye, oats, and all other grain, rye meal and oat meal, flour, whale and sperm oil, clocks, boots and shoes, pumps, bootees and slippers, bonnets, hats, caps, beer, ale, porter, cider, timber, boards, planks, scantling, shingles, laths, pitch, tar, rosin, turpentine, spirits of turpentine, vinegar, apples, ship bread, hides, leather and manufactures thereof, and paper of all kinds, 20 per cent *ad valorem*; and these reduced rates shall also apply to all goods on which the duties are not paid remaining not exceeding ninety days in deposit in the Mexican ports, introduced under previous regulations enforcing military contributions.

Yours, most respectfully,

R.J. WALKER,
Secretary of the Treasury

TREASURY DEPARTMENT, *November 16, 1847.*

The PRESIDENT.

SIR: With a view to augment the military contributions now collected by the Departments of War and of the Navy under your order of the 31st of March last, I recommend that the export duty exacted before the war by the Government of Mexico be now collected at the port of exportation by the same officers of the Army or Navy of the United States in the Mexican ports in our possession who are authorized to collect the import duties, abolishing, however, the prohibition of export established in certain cases by the Mexican Government, as also all interior transit duties; dispensing also with the necessity of any certificate of having paid any duty to the Mexican Government.

The export duty would then be as follows:

	Per cent.
Gold, coined or wrought	3
Silver, coined	6
Silver, wrought, with or without certificate of having paid any duty to the Mexican Government	7
Silver, refined or pure, wrought in ingots, with or without certificate of having paid the Mexican Government duty	7
Gold, unwrought or in a state of ore or dust	3
Silver, unwrought or in a state of ore	7

Where gold or silver in any form is taken from any interior Mexican city in our military possession, the export duty must be paid there to the officer of the United States commanding, and his certificate of such prepayment must be produced at the Mexican port of exportation; otherwise a double duty will be collected upon the arrival of such gold or silver at the Mexican port of exportation. Whenever it is practicable, all internal taxes of every description, whether upon persons or property, exacted by the Government of Mexico, or by any department, town, or city thereof, should be collected by our military officers in possession and appropriated as a military contribution toward defraying the expenses of the war, excluding however, all duties on the transit of goods from one department to another, which duties, being prejudicial to revenue and restrictive of the exchange of imports for exports, were abolished by your order of the 31st of March last.

Yours, most respectfully,

R.J. WALKER
Secretary of the Treasury.

THIRD ANNUAL MESSAGE.

WASHINGTON, *December 7, 1847.*

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 the 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 heart, not less than their allegiance, to the country whose dominion belongs alone 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 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.

During the past year the most gratifying proofs are presented that our country has been blessed with a widespread and universal prosperity. There has been no period since the Government was founded when all the industrial pursuits of our people have been more successful or when labor in all branches of business has received a fairer or better reward. From our abundance we have been enabled to perform the pleasing duty of furnishing food for the starving millions of less favored countries.

In the enjoyment of the bounties of Providence at home such as have rarely fallen to the lot of any people, it is cause of congratulation that our intercourse with all the powers of the earth except Mexico continues to be of an amicable character.

It has ever been our cherished policy to cultivate peace and good will with all nations, and this policy has been steadily pursued by me.

No change has taken place in our relations with Mexico since the adjournment of the last Congress. The war in which the United States were forced to engage with the Government of that country still continues.

I deem it unnecessary, after the full exposition of them contained in my message of the 11th of May, 1846, and in my annual message at the commencement of the session of Congress in December last, to reiterate the serious causes of complaint which we had against Mexico before she commenced hostilities.

It is sufficient on the present occasion to say that the wanton violation of the rights of person and property of our citizens committed by Mexico, her repeated acts of bad faith through a long series of years, and her disregard of solemn treaties stipulating for indemnity to our injured citizens not only constituted ample cause of war on our part, but were of such an aggravated character as would have justified us before the whole world in resorting to this extreme remedy. With an anxious desire to avoid a rupture between the two countries, we forbore for years to assert our clear rights by force, and continued to seek redress for the wrongs we had suffered by amicable negotiation in the hope that Mexico might yield to pacific counsels and the demands of justice. In this hope we were disappointed. Our minister of peace sent to Mexico was insultingly rejected. The Mexican Government refused even to hear the terms of adjustment which he was authorized to propose, and finally, under wholly unjustifiable pretexts, involved the two countries in war by invading the territory of the State of Texas, striking the first blow, and shedding the blood of our citizens on our own soil.

Though the United States were the aggrieved nation, Mexico commenced the war, and we were compelled in self-defense 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 with a succinct statement of our other causes of complaint against Mexico, to Congress, and that body, by the act of the 13th 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 in vastly superior numbers and often intrenched in fortified positions of his own selection and of great strength, he has been defeated. Too much praise can not 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 vying 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 many brave officers and soldiers, who have fallen in defense 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 dispatch 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 these 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 Washington and receive the action of the Government of the United States. The commissioner was also directed on reaching the Army to deliver to the general in command the dispatch 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 dispatch 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 7th of May, 1847, together with the dispatch 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 of June, 1847, by the transmission of the dispatch 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 defenses 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 \$10,000,000 and authorized the President to employ the militia and naval and military forces of the United States and to accept the services of 50,000 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 \$3,000,000 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 \$3,000,000 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 32°, 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 our 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 Rio Grande, included within her limits by her laws when she was an independent republic, and when she was annexed to the United States and admitted by Congress as one of the States of our Union. It contained no provision 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 of 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 37°. 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 years 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 1,000 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 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 by purchase. If no foreign government should acquire it in 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 to 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 territories 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 dispatch to this effect was transmitted to him on the 6th of October last. The Mexican Government will be informed of his recall, and that in the existing state of things I shall not deem it proper to make any further overtures of peace, but shall be at all times ready to receive and consider any proposals which 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 everywhere victorious, having subjected to our military occupation a large portion of the enemy's country, including his capital, and negotiations

for peace having failed, the important questions arise, in what manner the war ought to be prosecuted and what should be our future policy. I can not 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 perceive no good reason why the civil jurisdiction and laws of the United States should not at once be extended over them. To wait for a treaty of peace such as we are willing to make, by which our relations toward them would not be changed, can not 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 more perfect protection of persons and property; and I recommend that such Territorial governments be established. It will promote peace and tranquillity among the inhabitants, by allaying all apprehension that they may still entertain of being again subjected to the jurisdiction of Mexico. I invite the early 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 can not 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 post for attack, would concentrate his forces upon it. This would be a condition of affairs which the Mexicans, pursuing their favorite system of guerrilla warfare, would probably prefer to any other. Were we to assume a defensive attitude on such a line, all the advantages of such a state of war would be on the side of the enemy. We could levy no contributions upon him, or in any other way make him feel the pressure of the war, but must remain inactive and await his approach, being in constant uncertainty at what point on 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 could 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 Mexican population; to convince them that the war was waged, not against the peaceful inhabitants of Mexico, but against their faithless Government, which had commenced hostilities; to remove from their minds the false impressions which their designing and interested rulers had 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 persons 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 11th of May, 1847. In this spirit of liberality and conciliation, and with a view to prevent the body of the Mexican population from taking up arms against us, was the war conducted on our part. Provisions and other supplies furnished to our Army by Mexican citizens were paid for at fair and liberal prices, agreed upon by the parties. After the lapse of a few months it became apparent that these assurances and this mild treatment 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 guerrilla warfare, robbed and murdered in the most cruel manner individual soldiers or small parties whom accident or other causes had separated from the main body of our Army; bands of guerrilleros and robbers infested the roads, harassed our trains, and whenever it was in their power cut off our supplies.

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 22d of September, 1846, instructions were given by the Secretary of War to Major-General 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. General Taylor, on the 26th of October, 1846, replied from Monterey that "it would have been impossible

hitherto, and is so now, to sustain the Army 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.

Similar instructions were issued to Major-General Scott on the 3d of April, 1847, who replied from Jalapa on the 20th 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 to General Taylor in this respect. General 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 1st of September and again on the 6th of October, 1847, the order was repeated in dispatches addressed by the Secretary of War to General Scott, and his attention was again called to the importance of making the enemy bear the burdens of the war by requiring them to furnish the means of supporting our Army, and he was directed to adopt this policy unless by doing so there was danger of depriving the Army of the necessary supplies. Copies of these dispatches were forwarded to General Taylor for his government.

On the 31st of March last I caused an order to be issued to our military and naval commanders to levy and collect a military contribution upon all vessels and merchandise which might enter any of the ports of Mexico in our military occupation, and to apply such contributions toward 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 toward the expenses of the war.

For the amount of contributions which have been levied in this form I refer you to the accompanying reports of the Secretary of War and of the Secretary 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, should, 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 13th 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 50,000 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 installments of the indemnity of \$30,000 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 persons 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 the subject, and still greater are apprehended. The British authorities in China have already complained that this Government has not provided for the punishment of crimes or the enforcement of contracts against American citizens in that country, 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 Republics 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 of 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 interests of the United States. Good policy, no less than a faithful compliance with our treaty obligations, requires that the inconsiderable appropriation demanded should be made.

A detailed statement of the condition of the finances will be presented in the annual report of the Secretary of the Treasury. The imports for the last fiscal year, ending on the 30th of June, 1847, were of the value of \$146,545,638, of which the amount exported was \$8,011,158, leaving \$138,534,480 in the country for domestic use. The value of the exports for the same period was \$158,648,622, of which \$150,637,464 consisted of domestic productions and \$8,011,158 of foreign articles.

The receipts into the Treasury for the same period amounted to \$26,346,790.37, of which there was derived from customs \$23,747,864.66, from sales of public lands \$2,498,335.20, and from incidental and miscellaneous sources \$100,570.51. The last fiscal year, during which this amount was received, embraced five months under the operation of the tariff act of 1842 and seven months during which the tariff act of 1846 was in force. During the five months under the act of 1842 the amount received from customs was \$7,842,306.90, and during the seven months under the act of 1846 the amount received was \$15,905,557.76.

The net revenue from customs during the year ending on the 1st of December, 1846, being the last year under the operation of the tariff act of 1842, was \$22,971,403.10, and the net revenue from customs during the year ending on the 1st of December, 1847, being the first year under the operations of the tariff act of 1846, was about \$31,500,000, being an increase of revenue for the first year under the tariff of 1846 of more than \$8,500,000 over that of the last year under the tariff of 1842.

The expenditures during the fiscal year ending on the 30th of June last were \$59,451,177.65, of which \$3,522,082.37 was on account of payment of principal and interest of the public debt, including Treasury notes redeemed and not funded. The expenditures exclusive of payment of public debt were \$55,929,095.28.

It is estimated that the receipts into the Treasury for the fiscal year ending on the 30th of June, 1848, including the balance in the Treasury on the 1st of July last, will amount to \$42,886,545.80, of which \$31,000,000, it is estimated, will be derived from customs, \$3,500,000 from the sale of the public lands, \$400,000 from incidental sources, including sales made by the Solicitor of the Treasury, and \$6,285,294.55 from loans already authorized by law, which, together with the balance in the Treasury on the 1st of July last, make the sum estimated.

The expenditures for the same period, if peace with Mexico shall not be concluded and the Army shall be increased as is proposed, will amount, including the necessary payments on account of principal and interest of the public debt and Treasury notes, to \$58,615,660.07.

On the 1st of the present month the amount of the public debt actually incurred, including Treasury notes, was \$45,659,659.40. The public debt due on the 4th of March, 1845, including Treasury notes, was \$17,788,799.62, and consequently the addition made to the public debt since that time is \$27,870,859.78.

Of the loan of twenty-three millions authorized by the act of the 28th of January, 1847, the sum of five millions was paid out to the public creditors or exchanged at par for specie; the remaining eighteen millions was offered for specie to the highest bidder not below par, by an advertisement issued by the Secretary of the Treasury and published from the 9th of February until the 10th of April, 1847, when it was awarded to the several highest bidders at premiums varying from one-eighth of 1 per cent to 2 per cent above par. The premium has been paid into the Treasury and the sums awarded deposited in specie in the Treasury as fast as it was required by the wants of the Government.

To meet the expenditures for the remainder of the present and for the next fiscal year, ending on the 30th of June, 1849, a further loan in aid of the ordinary revenues of the Government will be necessary. Retaining a sufficient surplus in the Treasury, the loan required for the remainder of the present fiscal year will be about \$18,500,000. If the duty on tea and coffee be imposed and the graduation of the price of the public lands shall be made at an early period of your session, as recommended, the loan for the present fiscal year may be reduced to \$17,000,000. The loan may be further reduced by whatever amount of expenditures can be saved by military contributions collected in Mexico. The most vigorous measures for the augmentation of these contributions have been directed and a very considerable sum is expected from that source. Its amount can not, however, be calculated with any certainty. It is recommended that the loan to be made be authorized upon the same terms and for the same time as that which was authorized under the provisions of the act of the 28th of January, 1847.

Should the war with Mexico be continued until the 30th of June, 1849, it is estimated that a further loan of \$20,500,000 will be required for the fiscal year ending on that day, in case no duty be imposed on tea and coffee, and the public lands be not reduced and

graduated in price, and no military contributions shall be collected in Mexico. If the duty on tea and coffee be imposed and the lands be reduced and graduated in price as proposed, the loan may be reduced to \$17,000,000, and will be subject to be still further reduced by the amount of the military contributions which may be collected in Mexico. It is not proposed, however, at present to ask Congress for authority to negotiate this loan for the next fiscal year, as it is hoped that the loan asked for the remainder of the present fiscal year, aided by military contributions which may be collected in Mexico, may be sufficient. If, contrary to my expectation, there should be a necessity for it, the fact will be communicated to Congress in time for their action during the present session. In no event will a sum exceeding \$6,000,000 of this amount be needed before the meeting of the session of Congress in December, 1848.

The act of the 30th of July, 1846, "reducing the duties on imports," has been in force since the 1st of December last, and I am gratified to state that all the beneficial effects which were anticipated from its operation have been fully realized. The public revenue derived from customs during the year ending on the 1st of December, 1847, exceeds by more than \$8,000,000 the amount received in the preceding year under the operation of the act of 1842, which was superseded and repealed by it. Its effects are visible in the great and almost unexampled prosperity which prevails in every branch of business.

While the repeal of the prohibitory and restrictive duties of the act of 1842 and the substitution in their place of reasonable revenue rates levied on articles imported according to their actual value has increased the revenue and augmented our foreign trade, all the great interests of the country have been advanced and promoted.

The great and important interests of agriculture, which had been not only too much neglected, but actually taxed under the protective policy for the benefit of other interests, have been relieved of the burdens which that policy imposed on them; and our farmers and planters, under a more just and liberal commercial policy, are finding new and profitable markets abroad for their augmented products. Our commerce is rapidly increasing, and is extending more widely the circle of international exchanges. Great as has been the increase of our imports during the past year, our exports of domestic products sold in foreign markets have been still greater.

Our navigating interest is eminently prosperous. The number of vessels built in the United States has been greater than during any preceding period of equal length. Large profits have been derived by those who have constructed as well as by those who have navigated them. Should the ratio of increase in the number of our merchant vessels be progressive, and be as great for the future as during the past year, the time is not distant when our tonnage and commercial marine will be larger than that of any other nation in the world.

Whilst the interests of agriculture, of commerce, and of navigation have been enlarged and invigorated, it is highly gratifying to observe that our manufactures are also in a prosperous condition. None of the ruinous effects upon this interest which were apprehended by some as the result of the operation of the revenue system established by the act of 1846 have been experienced. On the contrary, the number of manufactories and the amount of capital invested in them is steadily and rapidly increasing, affording

gratifying proofs that American enterprise and skill employed in this branch of domestic industry, with no other advantages than those fairly and incidentally accruing from a just system of revenue duties, are abundantly able to meet successfully all competition from abroad and still derive fair and remunerating profits. While capital invested in manufactures is yielding adequate and fair profits under the new system, the wages of labor, whether employed in manufactures, agriculture, commerce, or navigation, have been augmented. The toiling millions whose daily labor furnishes the supply of food and raiment and all the necessaries and comforts of life are receiving higher wages and more steady and permanent employment than in any other country or at any previous period of our own history.

So successful have been all branches of our industry that a foreign war, which generally diminishes the resources of a nation, has in no essential degree retarded our onward progress or checked our general prosperity.

With such gratifying evidences of prosperity and of the successful operation of the revenue act of 1846, every consideration of public policy recommends that it shall remain unchanged. It is hoped that the system of impost duties which it established may be regarded as the permanent policy of the country, and that the great interests affected by it may not again be subject to be injuriously disturbed, as they have heretofore been, by frequent and sometimes sudden changes.

For the purpose of increasing the revenue, and without changing or modifying the rates imposed by the act of 1846 on the dutiable articles embraced by its provisions, I again recommend to your favorable consideration the expediency of levying a revenue duty on tea and coffee. The policy which exempted these articles from duty during peace, and when the revenue to be derived from them was not needed, ceases to exist when the country is engaged in war and requires the use of all of its available resources. It is a tax which would be so generally diffused among the people that it would be felt oppressively by none and be complained of by none. It is believed that there are not in the list of imported articles any which are more properly the subject of war duties than tea and coffee.

It is estimated that \$3,000,000 would be derived annually by a moderate duty imposed on these articles.

Should Congress avail itself of this additional source of revenue, not only would the amount of the public loan rendered necessary by the war with Mexico be diminished to that extent, but the public credit and the public confidence in the ability and determination of the Government to meet all its engagements promptly would be more firmly established, and the reduced amount of the loan which it may be necessary to negotiate could probably be obtained at cheaper rates.

Congress is therefore called upon to determine whether it is wiser to impose the war duties recommended or by omitting to do so increase the public debt annually \$3,000,000 so long as loans shall be required to prosecute the war, and afterwards provide in some other form to pay the semiannual interest upon it, and ultimately to extinguish the principal. If in addition to these duties Congress should graduate and reduce the price of such of the public lands as experience has proved will not command the price placed

upon them by the Government, an additional annual income to the Treasury of between half a million and a million of dollars, it is estimated, would be derived from this source. Should both measures receive the sanction of Congress, the annual amount of public debt necessary to be contracted during the continuance of the war would be reduced near \$4,000,000. The duties recommended to be levied on tea and coffee it is proposed shall be limited in their duration to the end of the war, and until the public debt rendered necessary to be contracted by it shall be discharged. The amount of the public debt to be contracted should be limited to the lowest practicable sum, and should be extinguished as early after the conclusion of the war as the means of the Treasury will permit.

