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PRESIDENT'S MESSAGE.

Washington City, December 3.

Yesterday at 12 o'clock the President of the United States communicated to both Houses of Congress the following

MESSAGE.

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

In performing my duty at the opening of your present session, it gives me pleasure to congratulate you again upon the prosperous condition of our beloved country. Divine Providence has favored us with general health, with rich rewards in the fields of agriculture and in every branch of labor, and with peace to cultivate and extend the various resources which employ the virtue and enterprise of our citizens. Let us trust that, in surveying a scene so flattering to our free institutions, our joint deliberations to preserve them may be crowned with success.

Our foreign relations continue, with but few exceptions, to maintain the favorable aspect which they bore in my last annual message, and promise to extend those advantages which the principles that regulate our intercourse with other nations are so well calculated to secure.

The question of the northeastern boundary is still pending with Great Britain, and the proposition made in accordance with the resolution of the Senate for the establishment of a line according to the treaty of 1783, has not been accepted by that government. Believing that every disposition is felt on both sides to adjust this perplexing question to the satisfaction of all the parties interested in it, the hope is yet indulged that it may be effected on the basis of that proposition.

With the governments of Austria, Russia, Prussia, Holland, Sweden and Denmark, the best understanding exists. Commerce, with all, is fostered and protected by reciprocal good will, under the sanction of liberal conventional or legal provisions.

In the midst of her internal difficulties, the Queen of Spain has ratified the convention for the payment of the claims of our citizens arising since 1819. It is in the course of execution on her part, and a copy of it is now laid before you for such legislation as may be found necessary to enable those interested to derive the benefits of it.

Yielding to the force of circumstances and to the wise councils of time and experience, that power has finally resolved no longer to occupy the unnatural position in which she stood to the new governments established in this hemisphere. I have the great satisfaction of stating to you that in preparing the way for the restoration of harmony between those who have sprung from the same ancestors, who are allied by common interests, profess the same religion, and speak the same language, the United States have been actively instrumental. Our efforts to effect this good work, will be persevered in while they are deemed useful to the parties, and our entire disinterestedness continues to be felt and understood. The act of Congress to counteract the discriminating duties levied to the prejudice of our navigation in Cuba and Porto Rico, has been transmitted to the minister of the United States at Madrid, to be communicated to the government of the Queen. No intelligence of its receipt has yet reached the department of state. If the present condition of the country permits the government to make a careful and enlarged examination of the interests of these important portions of its dominions, no doubt is entertained that their future intercourse with the United States will be placed upon a more just and liberal basis.

The Florida archives have not yet been selected and delivered. Recent orders have been sent to the agent of the United States at Havana, to return with all that he can obtain, so that they may be in Washington before the session of the Supreme Court, to be used in the legal questions there pending, to which the government is a party.

Internal tranquility is happily restored to Portugal. The distracted state of the country rendered unavoidable the postponement of a final payment of the just claims of our citizens. Our diplomatic relations will be soon resumed, and the long subsisting friendship with that power affords the strongest guarantee that the balance due will receive prompt attention.

The first instalment due under the convention of indemnity with the King of the Two Sicilies, has been duly received, and an offer has been made to extinguish the whole by a prompt payment—on offer I did not consider myself authorized to accept, as the indemnification provided is the exclusive property of individual citizens of the United States. The original adjustment of our claims, and the anxiety displayed to fulfil at once

the stipulations made for the payment of them, are highly honorable to the government of the Two Sicilies. When it is recollected that they were the result of the injustice of an intrusive power, temporarily dominant in its territory, a repugnance to acknowledge and to pay which would have been neither unnatural nor unexpected, the circumstance cannot fail to exalt its character for justice and good faith in the eyes of all nations.

