

ruary 4 seems to have been intended as a partial repeal or suspension of the law of January 11 which authorized the seizure of church property.

At the same time there was vehement discussion, both in the press and in Congress, as to the power of the secular government to interfere at all with the property of the church, either under the Constitution of 1824 or under general legal and religious principles affecting the relations of church and state. Basing their action upon such arguments, which were set out in voluminous clerical pamphlets, the ecclesiastical corporations in the city of Mexico refused to surrender their title-deeds to the government or to give any information in regard to their investments. The government thereupon seized all the property of the church, without regard to whether its income was devoted to hospitals and schools or to other purposes, claiming that without information from the church authorities it was impossible to make proper classifications.<sup>1</sup>

This energetic action was met by an effort of the clerical party to drive Farias from power. An effort was even made in Congress to pass an act declaring him "incapable of governing," precisely as had been done eighteen years before in the case of President Guerrero. This measure, however, failed of passage, and the moderate and clerical parties thereupon proposed to Farias to support him, but only on condition that he would allow them to organize a new ministry and would agree to support whatever measures a majority of Congress might approve. Farias, however, was quite devoid of personal ambition. His one object was to urge the country forward upon the path of reform—reform, in his language and the language of all Mexican radicals, meaning such a change in the relations of church and state as would render the former in every way subordinate to the latter.

The obstinacy of Farias in adhering to his plans was much

<sup>1</sup> A collection of documents, pamphlets, and newspaper comments on this affair was published in the city of Mexico in 1847, under the title *Despojo de los Bienes Eclesiásticos*; *Apuntes Interesantes para la Historia de la Iglesia Mexicana*, from which most of the foregoing account is taken.

criticised. It was urged that the law of January 11 would prove quite ineffective; that the church property, if it was to yield anything at all, would have to be sold at an enormous sacrifice and with very little advantage to the nation or the army; and that some other and more practical measure ought to be adopted. But Farias was by no means inclined to compromises. An upright, conscientious, and narrow-minded fanatic, he was not willing to sacrifice principle for present expediency or to surrender a cause which he believed to be just. He was absolutely sincere and honest, and was quite ready to sacrifice himself if the cause of church reform, in which he believed with his whole strength, would thereby be advanced.

The month of February was thus spent in negotiations and discussions which had little result beyond embittering the relations of the clerical and anti-clerical parties, although the government, having taken possession of some property forming part of the church endowments, was doubtless in receipt of a certain amount of rents and interest on mortgages. But late in the month of February the crisis came to a head. Farias had been for some time apprehensive in regard to the national guard of the city of Mexico, which was composed in large part of men of good position and which was acting as garrison of the city in the absence of the regular troops. On February 25, 1847, orders were given by the government for the removal of one battalion of the national guard, which was quartered in the University buildings just across the street from the National Palace, to barracks at a distance from the centre of the city. Two days later an order was issued directing this battalion to march to the support of the troops defending Tuxpan and Vera Cruz.

The order for the troops of the national guard to leave the city of Mexico was the signal for an outbreak which had probably been long premeditated. The greater part of the garrison of Mexico instantly issued a pronunciamiento declaring that the legislative and executive authorities of the government were to be dismissed forthwith, as they no longer

deserved national confidence; that the Constitution of 1824 should remain in force; that until a new President and Vice-President were elected by the legislatures of the several states, the executive power should be exercised by the President of the Supreme Court with the aid of a provisional council to be appointed by that court; and that new deputies and senators were to be elected as soon as possible to form a Congress having constituent powers. The acts of January 11 and February 4, providing for the seizure of church property and the raising of five million dollars, were to be suspended. General Santa Anna was to be considered commander-in-chief of the Mexican army.<sup>1</sup>

A revolution on a small scale at once broke out. The national guards, subsidized by the clerical party, attacked the government; while the government was supported by a small remnant of the national guard which had remained faithful and by about eight hundred regulars who had arrived from Oaxaca on their way to join the army. Neither party was very vigorous, though both burned much powder. The government forces, indeed, stood principally on the defensive. The revolutionary forces, on the other hand, occupied church towers and other buildings in the neighborhood of the Palace, and the troops of both parties, sheltered behind solid stone-walls, fired ineffectually in all directions, with small loss to either of the contending parties, but with considerable damage to such of the innocent inhabitants as ventured to show themselves in the streets. Meanwhile, the great mass of the population of Mexico, as in the revolutions of 1839 and 1840, remained perfectly indifferent to the contest between their masters. Even the cry of religion and the harangues of the priests in the suburbs did not serve to interest the populace.