With this view, it is recommended that as soon as the war shall be over all the surplus in the Treasury not needed for other indispensable objects shall constitute a sinking fund and be applied to the purchase of the funded debt, and that authority be conferred by laws for that purpose.

The act of the 6th of August, 1846, "to establish a warehousing system," has been in operation more than a year, and has proved to be an important auxiliary to the tariff act of 1846 in augmenting the revenue and extending the commerce of the country. Whilst it has tended to enlarge commerce, it has been beneficial to our manufactures by diminishing forced sales at auction of foreign goods at low prices to raise the duties to be advanced on them, and by checking fluctuations in the market. The system, although sanctioned by the experience of other countries, was entirely new in the United States, and is susceptible of improvement in some of its provisions. The Secretary of the Treasury, upon whom was devolved large discretionary powers in carrying this measure into effect, has collected and is now collating the practical results of the system in other countries where it has long been established, and will report at an early period of your session such further regulations suggested by the investigation as may render it still more effective and beneficial.

By the act to "provide for the better organization of the Treasury and for the collection, safe-keeping, and disbursement of the public revenue" all banks were discontinued as fiscal agents of the Government, and the paper currency issued by them was no longer permitted to be received in payment of public dues. The constitutional treasury created by this act went into operation on the 1st of January last. Under the system established by it the public moneys have been collected, safely kept, and disbursed by the direct agency of officers of the Government in gold and silver, and transfers of large amounts have been made from points of collection to points of disbursement without loss to the Treasury or injury or inconvenience to the trade of the country.

While the fiscal operations of the Government have been conducted with regularity and ease under this system, it has had a salutary effect in checking and preventing an undue inflation of the paper currency issued by the banks which exist under State charters. Requiring, as it does, all dues to the Government to be paid in gold and silver, its effect is to restrain excessive issues of bank paper by the banks disproportioned to the specie in their vaults, for the reason that they are at all times liable to be called on by the holders of their notes for their redemption in order to obtain specie for the payment of duties and other public dues. The banks, therefore, must keep their business within prudent limits, and be always in a condition to meet such calls, or run the hazard of being

compelled to suspend specie payments and be thereby discredited. The amount of specie imported into the United States during the last fiscal year was \$24,121,289, of which there was retained in the country \$22,276,170. Had the former financial system prevailed and the public moneys been placed on deposit in the banks, nearly the whole of this amount would have gone into their vaults, not to be thrown into circulation by them, but to be withheld from the hands of the people as a currency and made the basis of new and enormous issues of bank paper. A large proportion of the specie imported has been paid into the Treasury for public dues, and after having been to a great extent recoined at the Mint has been paid out to the public creditors and gone into circulation as a currency among the people. The amount of gold and silver coin now in circulation in the country is larger than at any former period.

The financial system established by the constitutional treasury has been thus far eminently successful in its operations, and I recommend an adherence to all its essential provisions, and especially to that vital provision which wholly separates the Government from all connection with banks and excludes bank paper from all revenue receipts.

In some of its details, not involving its general principles, the system is defective and will require modification. These defects and such amendments as are deemed important were set forth in the last annual report of the Secretary of the Treasury. These amendments are again recommended to the early and favorable consideration of Congress.

During the past year the coinage at the Mint and its branches has exceeded \$20,000,000. This has consisted chiefly in converting the coins of foreign countries into American coin.

The largest amount of foreign coin imported has been received at New York, and if a branch mint were established at that city all the foreign coin received at that port could at once be converted into our own coin without the expense, risk, and delay of transporting it to the Mint for that purpose, and the amount recoined would be much larger.

Experience has proved that foreign coin, and especially foreign gold coin, will not circulate extensively as a currency among the people. The important measure of extending our specie circulation, both of gold and silver, and of diffusing it among the people can only be effected by converting such foreign coin into American coin. I repeat the recommendation contained in my last annual message for the establishment of a branch of the Mint of the United States at the city of New York.

All the public lands which had been surveyed and were ready for market have been proclaimed for sale during the past year. The quantity offered and to be offered for sale under proclamations issued since the 1st of January last amounts to 9,138,531 acres. The prosperity of the Western States and Territories in which these lands lie will be advanced by their speedy sale. By withholding them from market their growth and increase of population would be retarded, while thousands of our enterprising and meritorious frontier population would be deprived of the opportunity of securing freeholds for themselves and their families. But in addition to the general considerations which rendered the early sale of these lands proper, it was a leading object at this time to derive

as large a sum as possible from this source, and thus diminish by that amount the public loan rendered necessary by the existence of a foreign war.

It is estimated that not less than 10,000,000 acres of the public lands will be surveyed and be in a condition to be proclaimed for sale during the year 1848.

In my last annual message I presented the reasons which in my judgment rendered it proper to graduate and reduce the price of such of the public lands as have remained unsold for long periods after they had been offered for sale at public auction.

Many millions of acres of public lands lying within the limits of several of the Western States have been offered in the market and been subject to sale at private entry for more than twenty years and large quantities for more than thirty years at the lowest price prescribed by the existing laws, and it has been found that they will not command that price. They must remain unsold and uncultivated for an indefinite period unless the price demanded for them by the Government shall be reduced. No satisfactory reason is perceived why they should be longer held at rates above their real value. At the present period an additional reason exists for adopting the measure recommended. When the country is engaged in a foreign war, and we must necessarily resort to loans, it would seem to be the dictate of wisdom that we should avail ourselves of all our resources and thus limit the amount of the public indebtedness to the lowest possible sum.

I recommend that the existing laws on the subject of preemption rights be amended and modified so as to operate prospectively and to embrace all who may settle upon the public lands and make improvements upon them, before they are surveyed as well as afterwards, in all cases where such settlements may be made after the Indian title shall have been extinguished.

If the right of preemption be thus extended, it will embrace a large and meritorious class of our citizens. It will increase the number of small freeholders upon our borders, who will be enabled thereby to educate their children and otherwise improve their condition, while they will be found at all times, as they have ever proved themselves to be in the hour of danger to their country, among our hardiest and best volunteer soldiers, ever ready to attend to their services in cases of emergencies and among the last to leave the field as long as an enemy remains to be encountered. Such a policy will also impress these patriotic pioneer emigrants with deeper feelings of gratitude for the parental care of their Government, when they find their dearest interests secured to them by the permanent laws of the land and that they are no longer in danger of losing their homes and hard-earned improvements by being brought into competition with a more wealthy class of purchasers at the land sales.

The attention of Congress was invited at their last and the preceding session to the importance of establishing a Territorial government over our possessions in Oregon, and it is to be regretted that there was no legislation on the subject. Our citizens who inhabit that distant region of country are still left without the protection of our laws, or any regularly organized government. Before the question of limits and boundaries of the Territory of Oregon was definitely settled, from the necessity of their condition the inhabitants had established a temporary government of their own. Besides the want of legal authority for continuing such a government, it is wholly inadequate to protect them

in their rights of person and property, or to secure to them the enjoyment of the privileges of other citizens, to which they are entitled under the Constitution of the United States. They should have the right of suffrage, be represented in a Territorial legislature and by a Delegate in Congress, and possess all the rights and privileges which citizens of other portions of the territories of the United States have heretofore enjoyed or may now enjoy.

Our judicial system, revenue laws, laws regulating trade and intercourse with the Indian tribes, and the protection of our laws generally should be extended over them.

In addition to the inhabitants in that Territory who had previously emigrated to it, large numbers of our citizens have followed them during the present year, and it is not doubted that during the next and subsequent years their numbers will be greatly increased.

Congress at its last session established post routes leading to Oregon, and between different points within that Territory, and authorized the establishment of post-offices at "Astoria and such other places on the coasts of the Pacific within the territory of the United States as the public interests may require." Post-offices have accordingly been established, deputy postmasters appointed, and provision made for the transportation of the mails.

The preservation of peace with the Indian tribes residing west of the Rocky Mountains will render it proper that authority should be given by law for the appointment of an adequate number of Indian agents to reside among them.

I recommend that a surveyor-general's office be established in that Territory, and that the public lands be surveyed and brought into market at an early period.

I recommend also that grants, upon liberal terms, of limited quantities of the public lands be made to all citizens of the United States who have emigrated, or may hereafter within a prescribed period emigrate, to Oregon and settle upon them. These hardy and adventurous citizens, who have encountered the dangers and privations of a long and toilsome journey, and have at length found an abiding place for themselves and their families upon the utmost verge of our western limits, should be secured in the homes which they have improved by their labor.

I refer you to the accompanying report of the Secretary of War for a detailed account of the operations of the various branches of the public service connected with the Department under his charge. The duties devolving on this Department have been unusually onerous and responsible during the past year, and have been discharged with ability and success.

Pacific relations continue to exist with the various Indian tribes, and most of them manifest a strong friendship for the United States. Some depredations were committed during the past year upon our trains transporting supplies for the Army, on the road between the western border of Missouri and Santa Fe. These depredations, which are supposed to have been committed by bands from the region of New Mexico, have been arrested by the presence of a military force ordered out for that purpose. Some outrages have been perpetrated by a portion of the northwestern bands upon the weaker and

comparatively defenseless neighboring tribes. Prompt measures were taken to prevent such occurrences in future.

Between 1,000 and 2,000 Indians, belonging to several tribes, have been removed during the year from the east of the Mississippi to the country allotted to them west of that river as their permanent home, and arrangements have been made for others to follow.

Since the treaty of 1846 with the Cherokees the feuds among them appear to have subsided, and they have become more united and contented than they have been for many years past. The commissioners appointed in pursuance of the act of June 27, 1846, to settle claims arising under the treaty of 1835-36 with that tribe have executed their duties, and after a patient investigation and a full and fair examination of all the cases brought before them closed their labors in the month of July last. This is the fourth board of commissioners which has been organized under this treaty. Ample opportunity has been afforded to all those interested to bring forward their claims. No doubt is entertained that impartial justice has been done by the late board, and that all valid claims embraced by the treaty have been considered and allowed. This result and the final settlement to be made with this tribe under the treaty of 1846, which will be completed and laid before you during your session, will adjust all questions of controversy between them and the United States and produce a state of relations with them simple, well defined, and satisfactory.

Under the discretionary authority conferred by the act of the 3d of March last the annuities due to the various tribes have been paid during the present year to the heads of families instead of to their chiefs or such persons as they might designate, as required by the law previously existing. This mode of payment has given general satisfaction to the great body of the Indians. Justice has been done to them, and they are grateful to the Government for it. A few chiefs and interested persons may object to this mode of payment, but it is believed to be the only mode of preventing fraud and imposition from being practiced upon the great body of common Indians, constituting a majority of all the tribes.

It is gratifying to perceive that a number of the tribes have recently manifested an increased interest in the establishment of schools among them, and are making rapid advances in agriculture, some of them producing a sufficient quantity of food for their support and in some cases a surplus to dispose of to their neighbors. The comforts by which those who have received even a very limited education and have engaged in agriculture are surrounded tend gradually to draw off their less civilized brethren from the precarious means of subsistence by the chase to habits of labor and civilization.

The accompanying report of the Secretary of the Navy presents a satisfactory and gratifying account of the condition and operations of the naval service during the past year. Our commerce has been pursued with increased activity and with safety and success in every quarter of the globe under the protection of our flag, which the Navy has caused to be respected in the most distant seas.

In the Gulf of Mexico and in the Pacific the officers and men of our squadrons have displayed distinguished gallantry and performed valuable services. In the early stages of

the war with Mexico her ports on both coasts were blockaded, and more recently many of them have been captured and held by the Navy. When acting in cooperation with the land forces, the naval officers and men have performed gallant and distinguished services on land as well as on water, and deserve the high commendation of the country.

While other maritime powers are adding to their navies large numbers of war steamers, it was a wise policy on our part to make similar additions to our Navy. The four war steamers authorized by the act of the 3d of March, 1847, are in course of construction.

In addition to the four war steamers authorized by this act, the Secretary of the Navy has, in pursuance of its provisions, entered into contracts for the construction of five steamers to be employed in the transportation of the United States mail "from New York to New Orleans, touching at Charleston, Savannah, and Havana, and from Havana to Chagres;" for three steamers to be employed in like manner from Panama to Oregon, "so as to connect with the mail from Havana to Chagres across the Isthmus;" and for five steamers to be employed in like manner from New York to Liverpool. These steamers will be the property of the contractors, but are to be built "under the superintendence and direction of a naval constructor in the employ of the Navy Department, and to be so constructed as to render them convertible at the least possible expense into war steamers of the first class." A prescribed number of naval officers, as well as a post-office agent, are to be on board of them, and authority is reserved to the Navy Department at all times to "exercise control over said steamships" and "to have the right to take them for the exclusive use and service of the United States upon making proper compensation to the contractors therefor."

Whilst these steamships will be employed in transporting the mails of the United States coastwise and to foreign countries upon an annual compensation to be paid to the owners, they will be always ready, upon an emergency requiring it, to be converted into war steamers; and the right reserved to take them for public use will add greatly to the efficiency and strength of this description of our naval force. To the steamers authorized under contracts made by the Secretary of the Navy should be added five other steamers authorized under contracts made in pursuance of laws by the Postmaster-General, making an addition, in the whole, of eighteen war steamers subject to be taken for public use. As further contracts for the transportation of the mail to foreign countries may be authorized by Congress, this number may be enlarged indefinitely.

The enlightened policy by which a rapid communication with the various distant parts of the globe is established, by means of American-built sea steamers, would find an ample reward in the increase of our commerce and in making our country and its resources more favorably known abroad; but the national advantage is still greater—of having our naval officers made familiar with steam navigation and of having the privilege of taking the ships already equipped for immediate service at a moment's notice, and will be cheaply purchased by the compensation to be paid for the transportation of the mail in them over and above the postages received.

A just national pride, no less than our commercial interests, would seem to favor the policy of augmenting the number of this description of vessels. They can be built in our country cheaper and in greater numbers than in any other in the world.

I refer you to the accompanying report of the Postmaster-General for a detailed and satisfactory account of the condition and operations of that Department during the past year. It is gratifying to find that within so short a period after the reduction in the rates of postage, and notwithstanding the great increase of mail service, the revenue received for the year will be sufficient to defray all the expenses, and that no further aid will be required from the Treasury for that purpose.

The first of the American mail steamers authorized by the act of the 3d of March, 1845, was completed and entered upon the service on the 1st of June last, and is now on her third voyage to Bremen and other intermediate ports. The other vessels authorized under the provisions of that act are in course of construction, and will be put upon the line as soon as completed. Contracts have also been made for the transportation of the mail in a steamer from Charleston to Havana.

A reciprocal and satisfactory postal arrangement has been made by the Postmaster-General with the authorities of Bremen, and no difficulty is apprehended in making similar arrangements with all other powers with which we may have communications by mail steamers, except with Great Britain.

On the arrival of the first of the American steamers bound to Bremen at Southampton, in the month of June last, the British post-office directed the collection of discriminating postages on all letters and other mailable matter which she took out to Great Britain or which went into the British post-office on their way to France and other parts of Europe. The effect of the order of the British post-office is to subject all letters and other matter transported by American steamers to double postage, one postage having been previously paid on them to the United States, while letters transported in British steamers are subject to pay but a single postage. This measure was adopted with the avowed object of protecting the British line of mail steamers now running between Boston and Liverpool, and if permitted to continue must speedily put an end to the transportation of all letters and other matter by American steamers and give to British steamers a monopoly of the business. A just and fair reciprocity is all that we desire, and on this we must insist. By our laws no such discrimination is made against British steamers bringing letters into our ports, but all letters arriving in the United States are subject to the same rate of postage, whether brought in British or American vessels. I refer you to the report of the Postmaster-General for a full statement of the facts of the case and of the steps taken by him to correct this inequality. He has exerted all the power conferred upon him by the existing laws.

The minister of the United States at London has brought the subject to the attention of the British Government, and is now engaged in negotiations for the purpose of adjusting reciprocal postal arrangements which shall be equally just to both countries. Should he fail in concluding such arrangements, and should Great Britain insist on enforcing the unequal and unjust measure she has adopted, it will become necessary to confer additional powers on the Postmaster-General in order to enable him to meet the emergency and to put our own steamers on an equal footing with British steamers engaged in transporting the mails between the two countries, and I recommend that such powers be conferred.

In view of the existing state of our country, I trust it may not be inappropriate, in closing this communication, to call to mind the words of wisdom and admonition of the first and most illustrious of my predecessors in his Farewell Address to his countrymen.

That greatest and best of men, who served his country so long and loved it so much, foresaw with "serious concern" the danger to our Union of "characterizing parties by *geographical* discriminations—*Northern* and *Southern*, *Atlantic* and *Western*—whence designing men may endeavor to excite a belief that there is a real difference of local interests and views," and warned his countrymen against it.

So deep and solemn was his conviction of the importance of the Union and of preserving harmony between its different parts, that he declared to his countrymen in that address:

It is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which now link together the various parts.

After the lapse of half a century these admonitions of Washington fall upon us with all the force of truth. It *is* difficult to estimate the "immense value" of our glorious Union of confederated States, to which we are so much indebted for our growth in population and wealth and for all that constitutes us a great and a happy nation. How unimportant are all our differences of opinion upon minor questions of public policy compared with its preservation, and how scrupulously should we avoid all agitating topics which may tend to distract and divide us into contending parties, separated by geographical lines, whereby it may be weakened or endangered.

Invoking the blessing of the Almighty Ruler of the Universe upon your deliberations, it will be my highest duty, no less than my sincere pleasure, to cooperate with you in all measures which may tend to promote the honor and enduring welfare of our common country.

