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Congressional Proceedings.

WASHINGTON CITY, NOV. 16.

This day, at 12 o'clock, the PRESIDENT OF THE UNITED STATES transmitted to both Houses of Congress, by his Secretary, Mr. J. J. Monroe, the following:

MESSAGE.

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

The auspicious circumstances, under which you will commence the duties of the present session, will lighten the burthen, inseparable from the high trust committed to you. The fruits of the earth have been unusually abundant: commerce has flourished; the revenue has exceeded the most favorable anticipation, and peace and amity are preserved with foreign nations, on conditions just and honorable to our country. For these inestimable blessings, we cannot but be grateful to that Providence which watches over the destinies of nations.

As the term limited for the operation of the commercial convention with Great Britain will expire early in the month of July next, and it was deemed important that there should be no interval, during which, that portion of our commerce which was provided for by that convention should not be regulated, either by arrangement between the two governments, or by the authority of Congress, the Minister of the United States at London was instructed, early in the last summer, to invite the attention of the British government to the subject, with a view to that object. He was instructed to propose, also, that the negotiation which it was wished to open, might extend to the general commerce of the two countries, and to every other interest and unsettled difference between them; particularly those relating to impressment, the fisheries, and boundaries, in the hope that an arrangement might be made, on principles of reciprocal advantage, which might comprehend, and provide, in a satisfactory manner, for all these high concerns. I have the satisfaction to state, that the proposal was received, by the British government, in the spirit which prompted it; and that a negotiation has been opened at London, embracing all these objects. On full consideration of the great extent and magnitude of the trust, it was thought proper to commit it to not less than two of our distinguished citizens, and in consequence, the Envoy Extraordinary and Minister Plenipotentiary of the United States, at Paris, has been associated with our Envoy Extraordinary and Minister Plenipotentiary, at London; to both of whom corresponding instructions has been given, and they are now engaged in the discharge of its duties. It is proper to add that, to prevent any inconvenience resulting from the delay incident to a negotiation on so many important subjects, it was agreed, before entering on it, that the existing convention should be continued for a term not less than eight years.

Our relations with Spain remain nearly in the state in which they were at the close of the last session. The convention of 1802, providing for the adjustment of a certain portion of the claims of our citizens for injuries sustained by spoliation, and so long suspended by the Spanish government, has at length been ratified by it; but no arrangement has yet been made for the payment of another portion of like claims, not less extensive or well founded, or for other classes of claims, or for the settlement of boundaries. These subjects have again been brought under consideration in both countries, but no agreement has been entered into respecting them. In the mean time, events have occurred, which clearly prove the ill effect of the policy, which that government has so long pursued, on the friendly relations of the two countries, which, it is presumed, it is at least of as much importance to Spain, as to the United States, to maintain. A state of things has existed in the Floridas, the tendency of which has been obvious to all who have paid the slightest attention to the progress of affairs in that quarter. Throughout the whole of those provinces to which the Spanish title extends, the government of Spain has scarcely been felt. Its authority has been confined, almost exclusively, to the walls of Pensacola and St. Augustine, within which only small garrisons have been maintained. Adventurers from every country, fugitives from justice, and absconding slaves, have found an asylum there. Several tribes of Indians, strong in the number of their warriors, remarkable for their ferocity, and whose settlements extend to our limits, inhabit those provinces. These different borders of people, connected together, disregarding, on the one side, the authority of Spain, and protected, on the other, by an imaginary line which separates Florida from the United States, have violated our laws prohibiting the introduction of slaves, have practised various frauds on our revenue, and committed every kind of outrage on our peaceable citizens, which

their proximity to us enabled them to perpetrate. The invasion of Amelia Island last year, by a small band of adventurers, not exceeding one hundred and fifty in number, was wrested from the inconsiderable Spanish force stationed there, and held it several months, during which, a single feeble effort only was made to recover it, which failed, clearly proving how completely extinct the Spanish authority had become, as the conduct of those adventurers, while in possession of the island, as distinctly shows the pernicious purposes for which their combination had been formed.