After some days of this sort of casual and unenthusiastic firing, the leaders of the revolution decided to change the ground of their opposition to the government. So much of their plan as contemplated doing away with Congress and the President was abandoned, and it was agreed that they

<sup>1</sup> See text of this document in *México á través de los Siglos*, IV, 631.

would limit themselves to the dismissal from office of Farias on the professed ground that he was irreligious. The demand for the repeal of the laws of January 11 and February 4 was also temporarily abandoned. Farias, meanwhile, says a friendly critic who was also an eye-witness of the events just described,

"discharged his duty with such dignity and courage as to win the admiration of his enemies themselves, and to acquire not a few friends and admirers. Farias, deprived of everything, contending, with a handful of men of the people against the most powerful and influential classes of society, struggling against Congress itself, and reduced to the last extremity, did not for a single moment belie his character, nor did he give the slightest indication of weakness. He faced the tempest that might break him, but which was utterly impotent to make him bend."<sup>1</sup>

Santa Anna, during all these commotions, had been absent with his army in northern Mexico and was out of the reach of communications with the capital. He had left San Luis Potosí on the second of February, and it was reported in the city of Mexico that he had fought a battle with the Americans near Saltillo on the twenty-second and twenty-third of the month. He had announced the result as a victory, but it was known that he and his men were returning southward; and his expected arrival was looked forward to by both parties in the confident expectation that he would find a way to put an end to the contest between clericals and anti-clericals—*polkos* and *puros*. The time had come for him to play the part of a saviour of society.

While the government of Mexico had thus been engaged in desperate and fruitless efforts to make adequate preparation for resisting the American invasion, the representatives of the American people had been busy in heated discussions over the policy of their own government, both with respect to the origin of the war and with respect to its future

<sup>1</sup> J. F. Ramírez to Francisco Eloriaga, April 2, 1847, in García, *Documentos Inéditos*, III, 201. In this long letter Ramírez, who had filled for a short time the post of Minister of Foreign Relations, and had exceptional means of information, set forth the history of the previous month in the city of Mexico.

conduct. The Mexican Congress had met on Sunday, December 6, 1846. The Congress at Washington met on Monday, December 7, 1846, in a thoroughly unamiable temper. A large proportion of the members had lost their seats.<sup>1</sup> The elections had gone against the administration, and public sentiment was expressing itself daily more and more clearly against a war which the North believed was being waged for the extension of slavery.

The President's message therefore showed him on the defensive before the country, and he thought it necessary to present a long apology for the administration, in what he called "a condensed review" of the injuries the United States had sustained from Mexico, of the causes which had led to the war, and of its progress since it was begun.

The United States, he asserted, had neither desired nor provoked the war. On the contrary, all honorable means had been resorted to to avert it, although "after years of endurance of aggravated and unredressed wrongs" there were ample causes of war and the United States might have appealed to the whole civilized world for the justice of her cause. Had these wrongs been resented and redressed in the first instance, the President believed that war might have been avoided, but one outrage having been permitted to pass with impunity encouraged the perpetration of another.

The President then recited the proceedings had in the administrations of Jackson and Van Buren, including the awards made by the umpire under the treaty of 1839 which were still partly unpaid; the signature of the convention of November 20, 1843, by which provision was made for ascertaining and paying other claims; its ratification by the American Senate with amendments; and the failure of Mexico to decide whether it would or would not accept the convention with these amendments.

"In so long suffering Mexico to violate her most solemn treaty obligations, plunder our citizens of their property, and imprison their

<sup>1</sup> Of 228 members of the House of Representatives in the thirtieth Congress, less than 100 had served in the twenty-ninth Congress.

persons without affording them any redress, we have failed to perform one of the first 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."

The President next discussed the annexation of Texas to the United States, which, he contended, constituted no just cause of offence to Mexico. Texas, he said, "constituted a portion of the ancient province of Louisiana," and the United States in Jefferson's time had vigorously asserted territorial rights extending as far as the Rio Grande. The claim of Mexico that the Nueces formed the western boundary had never been heard of then. "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"; and a long argument was submitted, going over substantially the same ground as that already traversed by Donelson and Buchanan.

"But," the President continued, "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 defence, 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."

The assertion that the United States had attempted to acquire Texas by force was then considered. The President reviewed the transactions of 1845, including the joint resolution of Congress to admit Texas to the Union and the mission of Slidell. So long, said the President, as

Paredes remained at the head of the government no hope could be cherished of preserving peace with Mexico; and under these circumstances it had been 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 to prevent any attempted European interference in the affairs of the North American continent. For this reason the President had thought it wise not to obstruct the return of Santa Anna to Mexico.