JAMES K. POLK

WASHINGTON, *January 12, 1848.*

To the House of Representatives of the United States:

I have carefully considered the resolution of the House of Representatives of the 4th instant, requesting the President to communicate to that House "any instructions which may have been given to any of the officers of the Army or Navy of the United States, or other persons, in regard to the return of President General Lopez de Santa Anna, or any other Mexican, to the Republic of Mexico prior or subsequent to the order of the President or Secretary of War issued in January, 1846, for the march of the Army from the Nueces River, across the 'stupendous deserts' which intervene, to the Rio Grande; that the date of all such instructions, orders, and correspondence be set forth, together with the instructions and orders issued to Mr. Slidell at any time prior or subsequent to his departure for Mexico as minister plenipotentiary of the United States to that Republic;" and requesting the President also to "communicate all the orders and correspondence of the Government in relation to the return of General Paredes to Mexico."

I transmit herewith reports from the Secretary of State, the Secretary of War, and the Secretary of the Navy, with the documents accompanying the same, which contain all the information in the possession of the Executive which it is deemed compatible with the public interests to communicate.

For further information relating to the return of Santa Anna to Mexico I refer you to my annual message of December 8, 1846. The facts and considerations stated in that message induced the order of the Secretary of the Navy to the commander of our squadron in the Gulf of Mexico a copy of which is herewith communicated. This order was issued simultaneously with the order to blockade the coasts of Mexico, both bearing date the 13th of May, 1846, the day on which the existence of the war with Mexico was recognized by Congress. It was issued solely upon the views of policy presented in that message, and without any understanding on the subject, direct or indirect, with Santa Anna or any other person.

General Paredes evaded the vigilance of our combined forces by land and sea, and made his way back to Mexico from the exile into which he had been driven, landing at Vera Cruz after that city and the castle of San Juan de Ulloa were in our military occupation, as will appear from the accompanying reports and documents.

The resolution calls for the "instructions and orders issued to Mr. Slidell at any time prior or subsequent to his departure for Mexico as minister plenipotentiary of the United States to that Republic." The customary and usual reservation contained in calls of either House of Congress upon the Executive for information relating to our intercourse with foreign nations has been omitted in the resolution before me. The call of the House is unconditional. It is that the information requested be communicated, and thereby be made public, whether in the opinion of the Executive (who is charged by the Constitution with the duty of conducting negotiations with foreign powers) such information, when disclosed, would be prejudicial to the public interest or not. It has been a subject of serious deliberation with me whether I could, consistently with my constitutional duty and my sense of the public interests involved and to be affected by it, violate an important principle, always heretofore held sacred by my predecessors, as I should do by

a compliance with the request of the House. President Washington, in a message to the House of Representatives of the 30th of March, 1796, declined to comply with a request contained in a resolution of that body, to lay before them "a copy of the instructions to the minister of the United States who negotiated the treaty with the King of Great Britain, together with the correspondence and other documents relative to that treaty, excepting such of the said papers as any existing negotiation may render improper to be disclosed." In assigning his reasons for declining to comply with the call he declared that—

The nature of foreign negotiations requires caution, and their success must often depend on secrecy; and even when brought to a conclusion a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely impolitic; for this might have a pernicious influence on future negotiations, or produce immediate inconveniences, perhaps danger and mischief, in relation to other powers. The necessity of such caution and secrecy was one cogent reason for vesting the power of making treaties in the President, with the advice and consent of the Senate, the principle on which that body was formed confining it to a small number of members. To admit, then, a right in the House of Representatives to demand and to have as a matter of course all the papers respecting a negotiation with a foreign power would be to establish a dangerous precedent.

In that case the instructions and documents called for related to a treaty which had been concluded and ratified by the President and Senate, and the negotiations in relation to it had been terminated. There was an express reservation, too, "excepting" from the call all such papers as related to "any existing negotiations" which it might be improper to disclose. In that case President Washington deemed it to be a violation of an important principle, the establishment of a "dangerous precedent," and prejudicial to the public interests to comply with the call of the House. Without deeming it to be necessary on the present occasion to examine or decide upon the other reasons assigned by him for his refusal to communicate the information requested by the House, the one which is herein recited is in my judgment conclusive in the case under consideration.

Indeed, the objections to complying with the request of the House contained in the resolution before me are much stronger than those which existed in the case of the resolution in 1796. This resolution calls for the "instructions and orders" to the minister of the United States to Mexico which relate to negotiations which have not been terminated, and which may be resumed. The information called for respects negotiations which the United States offered to open with Mexico immediately preceding the commencement of the existing war. The instructions given to the minister of the United States relate to the differences between the two countries out of which the war grew and the terms of adjustment which we were prepared to offer to Mexico in our anxiety to prevent the war. These differences still remain unsettled, and to comply with the call of the House would be to make public through that channel, and to communicate to Mexico, now a public enemy engaged in war, information which could not fail to produce serious embarrassment in any future negotiation between the two countries. I have heretofore communicated to Congress all the correspondence of the minister of the United States to Mexico which in the existing state of our relations with that Republic can, in my judgment, be at this time communicated without serious injury to the public interest.

Entertaining this conviction, and with a sincere desire to furnish any information which may be in possession of the executive department, and which either House of Congress may at any time request, I regard it to be my constitutional right and my solemn duty

under the circumstances of this case to decline a compliance with the request of the House contained in their resolution.

JAMES K. POLK

WASHINGTON, *February 10, 1848.*

To the Senate of the United States:

In answer to the resolution of the Senate of the 1st instant, requesting to be informed whether "any taxes, duties, or imposts" have been "laid and collected upon goods and merchandise belonging to citizens of the United States exported by such citizens from the United States to Mexico, and, if so, what is the rate of such duties, and what amount has been collected, and also by what authority of law the same have been laid and collected," I refer the Senate to my annual message of the 7th of December last, in which I informed Congress that orders had been given to our military and naval commanders in Mexico to adopt the policy, as far as practicable, of levying military contributions upon the enemy for the support of our Army.

As one of the modes adopted for levying such contributions, it was stated in that message that—

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 toward 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 toward the expenses of the war.

A copy of the order referred to, with the documents accompanying it, has been communicated to Congress.

The order operated upon the vessels and merchandise of all nations, whether belonging to citizens of the United States or to foreigners, arriving in any of the ports in Mexico in our military occupation. The contributions levied were a tax upon Mexican citizens, who were the consumers of the merchandise imported. But for the permit or license granted by the order all vessels and merchandise belonging to citizens of the United States were necessarily excluded from all commerce with Mexico from the commencement of the war. The coasts and ports of Mexico were ordered to be placed under blockade on the day Congress declared the war to exist, and by the laws of nations the blockade applied to the vessels of the United States as well as to the vessels of all other nations. Had no blockade been declared, or had any of our merchant vessels entered any of the ports of Mexico not blockaded, they would have been liable to be seized and condemned as lawful prize by the Mexican authorities. When the order was issued, it operated as a privilege to the vessels of the United States as well as to those of foreign countries to enter the ports held by our arms upon prescribed terms and conditions. It was altogether optional with

citizens of the United States and foreigners to avail themselves of the privileges granted upon the terms prescribed.

Citizens of the United States and foreigners have availed themselves of these privileges.

No principle is better established than that a nation at war has the right of shifting the burden off itself and imposing it on the enemy by exacting military contributions. The mode of making such exactions must be left to the discretion of the conqueror, but it should be exercised in a manner conformable to the rules of civilized warfare.

The right to levy these contributions is essential to the successful prosecution of war in an enemy's country, and the practice of nations has been in accordance with this principle. It is as clearly necessary as the right to fight battles, and its exercise is often essential to the subsistence of the army.

Entertaining no doubt that the military right to exclude commerce altogether from the ports of the enemy in our military occupation included the minor right of admitting it under prescribed conditions, it became an important question at the date of the order whether there should be a discrimination between vessels and cargoes belonging to citizens of the United States and vessels and cargoes belonging to neutral nations.

Had the vessels and cargoes belonging to citizens of the United States been admitted without the payment of any duty, while a duty was levied on foreign vessels and cargoes, the object of the order would have been defeated. The whole commerce would have been conducted in American vessels, no contributions could have been collected, and the enemy would have been furnished with goods without the exaction from him of any contribution whatever, and would have been thus benefited by our military occupation, instead of being made to feel the evils of the war. In order to levy these contributions and to make them available for the support of the Army, it became, therefore, absolutely necessary that they should be collected upon imports into Mexican ports, whether in vessels belonging to citizens of the United States or to foreigners.

It was deemed proper to extend the privilege to vessels and their cargoes belonging to neutral nations. It has been my policy since the commencement of the war with Mexico to act justly and liberally toward all neutral nations, and to afford to them no just cause of complaint; and we have seen the good consequences of this policy by the general satisfaction which it has given.

In answer to the inquiry contained in the resolution as to the rates of duties imposed, I refer you to the documents which accompanied my annual message of the 7th of December last, which contain the information.

From the accompanying reports of the Secretary of War and the Secretary of the Navy it will be seen that the contributions have been collected on all vessels and cargoes, whether American or foreign; but the returns to the Departments do not show with exactness the amounts collected on American as distinguishable from foreign vessels and merchandise.

JAMES K. POLK

WASHINGTON, *February 22, 1848.*

To the Senate of the United States:

I lay before the Senate, for their consideration and advice as to its ratification, a treaty of peace, friendship, limits, and settlement, signed at the city of Guadalupe Hidalgo on the 2d day of February, 1848, by N.P. Trist on the part of the United States, and by plenipotentiaries appointed for that purpose on the part of the Mexican Government.

I deem it to be my duty to state that the recall of Mr. Trist as commissioner of the United States, of which Congress was informed in my annual message, was dictated by a belief that his continued presence with the Army could be productive of no good, but might do much harm by encouraging the delusive hopes and false impressions of the Mexicans, and that his recall would satisfy Mexico that the United States had no terms of peace more favorable to offer. Directions were given that any propositions for peace which Mexico might make should be received and transmitted by the commanding general of our forces to the United States.

It was not expected that Mr. Trist would remain in Mexico or continue in the exercise of the functions of the office of commissioner after he received his letter of recall. He has, however, done so, and the plenipotentiaries of the Government of Mexico, with a knowledge of the fact, have concluded with him this treaty. I have examined it with a full sense of the extraneous circumstances attending its conclusion and signature, which might be objected to, but conforming as it does substantially on the main questions of boundary and indemnity to the terms which our commissioner, when he left the United States in April last, was authorized to offer, and animated as I am by the spirit which has governed all my official conduct toward Mexico, I have felt it to be my duty to submit it to the Senate for their consideration with a view to its ratification.

To the tenth article of the treaty there are serious objections, and no instructions given to Mr. Trist contemplated or authorized its insertion. The public lands within the limits of Texas belong to that State, and this Government has no power to dispose of them or to change the conditions of grants already made. All valid titles to lands within the other territories ceded to the United States will remain unaffected by the change of sovereignty; and I therefore submit that this article should not be ratified as a part of the treaty.

There may be reason to apprehend that the ratification of the "additional and secret article" might unreasonably delay and embarrass the final action on the treaty by Mexico. I therefore submit whether that article should not be rejected by the Senate.

If the treaty shall be ratified as proposed to be amended, the cessions of territory made by it to the United States as indemnity, the provision for the satisfaction of the claims of our injured citizens, and the permanent establishment of the boundary of one of the States of the Union are objects gained of great national importance, while the magnanimous forbearance exhibited toward Mexico, it is hoped, may insure a lasting peace and good neighborhood between the two countries.

I communicate herewith a copy of the instructions given to Mr. Slidell in November, 1845, as envoy extraordinary and minister plenipotentiary to Mexico; a copy of the

instructions given to Mr. Trist in April last, and such of the correspondence of the latter with the Department of State, not heretofore communicated to Congress, as will enable the Senate to understand the action which has been had with a view to the adjustment of our difficulties with Mexico.

JAMES K. POLK

WASHINGTON, *February 29, 1848.*

To the Senate of the United States:

In compliance with the resolution of the Senate passed in "executive session" on yesterday, requesting the President "to communicate to the Senate, *in confidence*, the entire correspondence between Mr. Trist and the Mexican commissioners from the time of his arrival in Mexico until the time of the negotiation of the treaty submitted to the Senate; and also the entire correspondence between Mr. Trist and the Secretary of State in relation to his negotiations with the Mexican commissioners; also all the correspondence between General Scott and the Government and between General Scott and Mr. Trist since the arrival of Mr. Trist in Mexico which may be in the possession of the Government," I transmit herewith the correspondence called for. These documents are very voluminous, and presuming that the Senate desired them in reference to early action on the treaty with Mexico submitted to the consideration of that body by my message of the 22d instant, the originals of several of the letters of Mr. Trist are herewith, communicated, in order to save the time which would necessarily be required to make copies of them. These original letters, it is requested, may be returned when the Senate shall have no further use for them.

The letters of Mr. Trist to the Secretary of State, and especially such of them as bear date subsequent to the receipt by him of his letter of recall as commissioner, it will be perceived, contain much matter that is impertinent, irrelevant, and highly exceptionable. Four of these letters, bearing date, respectively, the 29th December, 1847, January 12, January 22, and January 25, 1848, have been received since the treaty was submitted to the Senate. In the latter it is stated that the Mexican commissioners who signed the treaty derived "their full powers, bearing date on the 30th December, 1847, from the President *ad interim* of the Republic (General Anaya), constitutionally elected to that office in November by the Sovereign Constituent Congress" of Mexico. It is impossible that I can approve the conduct of Mr. Trist in disobeying the positive orders of his Government contained in the letter recalling him, or do otherwise than condemn much of the matter with which he has chosen to encumber his voluminous correspondence. Though all of his acts since his recall might have been disavowed by his Government, yet Mexico can take no such exception. The treaty which the Mexican commissioners have negotiated with him, with a full knowledge on their part that he had been recalled from his mission, *is* binding on Mexico.

Looking at the actual condition of Mexico, and believing that if the present treaty be rejected the war will probably be continued at great expense of life and treasure for an indefinite period, and considering that the terms, with the exceptions mentioned in my message of the 22d instant, conform substantially, so far as relates to the main question of boundary, to those authorized by me in April last, I considered it to be my solemn duty to the country, uninfluenced by the exceptionable conduct of Mr. Trist, to submit the treaty to the Senate with a recommendation that it be ratified, with the modifications suggested.

Nothing contained in the letters received from Mr. Trist since it was submitted to the Senate has changed my opinion on the subject.

The resolution also calls for "all the correspondence between General Scott and the Government since the arrival of Mr. Trist in Mexico." A portion of that correspondence, relating to Mr. Trist and his mission, accompanies this communication. The remainder of the "correspondence between General Scott and the Government" relates mainly, if not exclusively, to military operations. A part of it was communicated to Congress with my annual message, and the whole of it will be sent to the Senate if it shall be desired by that body. As coming within the purview of the resolution, I also communicate copies of the letters of the Secretary of War to Major-General Butler in reference to Mr. Trist's remaining at the headquarters of the Army in the assumed exercise of his powers of commissioner.

JAMES K. POLK

WASHINGTON, *March 18, 1848.*

To the Senate of the United States:

Sudden and severe indisposition has prevented, and may for an indefinite period continue to prevent, Ambrose H. Sevier, recently appointed commissioner to Mexico, from departing on his mission. The public interest requires that a diplomatic functionary should proceed without delay to Mexico, bearing with him the treaty between the United States and the Mexican Republic, lately ratified, with amendments, by and with the advice and consent of the Senate of the United States. It is deemed proper, with this view, to appoint an associate commissioner, with full powers to act separately or jointly with Mr. Sevier.

I therefore nominate Nathan Clifford, of the State of Maine, to be a commissioner, with the rank of envoy extraordinary and minister plenipotentiary, of the United States to the Mexican Republic.

JAMES K. POLK

TREATY OF PEACE, FRIENDSHIP, LIMITS, AND SETTLEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES CONCLUDED AT GUADALUPE HIDALGO, FEBRUARY 2, 1848; RATIFICATION ADVISED BY SENATE, WITH AMENDMENTS, MARCH 10, 1848; RATIFIED BY PRESIDENT, MARCH 16, 1848; RATIFICATIONS EXCHANGED AT QUERETARO, MAY 30, 1848; PROCLAIMED, JULY 4, 1848.

IN THE NAME OF ALMIGHTY GOD

The United States of America and the United Mexican States animated by a sincere desire to put an end to the calamities of the war which unhappily exists between the two Republics and to establish Upon a solid basis relations of peace and friendship, which shall confer reciprocal benefits upon the citizens of both, and assure the concord, harmony, and mutual confidence wherein the two people should live, as good neighbors have for that purpose appointed their respective plenipotentiaries, that is to say: The President of the United States has appointed Nicholas P. Trist, a citizen of the United States, and the President of the Mexican Republic has appointed Don Luis Gonzaga Cuevas, Don Bernardo Couto, and Don Miguel Atristain, citizens of the said Republic; Who, after a reciprocal communication of their respective full powers, have, under the protection of Almighty God, the author of peace, arranged, agreed upon, and signed the following: Treaty of Peace, Friendship, Limits, and Settlement between the United States of America and the Mexican Republic.

ARTICLE I

There shall be firm and universal peace between the United States of America and the Mexican Republic, and between their respective countries, territories, cities, towns, and people, without exception of places or persons.

ARTICLE II

Immediately upon the signature of this treaty, a convention shall be entered into between a commissioner or commissioners appointed by the General-in-chief of the forces of the United States, and such as may be appointed by the Mexican Government, to the end that a provisional suspension of hostilities shall take place, and that, in the places occupied by the said forces, constitutional order may be reestablished, as regards the political, administrative, and judicial branches, so far as this shall be permitted by the circumstances of military occupation.

ARTICLE III

Immediately upon the ratification of the present treaty by the Government of the United States, orders shall be transmitted to the commanders of their land and naval forces, requiring the latter (provided this treaty shall then have been ratified by the Government of the Mexican Republic, and the ratifications exchanged) immediately to desist from blockading any Mexican ports and requiring the former (under the same

condition) to commence, at the earliest moment practicable, withdrawing all troops of the United States then in the interior of the Mexican Republic, to points that shall be selected by common agreement, at a distance from the seaports not exceeding thirty leagues; and such evacuation of the interior of the Republic shall be completed with the least possible delay; the Mexican Government hereby binding itself to afford every facility in its power for rendering the same convenient to the troops, on their march and in their new positions, and for promoting a good understanding between them and the inhabitants. In like manner orders shall be dispatched to the persons in charge of the custom houses at all ports occupied by the forces of the United States, requiring them (under the same condition) immediately to deliver possession of the same to the persons authorized by the Mexican Government to receive it, together with all bonds and evidences of debt for duties on importations and on exportations, not yet fallen due. Moreover, a faithful and exact account shall be made out, showing the entire amount of all duties on imports and on exports, collected at such custom-houses, or elsewhere in Mexico, by authority of the United States, from and after the day of ratification of this treaty by the Government of the Mexican Republic; and also an account of the cost of collection; and such entire amount, deducting only the cost of collection, shall be delivered to the Mexican Government, at the city of Mexico, within three months after the exchange of ratifications.