This country had, in fact, become the theatre of every species of lawless adventure. With little population of its own, the Spanish authority almost extinct, and the colonial governments in a state of revolution, having no pretension to it, and sufficiently employed in their own concerns, it was, in a great measure, derelict, and the object of cupidity, to every adventurer. A system of buccannery was rapidly organizing over it, which rendered its consequences, the lawful commerce of every nation, and particularly of the United States; while it presented a temptation to every people, on whose seduction its success principally depended. In regard to the United States, the pernicious effect of this unlawful combination, was not confined to the ocean: the Indian tribes have constituted the effective force in Florida. With these tribes these adventurers had formed, at an early period, a connection, with a view to avail themselves of that force to promote their own projects of accumulation and aggrandizement. It is to the interference of some of these adventurers, in misrepresenting the claims and titles of the Indians to land, and in practising on their savage propensities, that the Seminole war is principally to be traced. Men who thus connect themselves with savage communities, and stimulate them to war, which is always attended on their part with acts of barbarity the most shocking, deserve to be viewed in a worse light than the savages. They would certainly have no claim to an immunity from the punishment, which, according to the rules of warfare practised by the savages, might justly be inflicted on the savages, themselves.

If the embarrassments of Spain prevented her from making an indemnity to our citizens, for so long a time, from her treasury, for their losses by spoliation, and otherwise, it was always in her power to have provided it, by the cession of this territory. Of this, her government has been repeatedly apprized; and the cession was the more to be anticipated, as Spain must have known that, in ceding it, she would, in effect, cede what had become of little value to her, and would like-wise relieve herself from the important obligation secured by the treaty of 1795, and a 1 other commitments respecting it. If the United States, from consideration of these embarrassments, declined pressing their claims in a spirit of hostility, the motive ought, at least, to have been duly appreciated by the government of Spain. It is well known to her government, that other powers have made to the United States an indemnity for like losses, sustained by their citizens at the same epoch.

There is, nevertheless, a limit beyond which, this spirit of amity and forbearance can, in no instance be justified. If it was proper, to rely on amicable negotiation, for an indemnity for losses, it would not have been so, permitted the inability of Spain to fulfil her engagements, and to sustain her authority in the Floridas, to be perverted by foreign adventurers and savages to purposes so destructive to the lives of our fellow citizens, and the highest interests of the United States. The right of self-defence never ceases. It is among the most sacred, and alike necessary to nations and to individuals. And, whether the attack be made by Spain, herself, or by those who abuse her power, its obligation is not the less strong. The invaders of Amelia Island had assumed a popular and respected title, under which they might approach and wound us. As their object was distinctly seen, and the duty imposed on the Executive, by an existing law, was profoundly felt, that mask was not permitted to protect them. It was thought incumbent on the United States, to suppress the establishment, and it was accordingly done. The combination in Florida, for the unlawful purposes stated, the acts perpetrated by that combination, and, above all, the incitement of the Indians, to massacre our fellow-citizens, of every age, and of both sexes, merited a like treatment, and received it. In pursuing these savages to an imaginary line, in the woods, it would have been the height of folly to have suffered that line to protect them. Had that been done, the war could never cease. Even if the territory had been, exclusively, that of Spain, and her power complete over it, we had a right, by the law of nations, to follow the enemy on it, and to subdue him there. But the territory belonged, in a certain sense, at least, to the save enemy who inhabited it, the power of Spain had ceased to exist over it, and protection was sought, under her title, by those who had committed on our citizens hostilities, which she was bound, by treaty, to have prevented, but had not the power to prevent. To have stopped at that line, would have given new encouragement to these savages, and new vigor to the whole combination existing there, in the prosecution of all its pernicious purposes.