"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."

The President congratulated the country upon the success of its military and naval operations and the energy and gallantry of both the regular and volunteer officers and soldiers. He asserted that the war had not been waged with a view to conquest, but that it would be vigorously prosecuted "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." He recommended again an appropriation of two million dollars to facilitate negotiations with Mexico, and an additional loan of twenty-three million dollars for the expenses of the war. Other measures, such as the imposition of duties upon tea and coffee, and an economy in making appropriations for all objects not indispensable, were suggested. Finally, he commended to the early and favorable consideration of Congress the measures proposed by the Secretary of War for filling up the numbers of the regular army, and for raising an additional force to serve during the war with Mexico.

Nothing was said in the message in regard to the future methods of conducting the war. Although the policy of

establishing and holding a defensive line had been strongly advocated, and although the President himself had at one time been disposed to adopt that view, nothing was said of this policy nor of the intention to land troops at Vera Cruz. Nor was anything further said as to the ultimate objects of the war in respect to acquiring Mexican territory. The President had indeed been inclined, in preparing his message, to make some definite statement on this subject.

"I had proposed," he noted in his diary, "in my draft to submit to Congress the propriety, at the same time that the war should be vigorously prosecuted, to establish a line of boundary securing to the United States a sufficient territory to afford indemnity for the expenses of the war, and to our citizens who hold pecuniary demands against Mexico."

But Benton had thought these passages should be omitted, and the President had submitted Benton's views to his cabinet. Buchanan and Walker thought the proposed passages were proper, while Mason "was strongly inclined" to concur with Benton. All agreed, however, that it was inexpedient to retain the passages, if for no other reason, because "if they were opposed by Col. Benton, they would not probably pass Congress," and they were therefore omitted.<sup>1</sup>

The session of Congress which followed the reading of the President's speech was almost wholly devoted to a discussion of the war and its objects, and to an attack upon the President for having begun it by an unconstitutional and unnecessary invasion of Mexican territory. Historical discussions as to whether the Rio Grande was ever the boundary of Texas, and as to the truth of the President's assertion that war had been begun by Mexico on American soil, were, however, of little importance compared to the instant inquiry as to what were, after all, the objects to be attained by the war. Was it to be a war of conquest? Was it intended, in other words, to acquire territory from Mexico, and, if so, how much? And, above all, if territory was to be acquired, was slavery to be permitted to exist therein?

<sup>1</sup> Polk's *Diary*, II, 258-260.

At the bottom of all the violence on the subject of the war was, on the one hand, the rooted objection of the Northern states to an extension of slave territory, and, on the other, the strong feeling of the South that if a limitation should ever be placed upon the extension of slavery the South would be doomed. Calhoun, earlier and more clearly than any other Southern man, perceived the crucial importance of these subjects. Shortly after Congress met he had a long conversation with the President, in the course of which he warned the President that if any such restriction as the Wilmot proviso were contained in a treaty with Mexico, he would be compelled to vote against ratification. He assented, indeed, to the President's statement that slavery would probably never exist in the provinces of New Mexico and California if they were ceded to the United States; but he said that though he did not desire to extend slavery, yet, "if the slavery restriction was put into a Treaty, it would involve the principle, and whatever the other provisions of the Treaty were, he would vote against it."<sup>1</sup>

The really vital debates in Congress centred, therefore, over the Wilmot proviso. Wilmot himself was at first willing to drop a subject which had caused so much stir at the previous session of Congress. Two days before Christmas he called on the President.

"He expressed an entire willingness," according to the President's diary, "to vote for the appropriation without the restriction, and said he would not again move the restriction, but that if it was moved by others he would feel constrained to vote for it. I told him I did not desire to extend slavery, that I would be satisfied to acquire by Treaty from Mexico the Provinces of New Mexico & the Californias, and that in these Provinces slavery could probably never exist, and the great probability was that the question would never arise in the future organization of territorial or State Governments in these territories. I told him that slavery was purely a domestic question, and to restrict the appropriation which had been asked for, so as to require the President to insert it in a Treaty with a Foreign Power, was not only inappropriate and out of place, but that if such a Treaty were made it must be opposed by every Senator from a slave-holding State, and as one

<sup>1</sup> *Ibid.*, II, 283.

third of the Senators could reject a Treaty it could not be ratified, though it might be satisfactory in all other respects. I told him that trammelled with such a restriction I could not use the appropriation at all and would not do so. He said he would be satisfied with a simple legislative declaration in the Bill of the sense of Congress, without requiring it to be inserted in the Treaty, or, if it was not moved by others, he would be willing to vote for the appropriation without such a restriction in any form."<sup>1</sup>

But within the next few days after his visit to the President, Wilmot had evidently heard from his constituents, and on the eighth of February he reintroduced his proviso, while the appropriation bill was before the Committee of the Whole. There was, he declared, no question of abolition. He was not an abolitionist. He had supported the annexation of Texas and he did not seek to change the character of the institutions of that state. But in reference to California and New Mexico, the question was whether the South should be permitted by aggression, by invasion of right, by subduing free territory and planting slavery upon it, to wrest this territory to the accomplishment of its own sectional purposes and schemes.