The evacuation of the capital of the Mexican Republic by the troops of the United States, in virtue of the above stipulation, shall be completed in one month after the orders there stipulated for shall have been received by the commander of said troops, or sooner if possible.

ARTICLE IV

Immediately after the exchange of ratifications of the present treaty all castles, forts, territories, places, and possessions, which have been taken or occupied by the forces of the United States during the present war, within the limits of the Mexican Republic, as about to be established by the following article, shall be definitely restored to the said Republic, together with all the artillery, arms, apparatus of war, munitions, and other public property, which were in the said castles and forts when captured, and which shall remain there at the time when this treaty shall be duly ratified by the Government of the Mexican Republic. To this end, immediately upon the signature of this treaty, orders shall be dispatched to the American officers commanding such castles and forts, securing against the removal or destruction of any such artillery, arms, apparatus of war, munitions, or other public property. The city of Mexico, within the inner line of entrenchments surrounding the said city, is comprehended in the above stipulation, as regards the restoration of artillery, apparatus of war, & c.

The final evacuation of the territory of the Mexican Republic, by the forces of the United States, shall be completed in three months from the said exchange of ratifications, or sooner if possible; the Mexican Government hereby engaging, as in the foregoing article to use all means in its power for facilitating such evacuation, and rendering it convenient to the troops, and for promoting a good understanding between them and the inhabitants.

If, however, the ratification of this treaty by both parties should not take place in time to allow the embarkation of the troops of the United States to be completed before the commencement of the sickly season, at the Mexican ports on the Gulf of Mexico, in such case a friendly arrangement shall be entered into between the General-in-Chief of the said troops and the Mexican Government, whereby healthy and otherwise suitable places, at a distance from the ports not exceeding thirty leagues, shall be designated for the residence of such troops as may not yet have embarked, until the return of the healthy season. And the space of time here referred to as, comprehending the sickly season shall be understood to extend from the first day of May to the first day of November.

All prisoners of war taken on either side, on land or on sea, shall be restored as soon as practicable after the exchange of ratifications of this treaty. It is also agreed that if any Mexicans should now be held as captives by any savage tribe within the limits of the United States, as about to be established by the following article, the Government of the said United States will exact the release of such captives and cause them to be restored to their country.

ARTICLE V

The boundary line between the two Republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or Opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence, westward, along the whole southern boundary of New Mexico (which runs north of the town called Paso) to its western termination; thence, northward, along the western line of New Mexico, until it intersects the first branch of the river Gila; (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same); thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean.

The southern and western limits of New Mexico, mentioned in the article, are those laid down in the map entitled "Map of the United Mexican States, as organized and defined by various acts of the Congress of said republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell," of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned Plenipotentiaries. And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper from Lower California, it is agreed that the said limit shall consist of a straight line drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pacific Ocean, distant one marine league due south of the southernmost point of the port of San Diego, according to the plan of said port made in the year 1782 by Don Juan Pantoja, second sailing-master of the Spanish fleet, and published at Madrid in the year 1802, in the atlas to the voyage of the schooners Sutil and Mexicana; of which plan a copy is hereunto added, signed and sealed by the respective Plenipotentiaries.

In order to designate the boundary line with due precision, upon authoritative maps, and to establish upon the ground land-marks which shall show the limits of both republics, as described in the present article, the two Governments shall each appoint a commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of ratifications of this treaty, shall meet at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations; and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two Governments will amicably agree regarding what may be necessary to these persons, and also as to their respective escorts, should such be necessary.

The boundary line established by this article shall be religiously respected by each of the two republics, and no change shall ever be made therein, except by the express and free consent of both nations, lawfully given by the General Government of each, in conformity with its own constitution.

ARTICLE VI

The vessels and citizens of the United States shall, in all time, have a free and uninterrupted passage by the Gulf of California, and by the river Colorado below its confluence with the Gila, to and from their possessions situated north of the boundary line defined in the preceding article; it being understood that this passage is to be by navigating the Gulf of California and the river Colorado, and not by land, without the express consent of the Mexican Government.

If, by the examinations which may be made, it should be ascertained to be practicable and advantageous to construct a road, canal, or railway, which should in whole or in part run upon the river Gila, or upon its right or its left bank, within the space of one marine league from either margin of the river, the Governments of both republics will form an agreement regarding its construction, in order that it may serve equally for the use and advantage of both countries.

ARTICLE VII

The river Gila, and the part of the Rio Bravo del Norte lying below the southern boundary of New Mexico, being, agreeably to the fifth article, divided in the middle between the two republics, the navigation of the Gila and of the Bravo below said boundary shall be free and common to the vessels and citizens of both countries; and neither shall, without the consent of the other, construct any work that may impede or interrupt, in whole or in part, the exercise of this right; not even for the purpose of favoring new methods of navigation. Nor shall any tax or contribution, under any denomination or title, be levied upon vessels or persons navigating the same or upon merchandise or effects transported thereon, except in the case of landing upon one of their shores. If, for the purpose of making the said rivers navigable, or for maintaining them in such state, it should be necessary or advantageous to establish any tax or contribution, this shall not be done without the consent of both Governments.

The stipulations contained in the present article shall not impair the territorial rights of either republic within its established limits.

ARTICLE VIII

Mexicans now established in territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican Republic, retaining the property which they possess in the said territories, or disposing thereof, and removing the proceeds wherever they please, without their being subjected, on this account, to any contribution, tax, or charge whatever.

Those who shall prefer to remain in the said territories may either retain the title and rights of Mexican citizens, or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.

In the said territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guarantees equally ample as if the same belonged to citizens of the United States.

ARTICLE IX

The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States. and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and in the mean time, shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without; restriction.

ARTICLE X

[Stricken out]

Article XI

Considering that a great part of the territories, which, by the present treaty, are to be comprehended for the future within the limits of the United States, is now occupied by savage tribes, who will hereafter be under the exclusive control of the Government of the United States, and whose incursions within the territory of Mexico would be prejudicial in the extreme, it is solemnly agreed that all such incursions shall be forcibly restrained by the Government of the United States whensoever this may be necessary; and that when they cannot be prevented, they shall be punished by the said Government, and

satisfaction for the same shall be exacted all in the same way, and with equal diligence and energy, as if the same incursions were meditated or committed within its own territory, against its own citizens.

It shall not be lawful, under any pretext whatever, for any inhabitant of the United States to purchase or acquire any Mexican, or any foreigner residing in Mexico, who may have been captured by Indians inhabiting the territory of either of the two republics; nor to purchase or acquire horses, mules, cattle, or property of any kind, stolen within Mexican territory by such Indians.

And in the event of any person or persons, captured within Mexican territory by Indians, being carried into the territory of the United States, the Government of the latter engages and binds itself, in the most solemn manner, so soon as it shall know of such captives being within its territory, and shall be able so to do, through the faithful exercise of its influence and power, to rescue them and return them to their country. or deliver them to the agent or representative of the Mexican Government. The Mexican authorities will, as far as practicable, give to the Government of the United States notice of such captures; and its agents shall pay the expenses incurred in the maintenance and transmission of the rescued captives; who, in the mean time, shall be treated with the utmost hospitality by the American authorities at the place where they may be. But if the Government of the United States, before receiving such notice from Mexico, should obtain intelligence, through any other channel, of the existence of Mexican captives within its territory, it will proceed forthwith to effect their release and delivery to the Mexican agent, as above stipulated.

For the purpose of giving to these stipulations the fullest possible efficacy, thereby affording the security and redress demanded by their true spirit and intent, the Government of the United States will now and hereafter pass, without unnecessary delay, and always vigilantly enforce, such laws as the nature of the subject may require. And, finally, the sacredness of this obligation shall never be lost sight of by the said Government, when providing for the removal of the Indians from any portion of the said territories, or for its being settled by citizens of the United States; but, on the contrary, special care shall then be taken not to place its Indian occupants under the necessity of seeking new homes, by committing those invasions which the United States have solemnly obliged themselves to restrain.

ARTICLE XII

In consideration of the extension acquired by the boundaries of the United States, as defined in the fifth article of the present treaty, the Government of the United States engages to pay to that of the Mexican Republic the sum of fifteen millions of dollars.

Immediately after the treaty shall have been duly ratified by the Government of the Mexican Republic, the sum of three millions of dollars shall be paid to the said Government by that of the United States, at the city of Mexico, in the gold or silver coin of Mexico. The remaining twelve millions of dollars shall be paid at the same place, and in the same coin, in annual installments of three millions of dollars each, together with interest on the same at the rate of six per centum per annum. This interest shall begin to

run upon the whole sum of twelve millions from the day of the ratification of the present treaty by--the Mexican Government, and the first of the installments shall be paid-at the expiration of one year from the same day. Together with each annual installment, as it falls due, the whole interest accruing on such installment from the beginning shall also be paid.

ARTICLE XIII

The United States engage, moreover, to assume and pay to the claimants all the amounts now due them, and those hereafter to become due, by reason of the claims already liquidated and decided against the Mexican Republic, under the conventions between the two republics severally concluded on the eleventh day of April, eighteen hundred and thirty-nine, and on the thirtieth day of January, eighteen hundred and forty-three; so that the Mexican Republic shall be absolutely exempt, for the future, from all expense whatever on account of the said claims.

ARTICLE XIV

The United States do furthermore discharge the Mexican Republic from all claims of citizens of the United States, not heretofore decided against the Mexican Government, which may have arisen previously to the date of the signature of this treaty; which discharge shall be final and perpetual, whether the said claims be rejected or be allowed by the board of commissioners provided for in the following article, and whatever shall be the total amount of those allowed.

ARTICLE XV

The United States, exonerating Mexico from all demands on account of the claims of their citizens mentioned in the preceding article, and considering them entirely and forever canceled, whatever their amount may be, undertake to make satisfaction for the same, to an amount not exceeding three and one-quarter millions of dollars. To ascertain the validity and amount of those claims, a board of commissioners shall be established by the Government of the United States, whose awards shall be final and conclusive; provided that, in deciding upon the validity of each claim, the board shall be guided and governed by the principles and rules of decision prescribed by the first and fifth articles of the unratified convention, concluded at the city of Mexico on the twentieth day of November, one thousand eight hundred and forty-three; and in no case shall an award be made in favour of any claim not embraced by these principles and rules.

If, in the opinion of the said board of commissioners or of the claimants, any books, records, or documents, in the possession or power of the Government of the Mexican Republic, shall be deemed necessary to the just decision of any claim, the commissioners, or the claimants through them, shall, within such period as Congress may designate, make an application in writing for the same, addressed to the Mexican Minister of Foreign Affairs, to be transmitted by the Secretary of State of the United States; and the Mexican Government engages, at the earliest possible moment after the receipt of such demand, to cause any of the books, records, or documents so specified, which shall be in their possession or power (or authenticated copies or extracts of the

same), to be transmitted to the said Secretary of State, who shall immediately deliver them over to the said board of commissioners; provided that no such application shall be made by or at the instance of any claimant, until the facts which it is expected to prove by such books, records, or documents, shall have been stated under oath or affirmation.

ARTICLE XVI

Each of the contracting parties reserves to itself the entire right to fortify whatever point within its territory it may judge proper so to fortify for its security.

ARTICLE XVII

The treaty of amity, commerce, and navigation, concluded at the city of Mexico, on the fifth day of April, A. D. 1831, between the United States of America and the United Mexican States, except the additional article, and except so far as the stipulations of the said treaty may be incompatible with any stipulation contained in the present treaty, is hereby revived for the period of eight years from the day of the exchange of ratifications of this treaty, with the same force and virtue as if incorporated therein; it being understood that each of the contracting parties reserves to itself the right, at any time after the said period of eight years shall have expired, to terminate the same by giving one year's notice of such intention to the other party.

ARTICLE XVIII

All supplies whatever for troops of the United States in Mexico, arriving at ports in the occupation of such troops previous to the final evacuation thereof, although subsequently to the restoration of the custom-houses at such ports, shall be entirely exempt from duties and charges of any kind; the Government of the United States hereby engaging and pledging its faith to establish and vigilantly to enforce, all possible guards for securing the revenue of Mexico, by preventing the importation, under cover of this stipulation, of any articles other than such, both in kind and in quantity, as shall really be wanted for the use and consumption of the forces of the United States during the time they may remain in Mexico. To this end it shall be the duty of all officers and agents of the United States to denounce to the Mexican authorities at the respective ports any attempts at a fraudulent abuse of this stipulation, which they may know of, or may have reason to suspect, and to give to such authorities all the aid in their power with regard thereto; and every such attempt, when duly proved and established by sentence of a competent tribunal, They shall be punished by the confiscation of the property so attempted to be fraudulently introduced.

ARTICLE XIX

With respect to all merchandise, effects, and property whatsoever, imported into ports of Mexico, whilst in the occupation of the forces of the United States, whether by citizens of either republic, or by citizens or subjects of any neutral nation, the following rules shall be observed:

(1) All such merchandise, effects, and property, if imported previously to the restoration of the custom-houses to the Mexican authorities, as stipulated for in the third article of this treaty, shall be exempt from confiscation, although the importation of the same be prohibited by the Mexican tariff.

(2) The same perfect exemption shall be enjoyed by all such merchandise, effects, and property, imported subsequently to the restoration of the custom-houses, and previously to the sixty days fixed in the following article for the coming into force of the Mexican tariff at such ports respectively; the said merchandise, effects, and property being, however, at the time of their importation, subject to the payment of duties, as provided for in the said following article.

(3) All merchandise, effects, and property described in the two rules foregoing shall, during their continuance at the place of importation, and upon their leaving such place for the interior, be exempt from all duty, tax, or imposts of every kind, under whatsoever title or denomination. Nor shall they be there subject to any charge whatsoever upon the sale thereof.

(4) All merchandise, effects, and property, described in the first and second rules, which shall have been removed to any place in the interior, whilst such place was in the occupation of the forces of the United States, shall, during their continuance therein, be exempt from all tax upon the sale or consumption thereof, and from every kind of impost or contribution, under whatsoever title or denomination.

(5) But if any merchandise, effects, or property, described in the first and second rules, shall be removed to any place not occupied at the time by the forces of the United States, they shall, upon their introduction into such place, or upon their sale or consumption there, be subject to the same duties which, under the Mexican laws, they would be required to pay in such cases if they had been imported in time of peace, through the maritime custom-houses, and had there paid the duties conformably with the Mexican tariff.

(6) The owners of all merchandise, effects, or property, described in the first and second rules, and existing in any port of Mexico, shall have the right to reship the same, exempt from all tax, impost, or contribution whatever.

With respect to the metals, or other property, exported from any Mexican port whilst in the occupation of the forces of the United States, and previously to the restoration of the custom-house at such port, no person shall be required by the Mexican authorities, whether general or state, to pay any tax, duty, or contribution upon any such exportation, or in any manner to account for the same to the said authorities.

ARTICLE XX

Through consideration for the interests of commerce generally, it is agreed, that if less than sixty days should elapse between the date of the signature of this treaty and the restoration of the custom houses, conformably with the stipulation in the third article, in such case all merchandise, effects and property whatsoever, arriving at the Mexican ports after the restoration of the said custom-houses, and previously to the expiration of sixty days after the day of signature of this treaty, shall be admitted to entry; and no other duties shall be levied thereon than the duties established by the tariff found in force at such custom-houses at the time of the restoration of the same. And to all such

merchandise, effects, and property, the rules established by the preceding article shall apply.

ARTICLE XXI

If unhappily any disagreement should hereafter arise between the Governments of the two republics, whether with respect to the interpretation of any stipulation in this treaty, or with respect to any other particular concerning the political or commercial relations of the two nations, the said Governments, in the name of those nations, do promise to each other that they will endeavour, in the most sincere and earnest manner, to settle the differences so arising, and to preserve the state of peace and friendship in which the two countries are now placing themselves, using, for this end, mutual representations and pacific negotiations. And if, by these means, they should not be enabled to come to an agreement, a resort shall not, on this account, be had to reprisals, aggression, or hostility of any kind, by the one republic against the other, until the Government of that which deems itself aggrieved shall have maturely considered, in the spirit of peace and good neighbourship, whether it would not be better that such difference should be settled by the arbitration of commissioners appointed on each side, or by that of a friendly nation. And should such course be proposed by either party, it shall be acceded to by the other, unless deemed by it altogether incompatible with the nature of the difference, or the circumstances of the case.

ARTICLE XXII

If (which is not to be expected, and which God forbid) war should unhappily break out between the two republics, they do now, with a view to such calamity, solemnly pledge themselves to each other and to the world to observe the following rules; absolutely where the nature of the subject permits, and as closely as possible in all cases where such absolute observance shall be impossible:

(1) The merchants of either republic then residing in the other shall be allowed to remain twelve months (for those dwelling in the interior), and six months (for those dwelling at the seaports) to collect their debts and settle their affairs; during which periods they shall enjoy the same protection, and be on the same footing, in all respects, as the citizens or subjects of the most friendly nations; and, at the expiration thereof, or at any time before, they shall have full liberty to depart, carrying off all their effects without molestation or hindrance, conforming therein to the same laws which the citizens or subjects of the most friendly nations are required to conform to. Upon the entrance of the armies of either nation into the territories of the other, women and children, ecclesiastics, scholars of every faculty, cultivators of the earth, merchants, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or places, and in general all persons whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, unmolested in their persons. Nor shall their houses or goods be burnt or otherwise destroyed, nor their cattle taken, nor their fields wasted, by the armed force into whose power, by the events of war, they may

happen to fall; but if the necessity arise to take anything from them for the use of such armed force, the same shall be paid for at an equitable price. All churches, hospitals, schools, colleges, libraries, and other establishments for charitable and beneficent purposes, shall be respected, and all persons connected with the same protected in the discharge of their duties, and the pursuit of their vocations.