In suppressing the establishment at Amelia Island, no unfriendliness was manifested towards Spain, because the post was taken from a force which had wrested it from her. The

measure, if it is true, was not adopted in concert with the Spanish government, or those in authority under it, because, in transactions connected with the war, in which Spain and her colonies are engaged, it was thought proper in doing justice to the United States, to maintain a strict impartiality towards both the belligerent parties, without consulting or acting in concert with either. It gives me pleasure to state that the governments of Buenos Ayres and Venezuela, whose names were assumed, have explicitly disclaimed all participation in those measures, and even the knowledge of them, until communicated by this government, and have also expressed their satisfaction, that a course of proceeding had been suppressed which, if justly imputable to them, would dishonor their cause.

In authorizing Major General Jackson to enter Florida, in pursuit of the Seminoles, care was taken not to encroach on the rights of Spain. I have to add, that, in executing this order, facts were disclosed, respecting the conduct of the officers of Spain, in authority there, in encouraging the war, and other supplies to carry it on, and in other acts not less marked, which evinced their participation in the hostile purposes of that combination, and justified the confidence, with which it inspired the savages, that by those officers they would be protected. A conduct so incompatible with the friendly relations existing between the two countries, particularly with the positive obligation of the 5th article of the treaty of 1797, by which Spain was bound to restrain, even by force, those savages, from acts of hostility against the U. States, could not fail to excite surprise. The commanding general was convinced that he should fail in his object, that he should, in effect, accomplish nothing, if he did not deprive those savages of the resource on which they had calculated, and of the protection on which they had relied, in making the war. As all the documents, relating to this occurrence, will be laid before Congress, it is not necessary to enter into further detail respecting it.

Although the reasons which induced Major General Jackson to take these posts were duly appreciated, there was, nevertheless, no hesitation in deciding on the course which it became the government to pursue. As there was reason to believe that the commanders of these posts had violated their instructions, there was no disposition to impute to their government a conduct so unprovoked and hostile. An order was in consequence issued to the general in command there, to deliver the posts; Pensacola, unconditionally to any person duly authorized to receive it; and St. Marks, which is in the heart of the Indian country, on the arrival of a competent force to defend it against those savages and their associates.

In entering Florida to suppress this combination, no idea was entertained of hostility to Spain, and, however justifiable the commanding general was, in consequence of the misconduct of the Spanish officers, in entering St. Marks and Pensacola, to terminate it, by proving to the savages and their associates, that they should not be protected, even there; yet the amicable relations existing between the United States could not be altered by that act alone. By ordering the restitution of the posts, those relations were preserved. To a change of them, the power of the Executive is deemed incompetent. It is vested in Congress only.

By this measure, so promptly taken, due respect was shown to the government of Spain. The misconduct of her officers has not been imputed to her. She was enabled to review with candor her relations with the United States, and her own situation, particularly in respect to the territory in question, with the dangers inseparable from it; and, regarding the losses we have sustained, for which indemnity has been so long withheld, and the injuries we have suffered through that territory, and her means of redress, she was likewise enabled to take, with honor, the course best calculated to do justice to the United States, and to promote her own welfare.

Copies of the instructions to the commanding general; of his correspondence with the Secretary of War, explaining his motives, and justifying his conduct, with a copy of the proceedings of the courts martial, in the trial of Arbutnot and Ambristic; and of the correspondence between the Secretary of State and the Minister Plenipotentiary of Spain, near this government; and of the Minister Plenipotentiary of the United States, at Madrid, with the government of Spain, will be laid before Congress.

The civil war, which has so long prevailed between Spain and the provinces in South America, still continues without any prospect of its speedy termination. The information respecting the condition of those countries, which has been collected by the Commissioners, recently returned from thence, will be laid before Congress, in copies of their reports, with such other information as has been received from other agents of the United States.

It appears, from these communications, that the government of Buenos Ayres declared itself independent in July 1816, having previously exercised the power of an independent government, though in the name of the King of Spain, from the year 1810; that the Banda Oriental, Entre Reos, and Paraguay, with the city of Santa Fee, all of which are also independent, are unconnected with the present government

of Buenos Ayres; that Chili has declared itself independent, and is closely connected with Buenos Ayres; that Venezuela has also declared itself independent, and now maintains the conflict with various success; and that the remaining parts of South America, except Monte Video, and such other portions of the Eastern bank of the La Plata as are held by Portugal, are still in the possession of Spain, or in a certain degree under her influence.