The treaty of amity and commerce between the United States and Belgium, brought to your notice in my last annual message, as sanctioned by the Senate, but the ratifications of which had not been exchanged, owing to a delay in its reception at Brussels and a subsequent absence of the Belgian minister of foreign affairs, has been, after mature deliberation, finally disavowed by that government as inconsistent with the powers and instruction given to their minister who negotiated it. The disavowal was entirely unexpected, as the liberal principles embodied in the convention, and which form the groundwork of the objections to it, were perfectly satisfactory to the Belgian representative, and were supposed to be not only within the powers granted, but expressly conformable to the instructions given to him. An offer, not yet accepted, has been made by Belgium to renew negotiations for a treaty less liberal in its provisions, on questions of general maritime law.

Our newly established relations with the Sublime Porte promise to be useful to our commerce and satisfactory in every respect to this government. Our intercourse with the Barbary Powers continues without important change, except that the present political state of Algiers has induced me to terminate the residence there of a salaried consul, and to substitute an ordinary consulate, to remain so long as the place continues in the possession of France. Our first treaty with one of these powers—the Emperor of Morocco—was formed in 1786, and was limited to fifty years. That period has almost expired. I shall take measures to renew it with the greater satisfaction, as its stipulations are just and liberal, and have been, with mutual fidelity and reciprocal advantage, scrupulously fulfilled.

Intemperate dissensions have too frequently occurred to mar the prosperity, interrupt the commerce, and distract the governments of most of the nations of this hemisphere, which have separated themselves from Spain. When a firm and permanent understanding with the parent country shall have produced a formal acknowledgment of their independence, and the idea of danger from that quarter can be no longer entertained, the friends of freedom expect that those countries, so favored by nature, will be distinguished for their love of justice and their devotion to those peaceable arts, the assiduous cultivation of which confers honor upon nations and gives value to human life. In the mean time I confidently hope, that the apprehensions entertained that some of the people of those luxuriant regions may be tempted, in a moment of unworthy distrust of their own capacity for the enjoyment of liberty, to commit the too common error of purchasing present repose by bestowing on some favorite leaders the fatal gift of irresponsible power, will not be realized. With all these governments, and with that of Brazil, no unexpected changes in our relations have occurred during the present year. Frequent causes of just complaint have arisen upon the part of the citizens of the United States—sometimes from the irregular action of the constituted subordinate authorities of the maritime regions, and sometimes from the leaders or partisans of those in arms against the established governments. In all cases representations have been made or will be made, and as soon as their political affairs are in a settled position, it is expected that our friendly remonstrances will be followed by adequate redress.

The government of Mexico made known in December last, the appointment of commissioners and a surveyor, on its part, to run, in conjunction with ours, the boundary line between its territories and the United States, and excused the delay for the reasons anticipated—the prevalence of civil war. The commissioners and surveyors not having met within the time stipulated by the treaty, a new arrangement became necessary, and our charge d'affaires was instructed, in January last, to negotiate, in Mexico, an article additional to the pre-existing treaty. This instruction was acknowledged, and no difficulty was apprehended in the accomplishment of that object. By information just received, that additional article to the treaty will be obtained, and transmitted to this country, as soon as it can receive the ratification of the Mexican Congress.

The re-union of the three states of New

Granada, Venezuela and Equador, forming the Republic of Colombia, seems every day to become more improbable. The commissioners of the two first are understood to be now negotiating a just division of the obligations contracted by them when under one government. The civil war in Equador, it is believed, has prevented even the appointment of a commissioner on its part.

I propose, at an early day, to submit in the proper form, the appointment of a diplomatic agent to Venezuela. The importance of the commerce of that country to the United States, and the large claims of our citizens upon the government, arising before and since the division of Colombia, rendering it, in my judgment, improper longer to delay this step.

Our representatives to Central America, Peru, and Brazil, are either at, or on their way to, their respective posts.

From the Argentine Republic, from which a minister was expected to this government, nothing farther has been heard. Occasion has been taken, on the departure of a new consul to Buenos Ayres, to remind that government that its long delayed minister, whose appointment had been made known to us, had not arrived.