(2). In order that the fate of prisoners of war may be alleviated all such practices as those of sending them into distant, inclement or unwholesome districts, or crowding them into close and noxious places, shall be studiously avoided. They shall not be confined in dungeons, prison ships, or prisons; nor be put in irons, or bound or otherwise restrained in the use of their limbs. The officers shall enjoy liberty on their paroles, within convenient districts, and have comfortable quarters; and the common soldiers shall be disposed in cantonments, open and extensive enough for air and exercise and lodged in barracks as roomy and good as are provided by the party in whose power they are for its own troops. But if any officer shall break his parole by leaving the district so assigned him, or any other prisoner shall escape from the limits of his cantonment after they shall have been designated to him, such individual, officer, or other prisoner, shall forfeit so much of the benefit of this article as provides for his liberty on parole or in cantonment. And if any officer so breaking his parole or any common soldier so escaping from the limits assigned him, shall afterwards be found in arms previously to his being regularly exchanged, the person so offending shall be dealt with according to the established laws of war. The officers shall be daily furnished, by the party in whose power they are, with as many rations, and of the same articles, as are allowed either in kind or by commutation, to officers of equal rank in its own army; and all others shall be daily furnished with such ration as is allowed to a common soldier in its own service; the value of all which supplies shall, at the close of the war, or at periods to be agreed upon between the respective commanders, be paid by the other party, on a mutual adjustment of accounts for the subsistence of prisoners; and such accounts shall not be mingled with or set off against any others, nor the balance due on them withheld, as a compensation or reprisal for any cause whatever, real or pretended. Each party shall be allowed to keep a commissary of prisoners, appointed by itself, with every cantonment of prisoners, in possession of the other; which commissary shall see the prisoners as often as he pleases; shall be allowed to receive, exempt from all duties a taxes, and to distribute, whatever comforts may be sent to them by their friends; and shall be free to transmit his reports in open letters to the party by whom he is employed. And it is declared that neither the pretense that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending the solemn covenant contained in this article. On the contrary, the state of war is precisely that for which it is provided; and, during which, its stipulations are to be as sacredly observed as the most acknowledged obligations under the law of nature or nations.

ARTICLE XXIII

This treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the Mexican Republic, with the previous approbation of its general Congress; and the ratifications shall be exchanged in the City of Washington, or at the seat of Government of Mexico, in four months from the date of the signature hereof, or sooner if practicable. In faith whereof we, the respective Plenipotentiaries, have signed this treaty of peace, friendship, limits, and settlement, and have hereunto affixed our seals respectively. Done in quintuplicate, at the city of Guadalupe Hidalgo, on the second day of February, in the year of our Lord one thousand eight hundred and forty-eight.

N. P. TRIST

LUIS P.CUEVAS
BERNARDO COUTO
MIGL. ATRISTAIN

James K. Polk



Often referred to as the first "dark horse" President, James K. Polk was the last of the Jacksonians to sit in the White House, and the last strong President until the Civil War.

He was born in Mecklenburg County, North Carolina, in 1795. Studious and industrious, Polk was graduated with honors in 1818 from the University of North Carolina. As a young lawyer he entered politics, served in the Tennessee legislature, and became a friend of Andrew Jackson.

In the House of Representatives, Polk was a chief lieutenant of Jackson in his Bank war. He served as Speaker between 1835 and 1839, leaving to become Governor of Tennessee.

Until circumstances raised Polk's ambitions, he was a leading contender for the Democratic nomination for Vice President in 1844. Both Martin Van Buren, who had been expected to win the Democratic nomination for President, and Henry Clay, who was to be the Whig nominee, tried to take the expansionist issue out of the campaign by declaring themselves opposed to the annexation of Texas. Polk, however, publicly asserted that Texas should be "re-annexed" and all of Oregon "re-occupied."

The aged Jackson, correctly sensing that the people favored expansion, urged the choice of a candidate committed to the Nation's "Manifest Destiny." This view prevailed at the Democratic Convention, where Polk was nominated on the ninth ballot.

"Who is James K. Polk?" Whigs jeered. Democrats replied Polk was the candidate who stood for expansion. He linked the Texas issue, popular in the South, with the Oregon question, attractive to the North. Polk also favored acquiring California.

Even before he could take office, Congress passed a joint resolution offering annexation to Texas. In so doing they bequeathed Polk the possibility of war with Mexico, which soon severed diplomatic relations.

In his stand on Oregon, the President seemed to be risking war with Great Britain also. The 1844 Democratic platform claimed the entire Oregon area, from the California boundary northward to a latitude of 54°40', the southern boundary of Russian Alaska. Extremists proclaimed "Fifty-four forty or fight," but Polk, aware of diplomatic realities, knew that no course short of war was likely to get all of Oregon. Happily, neither he nor the British wanted a war.

He offered to settle by extending the Canadian boundary, along the 49th parallel, from the Rockies to the Pacific. When the British minister declined, Polk reasserted the American claim to the entire area. Finally, the British settled for the 49th parallel, except for the southern tip of Vancouver Island. The treaty was signed in 1846.

Acquisition of California proved far more difficult. Polk sent an envoy to offer Mexico up to \$20,000,000, plus settlement of damage claims owed to Americans, in return for California and the New Mexico country. Since no Mexican leader could cede half his country and still stay in power, Polk's envoy was not received. To bring pressure, Polk sent Gen. Zachary Taylor to the disputed area on the Rio Grande.

To Mexican troops this was aggression, and they attacked Taylor's forces.

Congress declared war and, despite much Northern opposition, supported the military operations. American forces won repeated victories and occupied Mexico City. Finally, in 1848, Mexico ceded New Mexico and California in return for \$15,000,000 and American assumption of the damage claims.

President Polk added a vast area to the United States, but its acquisition precipitated a bitter quarrel between the North and the South over expansion of slavery.

Polk, leaving office with his health undermined from hard work, died in June 1849.

Zachary Taylor



Northerners and Southerners disputed sharply whether the territories wrested from Mexico should be opened to slavery, and some Southerners even threatened secession. Standing firm, Zachary Taylor was prepared to hold the Union together by armed force rather than by compromise.

Born in Virginia in 1784, he was taken as an infant to Kentucky and raised on a plantation. He was a career officer in the Army, but his talk was most often of cotton raising. His home was in Baton Rouge, Louisiana, and he owned a plantation in Mississippi.

But Taylor did not defend slavery or southern sectionalism; 40 years in the Army made him a strong nationalist.

He spent a quarter of a century policing the frontiers against Indians. In the Mexican War he won major victories at Monterrey and Buena Vista.

President Polk, disturbed by General Taylor's informal habits of command and perhaps his Whiggery as well, kept him in northern Mexico and sent an expedition under Gen. Winfield Scott to capture Mexico City. Taylor, incensed, thought that "the battle of Buena Vista opened the road to the city of Mexico and the halls of Montezuma, that others might revel in them."

"Old Rough and Ready's" homespun ways were political assets. His long military record would appeal to northerners; his ownership of 100 slaves would lure southern votes. He had not committed himself on troublesome issues. The Whigs nominated him

to run against the Democratic candidate, Lewis Cass, who favored letting the residents of territories decide for themselves whether they wanted slavery.

In protest against Taylor the slaveholder and Cass the advocate of "squatter sovereignty," northerners who opposed extension of slavery into territories formed a Free Soil Party and nominated Martin Van Buren. In a close election, the Free Soilers pulled enough votes away from Cass to elect Taylor.

Although Taylor had subscribed to Whig principles of legislative leadership, he was not inclined to be a puppet of Whig leaders in Congress. He acted at times as though he were above parties and politics. As disheveled as always, Taylor tried to run his administration in the same rule-of-thumb fashion with which he had fought Indians.

Traditionally, people could decide whether they wanted slavery when they drew up new state constitutions. Therefore, to end the dispute over slavery in new areas, Taylor urged settlers in New Mexico and California to draft constitutions and apply for statehood, bypassing the territorial stage.

Southerners were furious, since neither state constitution was likely to permit slavery; Members of Congress were dismayed, since they felt the President was usurping their policy-making prerogatives. In addition, Taylor's solution ignored several acute side issues: the northern dislike of the slave market operating in the District of Columbia; and the southern demands for a more stringent fugitive slave law.

In February 1850 President Taylor had held a stormy conference with southern leaders who threatened secession. He told them that if necessary to enforce the laws, he personally would lead the Army. Persons "taken in rebellion against the Union, he would hang ... with less reluctance than he had hanged deserters and spies in Mexico." He never wavered.

Then events took an unexpected turn. After participating in ceremonies at the Washington Monument on a blistering July 4, Taylor fell ill; within five days he was dead. After his death, the forces of compromise triumphed, but the war Taylor had been willing to face came 11 years later. In it, his only son Richard served as a general in the Confederate Army.

Winfield Scott



Winfield Scott (June 13, 1786 – May 29, 1866) was a United States lieutenant general, diplomat, and presidential candidate. He served on active duty as a general longer than any other man in American history and most historians rate him the ablest American general of his time.

Scott was born on his family's farm near Petersburg, Virginia. He attended the College of William & Mary and was a lawyer and a Virginia militia cavalry corporal before being directly commissioned as captain in the artillery in 1808. Scott's early years in the Army were tumultuous. His commission as a colonel was suspended for one year following a court-martial for insubordination in criticizing his commanding general.

During the War of 1812, Colonel Scott was captured during the Battle of Queenston Heights in 1813, but was released in a prisoner exchange. In March 1814 Scott was brevetted brigadier general. In July 1814, Scott commanded the First Brigade of the American army in the Niagara campaign, winning the battle of Chippewa decisively. He was wounded during the American defeat at the Battle of Lundy's Lane, along with the American commander, Major General Jacob Brown and the British/Canadian commander, Lieutenant General Gordon Drummond. As the American army retreated across the Niagara, Scott commanded the American forces at Fort Erie, another American victory. Scott's success on the Niagara, combined with American naval victories at Lake Champlain and Lake Erie, guaranteed a stalemate on the northern frontier. Scott's wounds from Lundy's Lane were so severe that he did not serve on active duty for the remainder of the war.

Scott earned the nickname of "Old Fuss and Feathers" for his insistence of military appearance and discipline in the U.S. Army, which consisted mostly of volunteers. In his own campaigns, General Scott preferred to use a core of U.S. Army Regulars whenever possible. Gen. Scott was later known as the Grand Old Man of the Army.

In the administration of President Andrew Jackson, Scott marshaled United States forces for use against the state of South Carolina in the Nullification Crisis. In 1838, following the orders of President Martin Van Buren, Scott carried out the initial removal of Cherokee Indians from Georgia — what later became known as the Trail of Tears. Scott also helped defuse tensions between officials of the state of Maine and the British Canada province of New Brunswick in the undeclared and bloodless Aroostook War in March 1839.

As a result of his success, Scott was appointed major general (then the highest rank in the United States Army) and general-in-chief in 1841. He held this position until November 1, 1861, when he resigned under political pressure from Maj. Gen. George B. McClellan after the Union defeat at Ball's Bluff. McClellan replaced him as general-in-chief.

During his time in the military Scott also fought in the Black Hawk War, the Second Seminole War, and, briefly, the American Civil War. He also disobeyed the "order" by colorful San Francisco eccentric Emperor Norton to disband the U.S. Congress by force during this time.

During the Mexican-American War, Scott commanded the southern of the two United States armies (Zachary Taylor commanded the northern army). Landing at Veracruz, Scott, assisted by his colonel of engineers, Robert E. Lee, and perhaps inspired by William H. Prescott's *History of the Conquest of Mexico*, followed the approximate route taken by Hernán Cortés in 1519 and assaulted Mexico City. Scott's opponent in this campaign was Mexican President and general Antonio López de Santa Anna. Despite high heat, rains, and difficult terrain, Scott won the battles of Cerro Gordo, Contreras/Padierna, Churubusco, and Molino del Rey, then assaulted the fort of Chapultepec on September 13, 1847, after which the city surrendered. When a large number of men from the controversial Saint Patrick's Battalion were captured during Churubusco, Scott gave orders for them to be hanged en masse in during the battle of Chapultepec, specifying that the moment of execution should occur just after the U.S. flag was raised atop the Mexican citadel.

As military commander of Mexico City, he was held in high esteem by Mexican civil and American authorities alike. However, Scott's vanity, as well as his corpulence, led to a catch phrase that was to haunt him for the remainder of his political life. Complaining about the division of command between himself and General Taylor, in a letter written to Secretary of War William Marcy, Scott stated he had just risen from "at about 6 PM as I sat down to take a hasty plate of soup". The Polk administration, wishing to sabotage Scott's reputation, promptly published the letter, and the phrase appeared in political cartoons and folk songs for the rest of his life.

Another example of Scott's vanity was his reaction to losing at chess to a young New Orleans lad named Paul Murphy in 1846. Scott did not take his defeat by the nine-year-old chess prodigy gracefully.

In the 1852 presidential election, Scott was the unsuccessful Whig Party candidate, losing to Democrat Franklin Pierce.

Despite his faltering in the election, Scott was still a wildly popular national hero. And in 1855, by a special act of Congress, Scott was given a brevet promotion to the rank of lieutenant general, making him the second person in American history, after George Washington, to ever hold that rank.

As general-in-chief at the beginning of the American Civil War, the elderly Scott knew he was unable to go into battle himself. He offered the command of the Federal army to Colonel Robert E. Lee. However, when Virginia left the Union in April 1861, Lee resigned and command of the field forces defending Washington, D.C., passed to Major General Irvin McDowell.

Scott did not believe that a quick victory was possible for Federal forces. He devised a long-term plan to defeat the Confederacy by occupying key terrain, such as the Mississippi River and key ports on the Atlantic Coast and the Gulf of Mexico, then moving on Atlanta. This Anaconda Plan was derided in the press; however, it was the strategy the Union actually used in its broad outlines, particularly in the Western Theater and in the successful naval blockade of Confederate ports. In 1864 it was continued by General Ulysses S. Grant and executed by General William Tecumseh Sherman in his Atlanta Campaign and March to the Sea.

Scott died at West Point just before his eightieth birthday and is buried there in the National Cemetery.

Papers belonging to Scott can be found at the William L. Clements Library at the University of Michigan.

Antonio López de Santa Anna



Antonio López de Santa Anna Pérez de Lebrón, soldier and five-time president of Mexico, was born at Jalapa, Vera Cruz, on February 21, 1794, the son of Antonio López de Santa Anna and Manuela Pérez de Lebrón. His family belonged to the criollo middle class, and his father served at one time as a subdelegate for the Spanish province of Vera Cruz. After a limited schooling the young Santa Anna worked for a merchant of Vera Cruz. In June 1810 he was appointed a cadet in the Fijo de Vera Cruz infantry regiment under the command of Joaquín de Arredondo. He spent the next five years battling insurgents and policing the Indian tribes of the Provincias Internas. Like most criollo officers in the Royalist army, he remained loyal to Spain for a number of years and fought against the movement for Mexican independence. He received his first wound, an Indian arrow in his left arm or hand, in 1811. In 1813 he served in Texas against the Gutiérrez-Magee expedition, and at the battle of Medina he was cited for bravery. In the aftermath of the rebellion the young officer witnessed Arredondo's fierce counterinsurgency policy of mass executions, and historians have speculated that Santa Anna modeled his policy and conduct in the Texas Revolution on his experience under Arredondo. He once again served under Arredondo against the filibustering expedition of Francisco Xavier Mina in 1817.

The young officer spent the next several years in building Indian villages and in occasional campaigns, while he acquired debts, some property, and promotions. In 1820 he was promoted to brevet captain, and he became a brevet lieutenant colonel the following year. In March of 1821 he made the first of the dramatic shifts of allegiance that characterized his military and political career by joining the rebel forces under Agustín de Iturbide in the middle of a campaign against them. He campaigned for Iturbide for a time and was promoted to brigadier general. In December 1822 Santa Anna

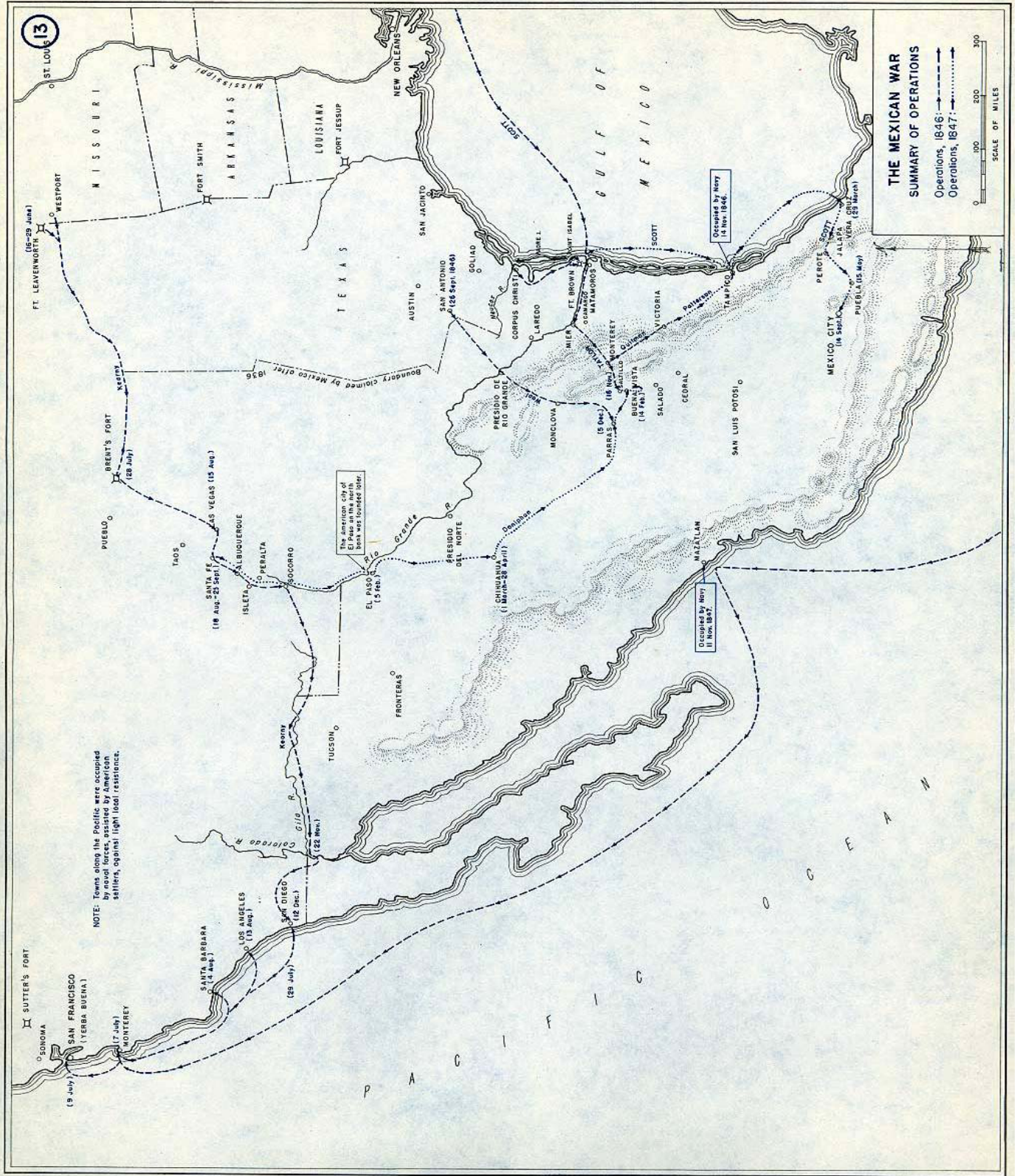
broke with Iturbide over a series of personal grievances, and he called for a republic in his Plan of Casa Mata in December 1822.