By a circular note addressed by the Ministers of Spain to the allied powers, with whom they are respectively accredited, it appears that the allies have undertaken to mediate between Spain and the South American provinces, and that the manner and extent of their interposition would be settled by a Congress, which was to have met at Aix-la-Chapelle in September last. From the general policy and course of proceeding observed by the allied powers, in regard to this contest, it is inferred that they will confine their interposition to the expression of their sentiments; abstaining from the application of force. I state this impression, that force will not be applied, with the greater satisfaction, because it is a course more consistent with justice, and likewise authorizes a hope that the calamities of the war will be confined to the parties only, and will be of shorter duration.

From the view taken of this subject, founded on all the information that we have been able to obtain, there is good cause to be satisfied with the course heretofore pursued by the United States in regard to this contest, and to conclude, that it is proper to adhere to it, especially, in the present state of affairs.

I have great satisfaction in stating, that our relations with France, Russia, and other powers, continue on the most friendly basis.

In our domestic concerns we have ample cause of satisfaction. The receipts into the treasury, during the three first quarters of the year, have exceeded seventeen millions of dollars.

After satisfying all the demands which have been made under existing appropriations, including the final extinction of the old six per cent stock, and the redemption of a moiety of the Louisiana debt, it is estimated that there will remain in the treasury, on the first day of January next, more than two millions of dollars.

It is ascertained that the gross revenue which has accrued from the customs during the same period amounts to twenty-one millions of dollars, and that the revenue of the whole year may be estimated at not less than twenty-six millions. The sale of the public lands during the year has also greatly exceeded, both in quantity and price, that of any former year; and there is just reason to expect a progressive improvement in that source of revenue.

It is gratifying to know, that, although the annual expenditure has been increased, by the act of the last session of Congress, providing for revolutionary pensions, to an amount about equal to the proceeds of the internal duties, which were then repealed, the revenue for the ensuing year will be proportionably augmented, and that, whilst the public expenditure will probably remain stationary, each successive year will add to the national resources, by the gradual development of our latent sources of national prosperity.

The strict execution of the revenue laws, resulting principally from the salutary provisions of the act of the 20th of April last, amending the several collection laws, has, it is presumed, secured to domestic manufactures all the relief that can be derived from the duties, which have been imposed upon foreign merchandise, for their protection. Under the influence of this relief, several branches of this important national interest have assumed greater activity, and, although it is hoped that others will gradually revive, and ultimately triumph over every obstacle, yet the expediency of granting further protection is submitted to your consideration.

The measures of defence, authorized by existing laws, have been pursued with the zeal and activity due to so important an object, and with all the despatch practicable in so extensive and great an undertaking. The survey of our maritime and inland frontiers has been continued; and at the points where it was decided to erect fortifications, the work has been commenced, and, in some instances, considerable progress has been made. In compliance with resolutions of the last session, the board of commissioners were directed to examine in a particular manner the parts of the coast therein designated, and to report their opinion of the most suitable sites for two naval depots. This work is in a train of execution. The opinion of the board on this subject, with a plan of all the works necessary to a general system of defence so far as it has been formed, will be laid before Congress, in a report from the proper Department, as soon as it can be prepared.

In conformity with the appropriations of the last session, treaties have been formed with the Quappaw tribe of Indians, inhabiting the country on the Arkansas, and with the Great and Little Osages north of the White river; with the tribes in the state of Indiana; with the several tribes within the state of Ohio, and the Michigan territory; and with the Chickasaws; by which very extensive cessions of territory have been made to the United States. Negotiations are now depending with the tribes in the Illinois territory, and with the Choctaws, by which it is expected that other extensive cessions will be made. I take great interest in stating that the cessions already made, which are considered so important to the United States have been obtained on conditions very satisfactory to the Indians.