It becomes my unpleasant duty to inform you that this pacific and highly gratifying picture of our foreign relations, does not include those with France at this time. It is not possible that any government and people could be more sincerely desirous of conciliating a just and friendly intercourse with any nation, than are those of the United States with their ancient ally and friend. This disposition is founded, as well on the most grateful and honorable recollections associated with our struggle for independence, as upon a well grounded conviction that it is consonant with the true policy of both. The people of the United States could not, therefore, see without the deepest regret, even a temporary interruption of the friendly relations between the two countries—a regret which would, I am sure, be greatly aggravated, if there should turn out to be any reasonable ground for attributing such a result to any act of omission or commission on our part. I derive, therefore, the highest satisfaction from being able to assure you, that the whole course of this government has been characterized by a spirit so conciliatory and forbearing, as to make it impossible that our justice and moderation should be questioned, whatever may be the consequence of a longer perseverance, on the part of the French government, in her omission to satisfy the conceded claims of our citizens.

The history of the accumulated and unprovoked aggressions upon our commerce, committed by authority of the existing governments of France, between the years 1800 and 1817, has been rendered too painfully familiar to Americans to make its repetition either necessary or desirable. It will be sufficient here to remark, that there has, for many years, been scarcely a single administration of the French government by whom the justice and legality of the claims of our citizens to indemnity, were not, to a very considerable extent, admitted; and yet near a quarter of a century has been wasted in ineffectual negotiation to secure it.

Deeply sensible of the injurious effects resulting from this state of things upon the interests and character of both nations, I regard it as among my first duties to cause one more effort to be made to satisfy France, that a just and liberal settlement of our claims was as well due to her own honor as to their incontestable validity. The negotiation for this purpose was commenced with the late government of France, and was prosecuted with such great success, as to leave no reasonable ground to doubt that a settlement quite as liberal as that which was subsequently made, would have been effected, had not the revolution, by which the negotiation was cut off, taken place. The discussions were resumed with the present government, and the result showed that we were not wrong in supposing that an event by which the two governments were made to approach each other so much nearer in their political principles, and by which the motives for the most liberal and friendly intercourse were so greatly multiplied, could exercise no other than a salutary influence upon the negotiation. After the most deliberate and thorough examination of the whole subject, a treaty between the two governments was concluded and signed at Paris on the 4th of July 1831, by which it was stipulated that the French government, in order to liberate itself from all the reclamations preferred against it by citizens of the United States, for unlawful seizures, captures, sequestrations, confiscations, or destruction of their vessels, cargoes, or other property, engages to pay a sum of twenty five millions of francs to the United States, who shall distribute it

among those entitled in the manner and according to the rules it shall determine; and it was also stipulated on the part of the French government, that this twenty-five millions of francs should "be paid at Paris in six annual instalments of four millions one hundred and sixty six thousand six hundred and sixty six francs and sixty six centimes each, into the hands of such person or persons as shall be authorized by the government of the United States to receive it." The first instalment to be paid "at the expiration of one year next following the exchange of the ratifications of this convention, and the others at successive intervals of a year, one after another, till the whole shall be paid. To the amount of each of the said instalments shall be added interest at four per centum thereupon, as upon the other instalments then remaining unpaid, the said interest to be computed from the day of the exchange of the present convention."

It was also stipulated on the part of the United States, for the purpose of being completely liberated from all the reclamations presented by France on behalf of its citizens, that the sum of one million five hundred thousand francs should be paid to the government of France, in six annual instalments, to be deducted out of the annual sums which France had agreed to pay, interest thereupon being in like manner computed from the day of the exchange of the ratifications. In addition to this stipulation, important advantages were secured to France by the following article, viz: "The wines of France, from and after the exchange of the ratifications of the present convention, shall be admitted to consumption in the States of the Union, at duties which shall not exceed the following rates by the gallon, (such as it is used at present for wines in the United States,) to wit: six cents for red wines in casks; ten cents for white wines in casks, and twenty-two cents for wines of all sorts in bottles. The proportions existing between the duties on French wines thus reduced, and the general rates of the tariff which went into operation the first January, 1829, shall be maintained, in case the government of the United States should think proper to diminish these general rates in a new tariff.