After serving as military governor of Yucatán, Santa Anna retired to civil life and became governor of Vera Cruz. In 1829 he defeated the Spanish invasion at Tampico and emerged from the campaign as a national hero. In the course of this campaign, he demonstrated several of his characteristic military strengths and weaknesses; he was able to pull an army together quickly and with severely limited resources, but he also combined elaborate planning with slipshod and faulty execution. He rebelled against the administration three years later and was elected president of Mexico as a liberal in 1833, but in 1834 he stated that Mexico was not ready for democracy and emerged as an autocratic Centralist. When the liberals of Zacatecas defied his authority and an attempt to reduce their militia in 1835, Santa Anna moved to crush them and followed up his battlefield victory with a harsh campaign of repression. In December 1835 he arrived at San Luis Potosí to organize an army to crush the rebellion in Texas. In 1836 he marched north with his forces to play his controversial role in the Texas Revolution. After his capture by Sam Houston's army, he was sent to Washington, D.C., whence he returned to Mexico. He retired to his estates at Manga de Clavo for a time, then emerged to join the defense of Mexico against the French in December 1838 during the so-called "Pastry War." He lost a leg in battle and regained his popularity. He was acting president in 1839, helped overthrow the government of Anastasio Bustamante in 1841, and was dictator from 1841 to 1845. Excesses led to his overthrow and exile to Havana.

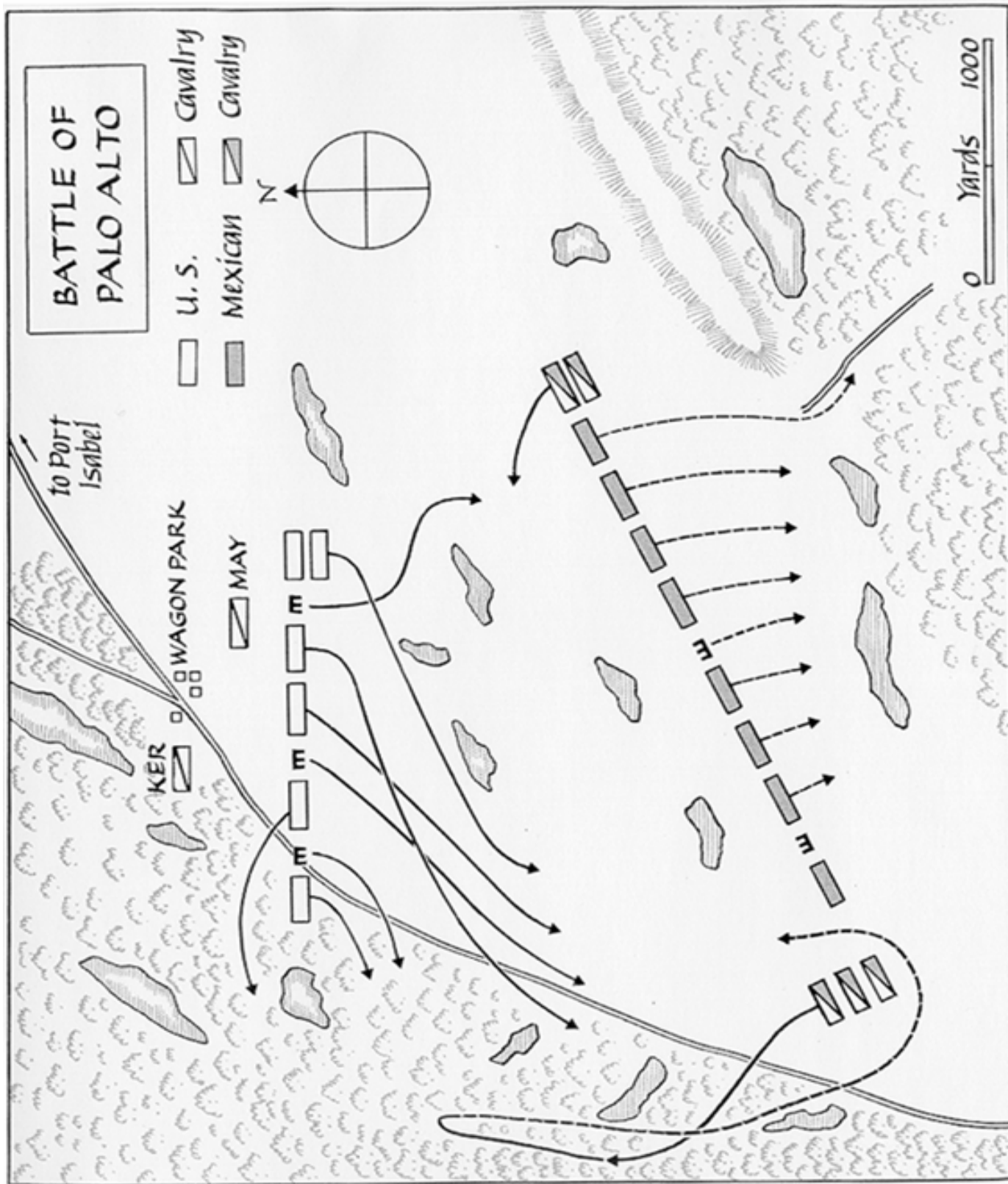
At the beginning of the Mexican War, Santa Anna entered into negotiations with President James K. Polk. He offered the possibility of a negotiated settlement to the United States and was permitted to enter Mexico through the American blockade. Once in the country he rallied resistance to the foreign invaders. As commanding officer in the northern campaign he lost the battle of Buena Vista in February 1847, returned to Mexico City, reorganized the demoralized government, and turned east to be defeated by Winfield S. Scott's forces at Cerro Gordo. Secret negotiations with Scott failed, and when Mexico City was captured, Santa Anna retired to exile. In 1853 he was recalled by the Centralists, but again power turned his head. To help meet expenses he sold the Mesilla Valley to the United States as the Gadsden Purchase and was overthrown and banished by the liberals in 1855.

For eleven years he schemed to return to Mexico, conniving with the French and with Maximilian. After a visit from the American secretary of state, W. H. Seward, he invested most of his property in a vessel that he sailed to New York to become the nucleus of a planned invading force from the United States. Disappointed in his efforts, he proceeded towards Mexico, was arrested on the coast, and returned to exile. From 1867 to 1874 he lived in Cuba, the Dominican Republic, and Nassau. During this time he finally abandoned politics and wrote his memoirs. In 1874 he was allowed to return to Mexico City, where he lived in obscurity until his death on June 21, 1876. He was buried at Tepeyac Cemetery, near Guadalupe Hidalgo. Santa Anna was married twice, to Inés García in 1825, and, a few months after the death of his first wife in 1844, to María Dolores de Tosta, who survived him.

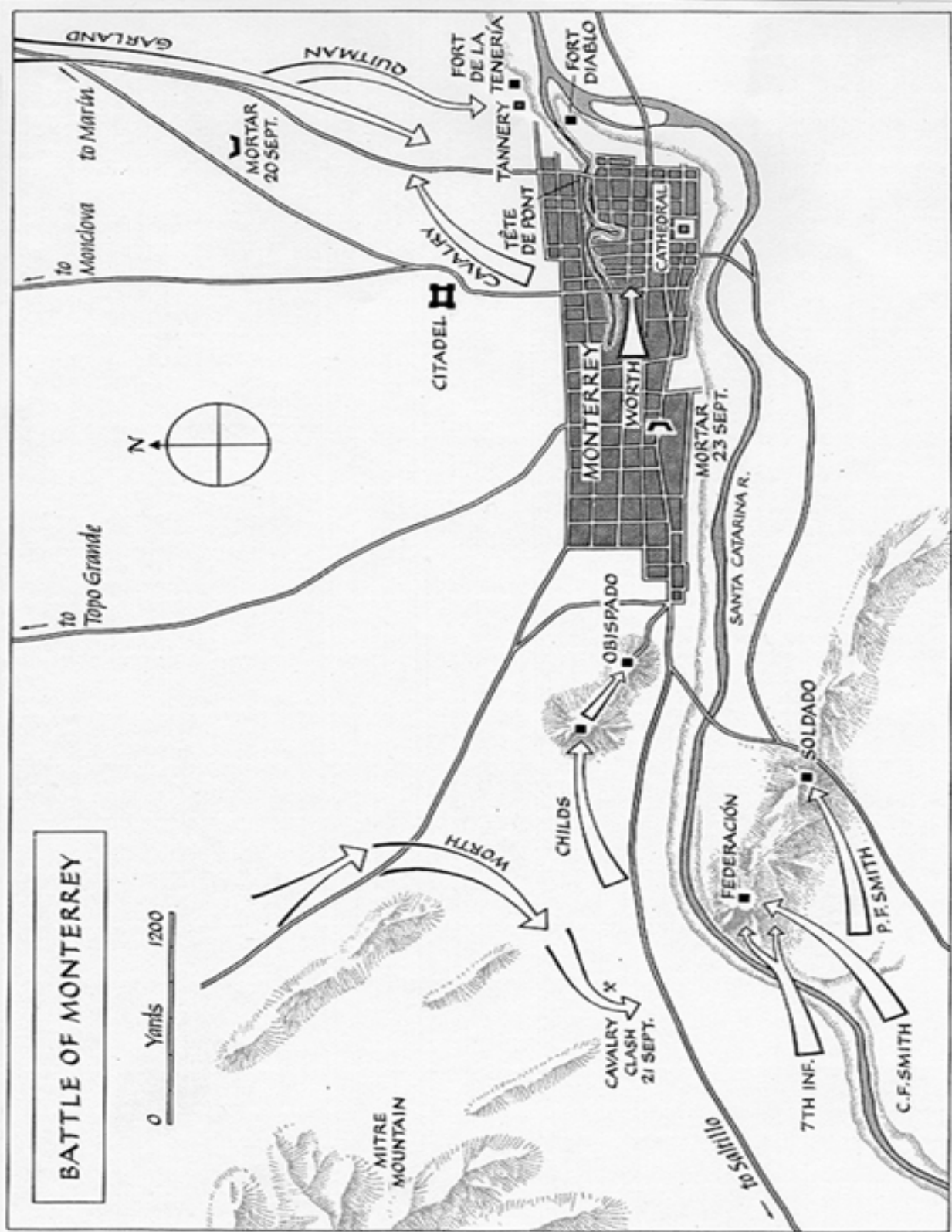
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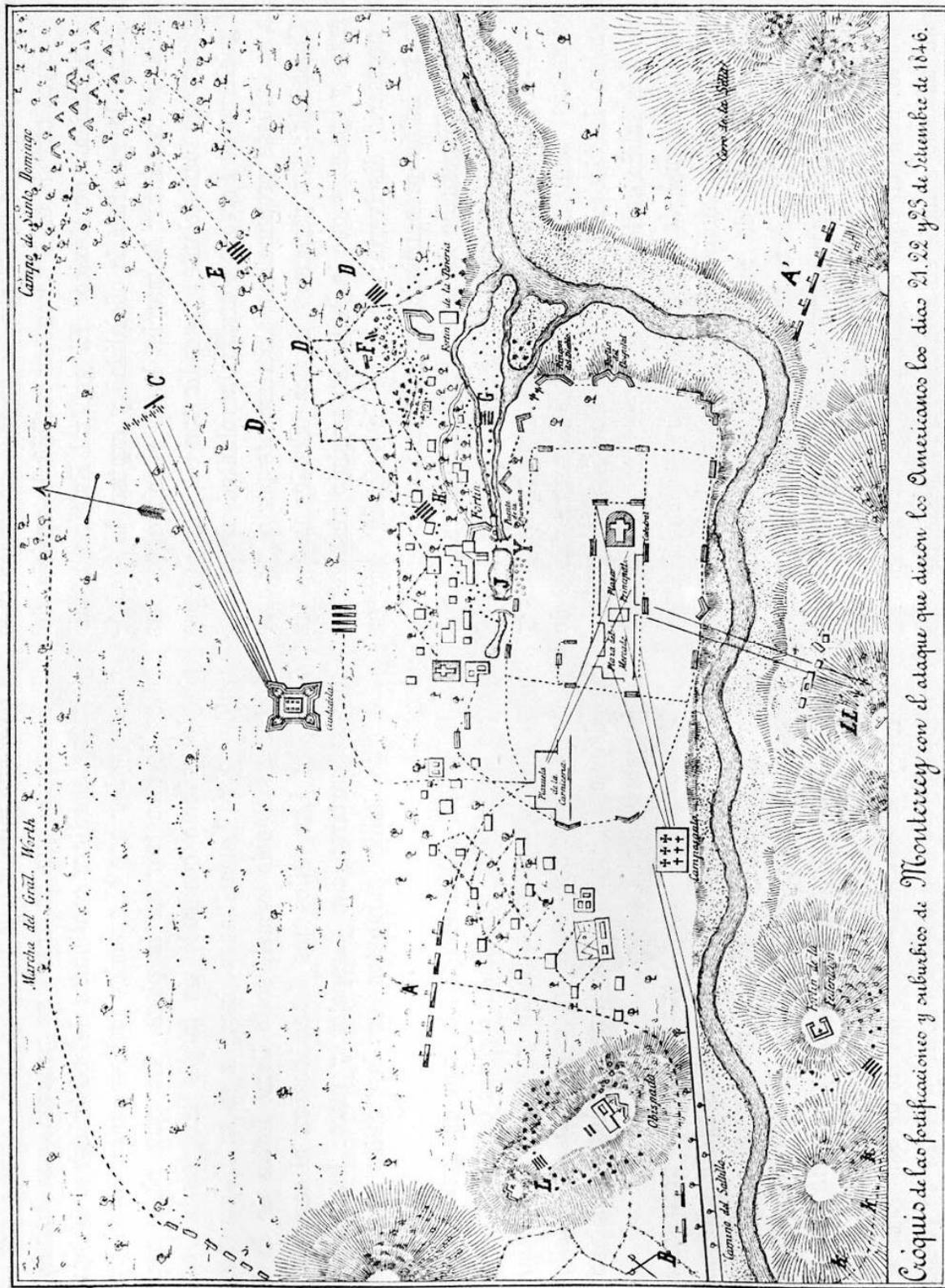
(Map 1) Indiana University, Bloomington