By this time it had become evident to every man in Congress that the question of slavery extension would involve the most momentous consequences to the American Union, and the strongest efforts were made to avoid or postpone the consideration of such a topic either in the form of the Wilmot proviso or otherwise. One of these efforts, to which great attention was paid at that time, was a proposal by Senator Berrien, of Georgia, in an amendment he offered to the appropriation bill. The effect of it was to declare, as the true intent and meaning of Congress, that "the war with Mexico ought not to be prosecuted by this government with any view to the dismemberment of that republic, or to the acquisition by conquest of any portion of her territory." Cass, of Michigan, at once proposed as a substitute a declaration that it was the true intent and meaning of Congress that the war should be vigorously prosecuted, and that

<sup>1</sup> *Ibid.*, II, 289.

a reasonable indemnity should be obtained from Mexico, the nature and extent of which were proper subjects, in the first instance, for executive consideration.

Calhoun also had a panacea for curing all the ills arising from a war which he had never favored. He had always entertained an almost pathetic belief in the efficacy of negotiation with Mexico for settling all controversies, and he was convinced that the war—which he so much regretted—would never have occurred if the President had only had the wisdom to retain him in the State Department. But what he now urged was the establishment by the government of a new boundary line, upon which the United States should announce that it intended to stand, and the strict limitation of all warlike effort to a defence of that line. His reasons for advocating the "defensive line" policy were twofold. In the first place, he believed that success in the President's attempt to attack the heart of Mexico and dictate a peace to the people of that country was all but impossible.

"But there was still a deeper, a still more terrific difficulty to be met—a difficulty more vital than those to which he had alluded—a difficulty arising out of a division of sentiment which went to the very foundation of our Government. How should these lands be acquired, if any were acquired? To whose benefit should they enure? Should they enure to the exclusive benefit of one portion of the Union? We were told, and he was fearful that appearances too well justified the assertion, that all parties in the non-slave-holding portion of the Union insisted that they should have the exclusive control of this acquired territory."

After some days' reflection Calhoun therefore introduced, really by way of a substitute to Berrien's resolutions, a series of resolutions of his own, by which it was declared that the Constitution gave Congress no right to do any act whatsoever which should discriminate between the states of the Union, or by which any of them should be deprived of their full and equal right in any territory of the United States acquired or to be acquired.

Benton roughly disposed of Calhoun by saying that if anybody thought that he (Benton) was going to lay aside the

necessary business of the session to vote on such a string of abstractions, that person was greatly mistaken. Cass, however, replied at length to Calhoun, pointing out that there were but three ways of escaping from the difficulties in which the country was involved by reason of the Mexican War. The first was an abandonment of the war; the second the establishment of "a defensive line," holding the country to the north of it without any further military operations; and the third a vigorous prosecution of the war "agreeably to the public expectation and the experience of the world." As to the first, he cast it from him with contempt; as to the second, he pointed out at some length the quite obviously futile and inconclusive results of such a policy, which had failed from the time that the Romans built a wall across Britain and China had built a wall to exclude the Tartars. And he concluded that the only course open to the United States was to prosecute this war as wars had been prosecuted by other nations—to discard dangerous experiments and to hold to the experience of the world.

Webster, on his part—representing, no doubt, quite fairly the views of the majority of New England voters—strongly supported Berrien's resolution. Then and afterward Webster expressed the conviction that the policy he advocated would have solved all the difficulties in which the American government found itself involved; for if there were no new territory to be acquired the country would not have been divided over the subject of the extension of slavery. He would have avoided the controversy by destroying the subject of it; but how far the country generally, or the Whigs, for that matter, would have relished a self-denying ordinance which would have excluded Upper California from the United States was a question Webster did not attempt to answer. Berrien and his supporters presumably thought it unwise to press the issue, and his resolution was never even put to a vote; and with it fell Cass's and Calhoun's substitutes.

On some such lines, all through the short session, vehement debates continued in both houses of Congress; for