(Map 2) Indiana University, Bloomington



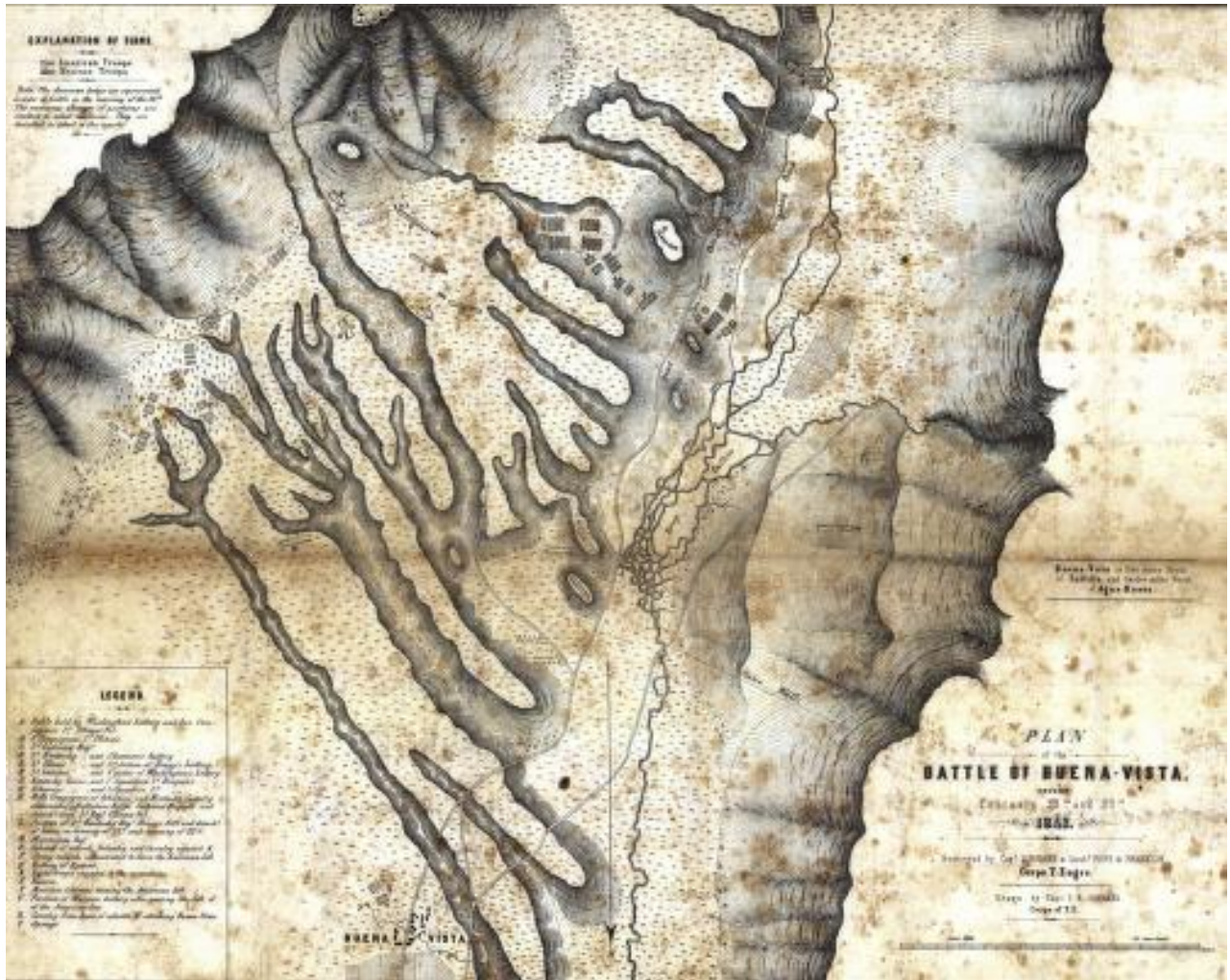
(Map 5) Indiana University, Bloomington



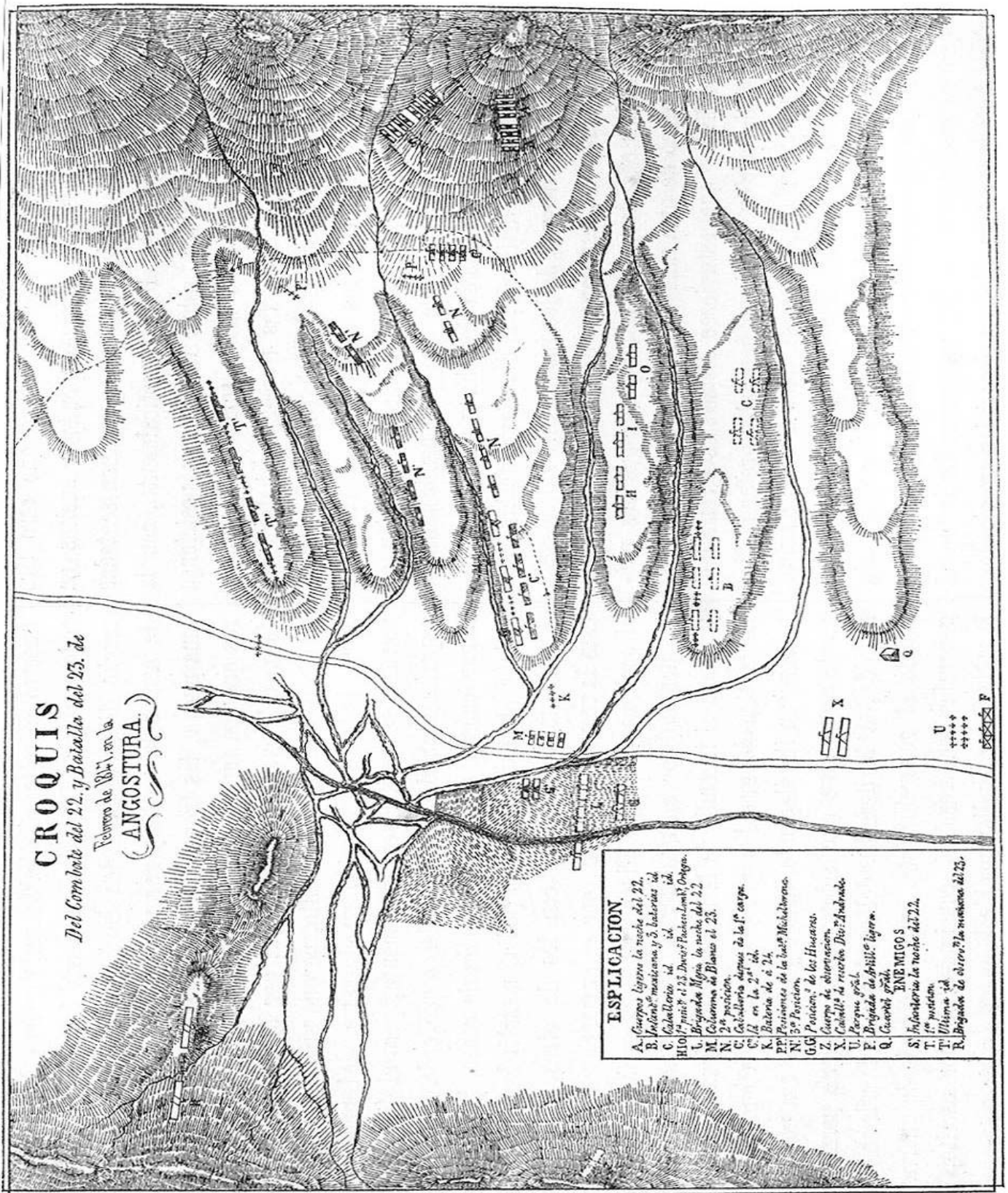
Croquis de las fortificaciones y suburbios de Monterrey con el ataque que dieron los Americanos los dias 21, 22 y 23 de Setiembre de 1846.

EXPLICACIÓN:— AA'. Fuerzas de caballería mexicana.— B. Posición de la caballería del general Torrejón el 20 de setiembre.— C. Bateria americana en su ataque simulado á la Ciudadela.— D.D.D. Marcha de las columnas á la Tenería.— E. Columna enemiga de reserva.— F. Pieza enemiga que atacó el Puente de la Purísima.— G. Punto en que los enemigos descubrieron y atacaron la gola de la Tenería.— H. Columna que atacó el Puente de la Purísima.— Y. Pieza colocada á pecho descubierta por Gutiérrez.— J. Ojo de agua que intentó pasar el enemigo.— K.K.K. Marcha de Worth hacia el Fortín de la Federación.— L.L. Bateria americana el 23 de setiembre.

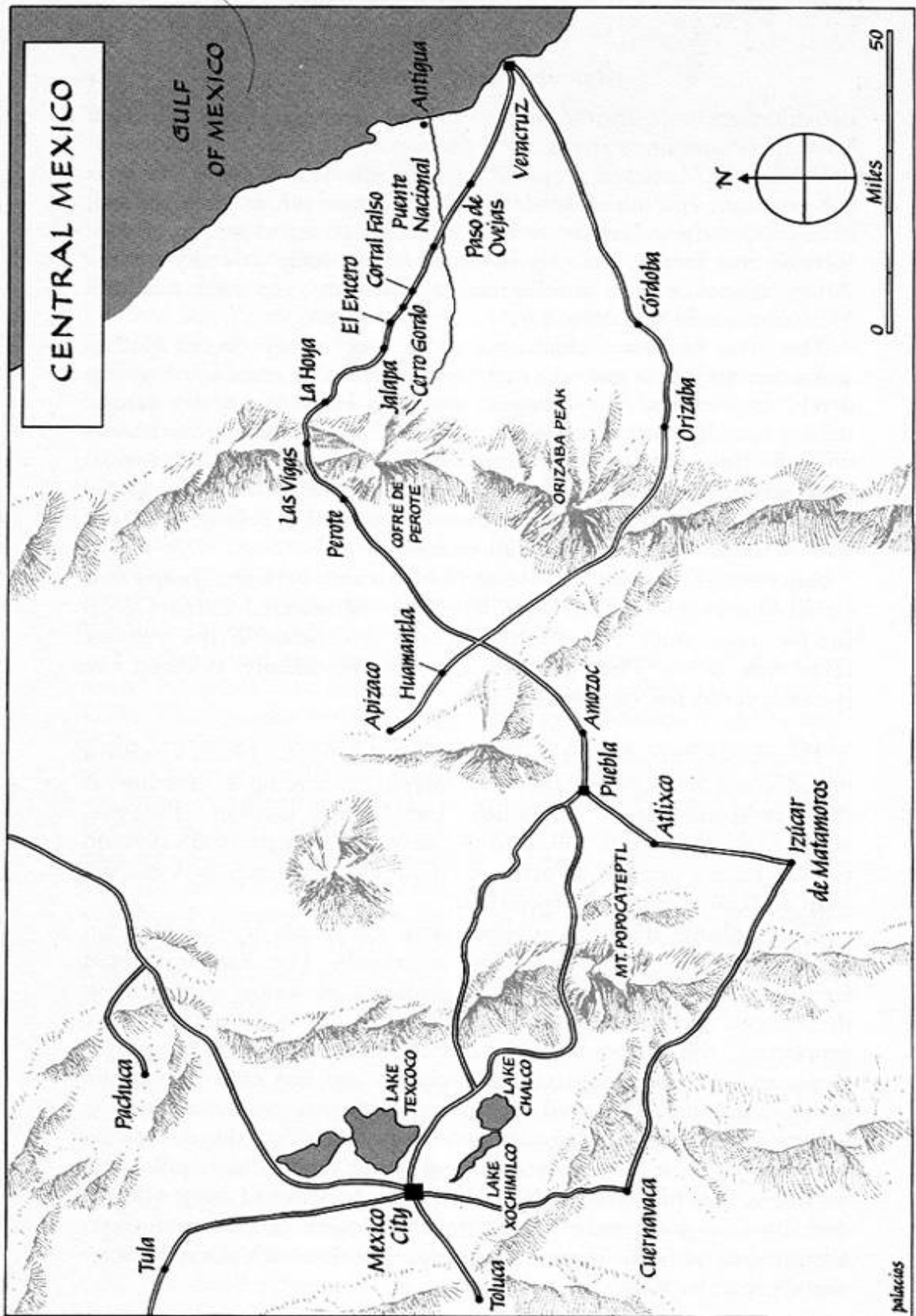
(Map 6) Indiana University, Bloomington



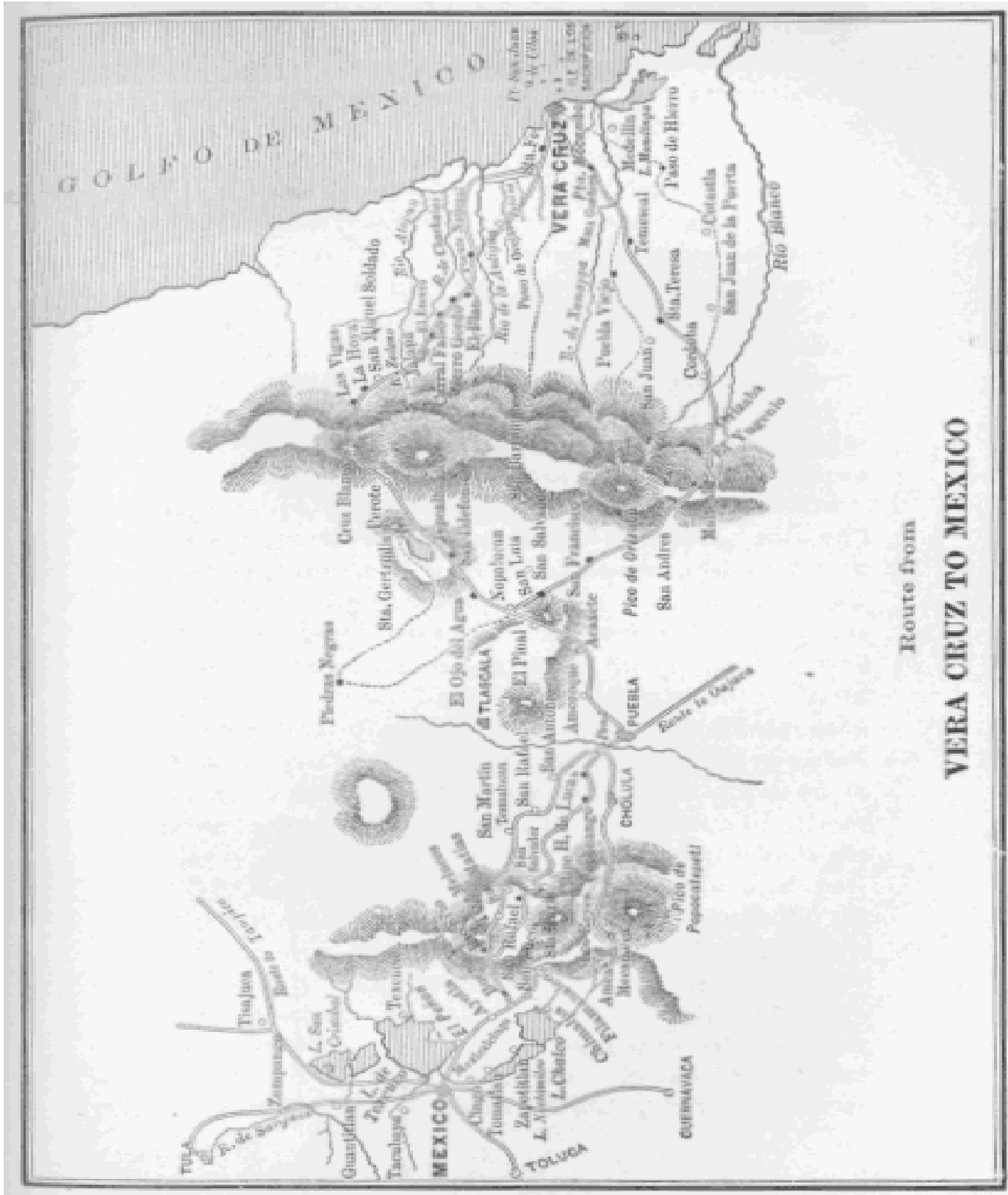
(Map 8) Linnard, T.B. (U.S. Topographical Engineers) Plan of the Battle of Buena Vista. Philadelphia: P.S. Duval [c. 1847]



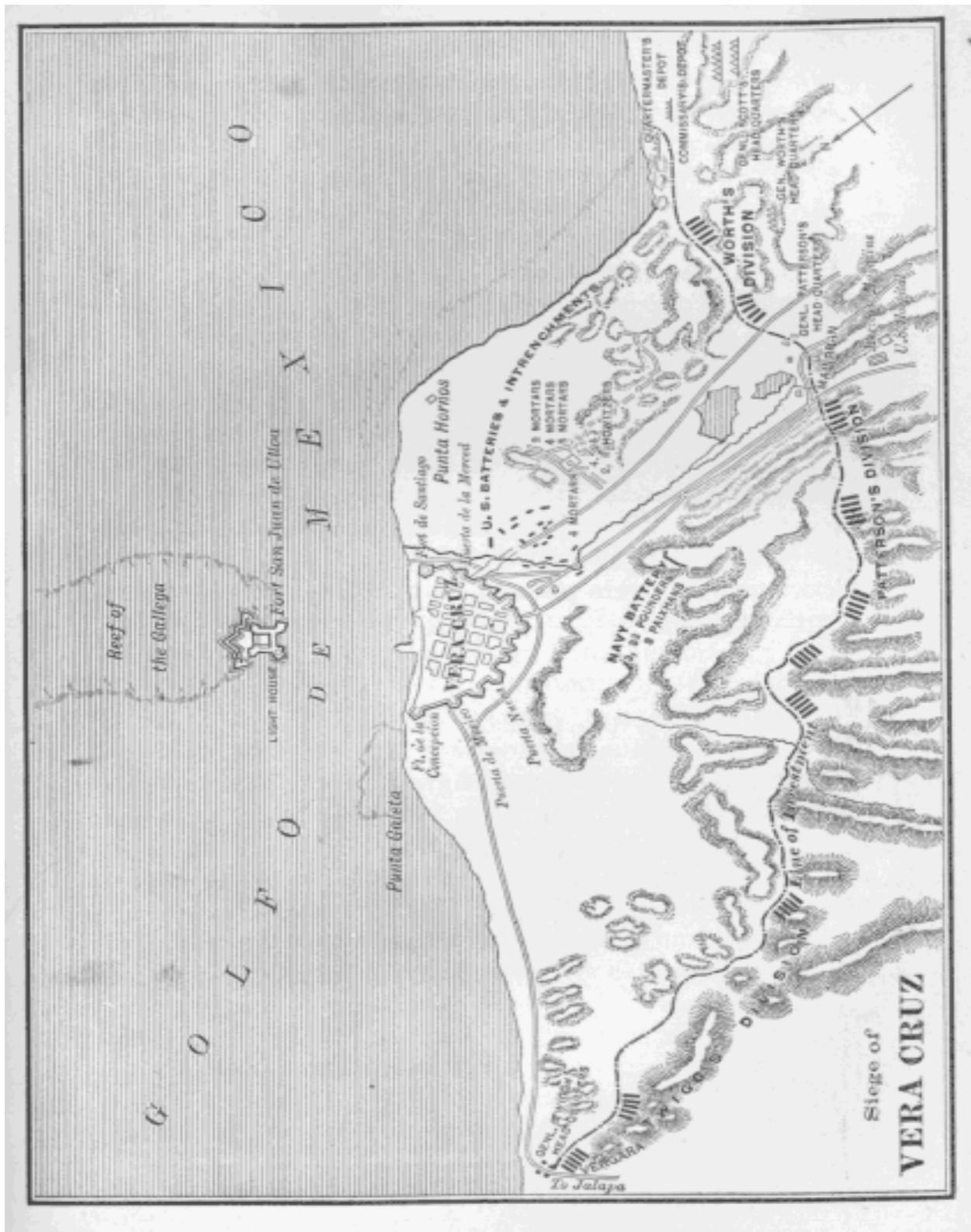
(Map 9) Indiana University, Bloomington



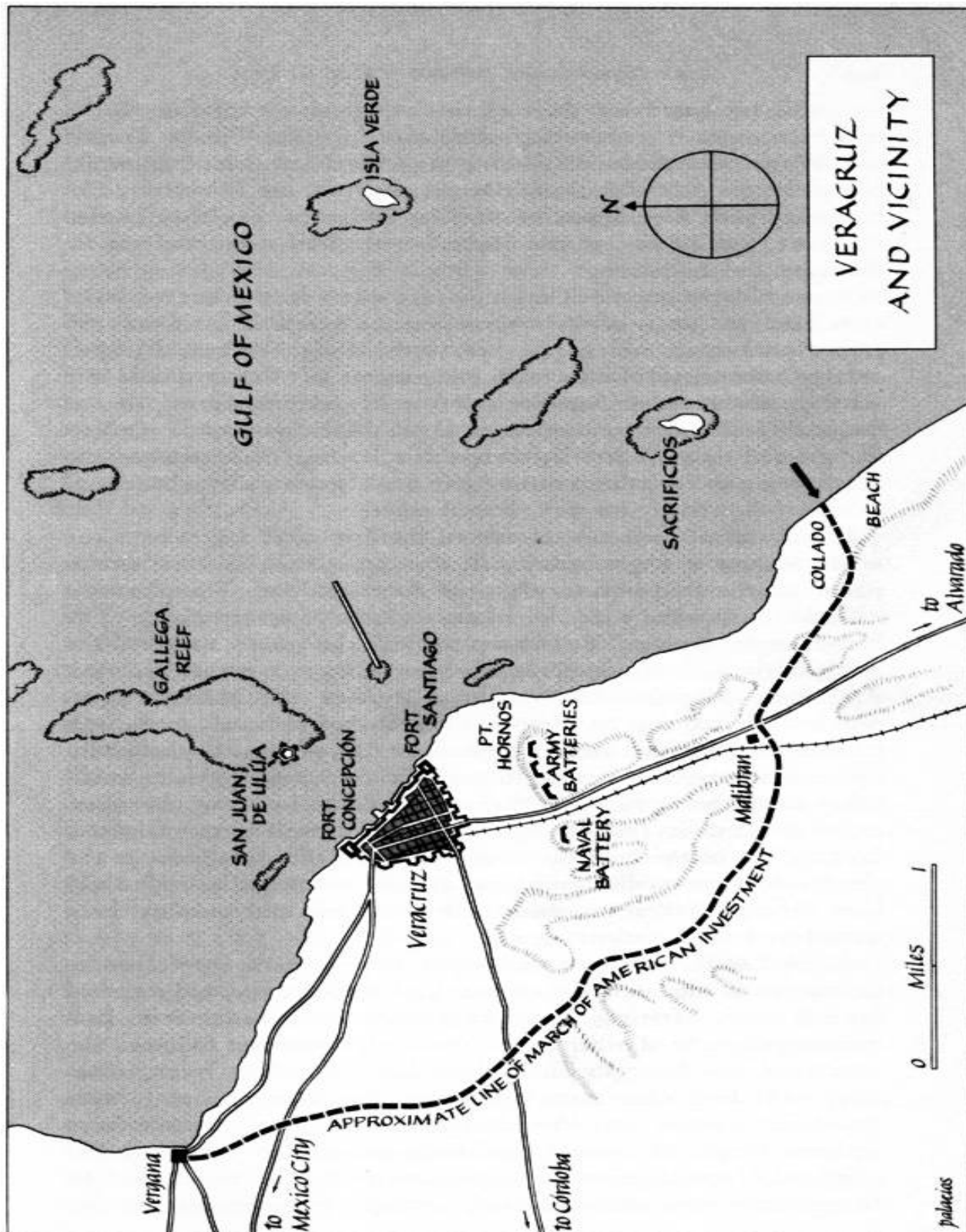
(Map 10) Indiana University, Bloomington



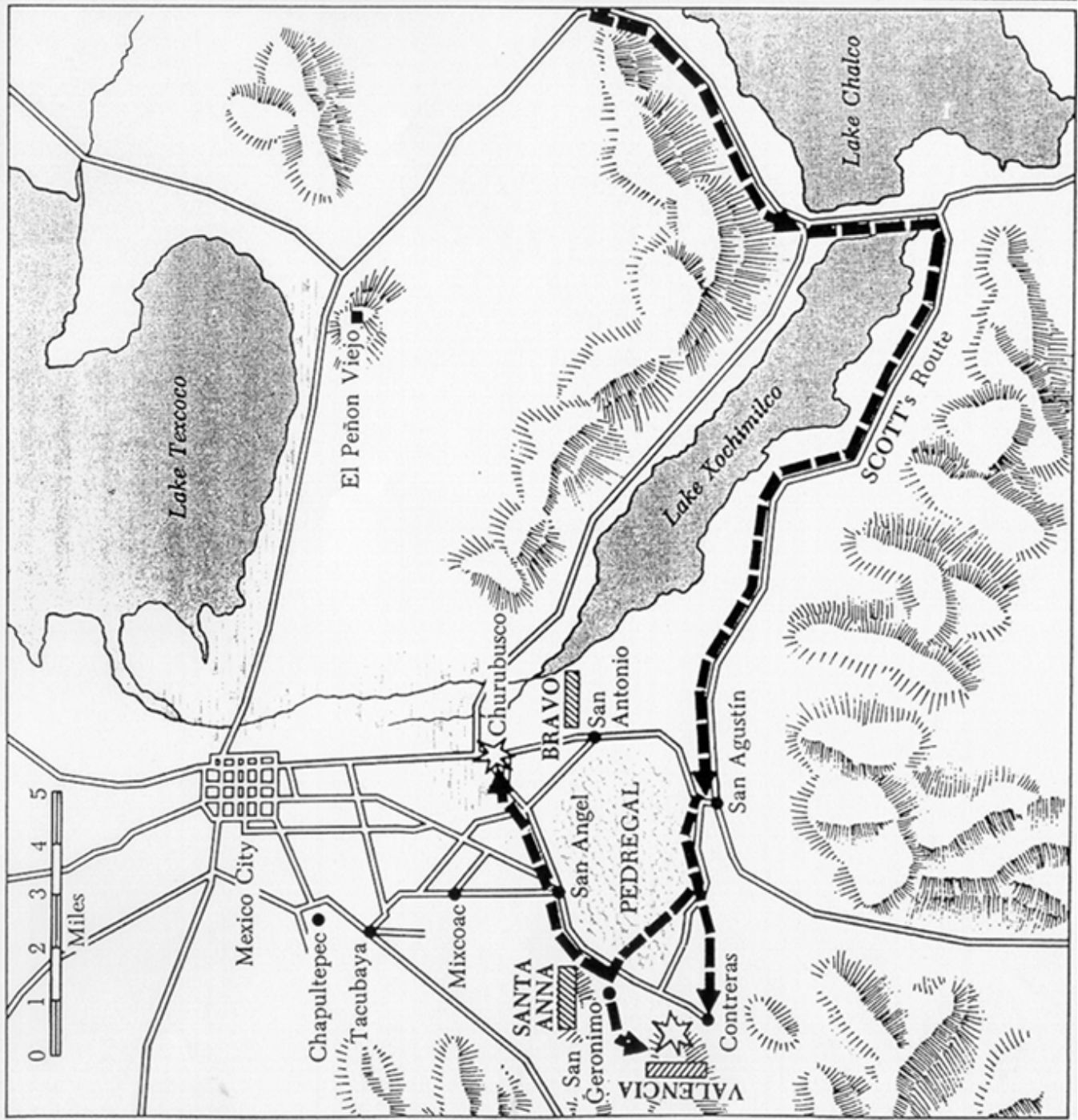
(Map 11) Marcus J. Wright, General Scott (New York: D. Appleton, 1897).



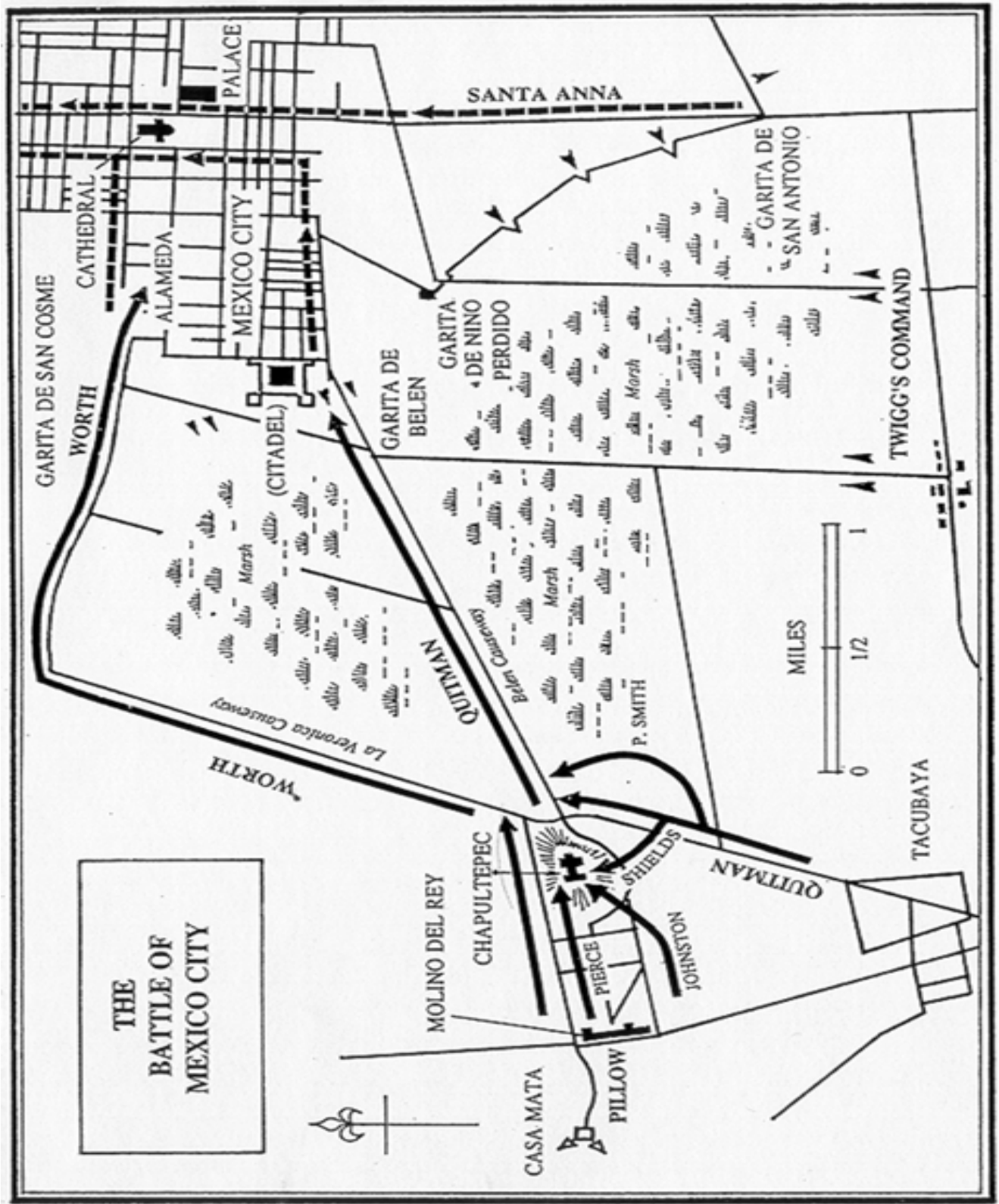
(Map 12) Marcus J. Wright, General Scott (New York: D. Appleton, 1897).



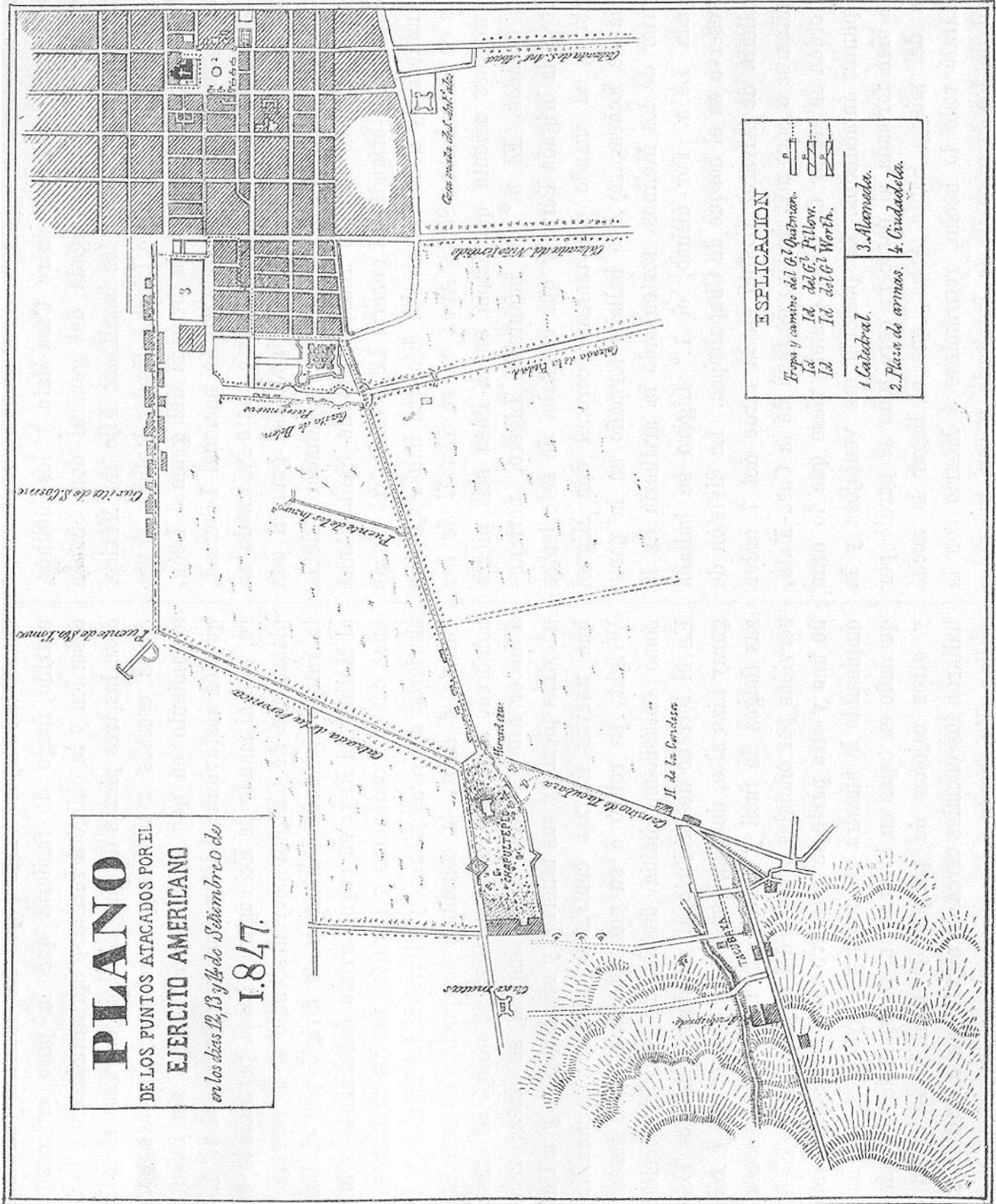
(Map 13) Indiana University, Bloomington



(Map 16) Indiana University, Bloomington



(Map 18) Indiana University, Bloomington



(Map 19) Indiana University, Bloomington

Strength of U.S. Forces during Mexican-American War

Two excellent sources, K. Jack Bauer's *The Mexican War* (New York: MacMillan Publishing Co., 1974) and Justin H. Smith's *The War with Mexico* (New York: MacMillan and Company, 1919), are closest in agreement to the number of soldiers who served in the U.S. military forces during the Mexican War, 1846-1848.

Pre-War Regular Army

637 Officers, 5,925 men - Total 6,562 (Bauer)
(no breakdown given) - Total 7,224 (Smith)*

The difference between the above figures is 662.

*(Smith writes only 3,554 were on the Texas frontier at start of the War.)

Regular Army during the War

35,009 additional recruited; 32,190 actually started out for Texas or Mexico; only 31,024 actually served in the theatres of war. (Smith)*

*(Smith writes of the 31,024 who actually served, 15,736 went into existing regiments, 11,186 made up new "for the war" regiments, and 548 were Marines serving with the Army.)

1,016 officers and 35,009 men joined the Regular Army during the War. Total: 36,025. (Bauer)

Volunteer Soldiers

73,260 Volunteers were recruited by the various states (16,887 Mounted, 1,129 Artillery, and 55,244 Infantry). This number includes 3,131 officers. (Smith) Of the above numbers, Smith writes only 58,812 actually served in Mexico; 14,448 were short-term enlistees who were mustered out and never left the United States.*

*NOTE: Some short-term enlistees (3 and 6 months volunteers), after being mustered out, re-enlisted for 12 months or the duration of the war and thus may have been counted twice in the above statistics. Bauer writes 73,532 men appeared on the rolls of the various companies.

The Totals

Pre-war Regulars: Smith 7,224/Bauer 6,562
Wartime Regulars: Smith 35,009/Bauer 36,025
Volunteers: Smith 73,260/Bauer 73,532
Total Soldiers: Smith 115,493/Bauer 116,119

The difference between Smith's and Bauer's figures is only 626 men. Therefore, it would be safe to say that about 116,000 men saw some service as soldiers, either volunteer or regular, in the U.S. military forces of the Mexican War. Of those, using Smith's figures, some 90,000 of those troops raised after the War began actually saw service in Texas and/or Mexico.

U.S. Navy during the Mexican War

Only Bauer gives any figures for the Navy. These range between 1,053 officers and 10,131 men in 1846 to 1,041 officers and 11,238 men in 1848. The peak came in 1847 - the second year of the War - with 1,126 officers and 11,193 men. Of course, the figures for each year probably included most of the same officers and men. Based on that assumption, it would be safe to conclude that roughly 13,000 naval officers and men served aboard U.S. ships during the Mexican War. However, not all of these were on duty in the Gulf of Mexico or in the Pacific Ocean so it's difficult to say how many naval personnel were directly involved in the War.

Battle Casualties

These figures do not include the thousands of soldiers on both sides who succumbed to illness or accidents. Total killed: U.S.: 1,177, Mexico: 12,866. Total wounded: U.S.: 3,669, Mexico: 1,360. Source: Niles' National Register, Baltimore, Maryland, Jan. 15, 1848, p. 312. U.S. Government figures, published after the war, are slightly higher.