In consideration of this stipulation, which shall be binding on the United States for ten years, the French government abandons the reclamations which it had formed in relation to the 8th article of the treaty of cession of Louisiana. It engages, moreover, to establish on the long staple cottons of the United States, which, after the exchange of the ratifications of the present convention, shall be brought directly thence to France by the vessels of the United States, or by French vessels, the same duties as on short staple cottons."

This treaty was duly ratified in the manner prescribed by the constitutions of both countries, and the ratification was exchanged at the City of Washington, on the 2d of February, 1832. On account of its commercial stipulations it was, in five days thereafter, laid before the Congress of the United States, which proceeded to enact such laws favorable to the commerce of France as were necessary to carry it into full execution; and France has, from that period to the present, been in the unrestricted enjoyment of the valuable privileges that were thus secured to her. The faith of the French nation having been thus solemnly pledged, through its constitutional organ, for the liquidation and ultimate payment of the long deferred claims of our citizens, as also for the adjustment of other points of great and reciprocal benefits to both countries, and the United States having with a fidelity and promptitude by which their conduct will, I trust, be always characterized, done every thing that was necessary to carry the treaty into full and fair effect on their part, counted, with the most perfect confidence, on equal fidelity and promptitude, on the part of the French Government. In this reasonable expectation, we have been, I regret to inform you, wholly disappointed. No legislative provision has been made by France for the execution of the treaty, either as respects the indemnity to be paid, or the commercial benefits to be secured to the United States, and the relations between the United States and that power, in consequence thereof, are placed in a situation threatening to interrupt the good understanding which has so long and so happily existed between the two nations.

Not only has the French government been thus wanting in the performance of the stipulations it has so solemnly entered into with the United States, but its omissions have been marked by circumstances which would seem to leave us without satisfactory evidences, that such performance will certainly take place at a future period. Advice of the exchange of ratifications reached Paris prior to the

8th of April, 1832. The French Chambers were then sitting, and continued in session until the 21st of that month, and although one instalment of the indemnity was payable on the 2d of February, 1833, one year after the exchange of ratifications, no application was made to the Chambers for the required appropriation, and in consequence of no appropriation having then been made, the draft of the United States government for that instalment, was dishonored by the minister of finance, and the United States thereby involved in much controversy. The next session of the Chambers commenced on the 19th November, 1832, and continued until the 25th of April, 1833. Notwithstanding the omission to pay the first instalment had been made the subject of earnest remonstrance on our part, the treaty with the United States, and a bill making the necessary appropriation to execute it, were not laid before the Chamber of Deputies until the 6th of April, nearly five months after its meeting, and only nineteen days before the close of the session. The bill was read and referred to a committee, but there was no further action upon it. The next session of the Chambers commenced on the 26th of April, 1833, and continued until the 26th of June following. A new bill was introduced on the 11th of June, but nothing important was done in relation to it during the session. In the month of April, 1834, nearly three years after the signature of the treaty, the final action of the French Chambers upon the bill to carry the treaty into effect, was obtained, and resulted in a refusal of the necessary appropriations. The avowed grounds upon which the bill was rejected, are to be found in the published debates of that body, and no observations of mine can be necessary to satisfy Congress of their utter insufficiency. Although the gross amount of the claims of our citizens is probably greater than will be ultimately allowed by the commissioners, sufficient is, nevertheless, shown, to render it absolutely certain that the indemnity falls far short of the actual amount of our just claims, independently of the question of damages and interest for the detention. That the settlement involved a sacrifice in this respect was well known at the time—a sacrifice which was cheerfully acquiesced in by the different branches of the Federal government, whose action upon the treaty was required, from a sincere desire to avoid further collision upon this old and disturbing subject, and in the confident expectation that the general relations between the two countries would be improved thereby.

The refusal to vote the appropriation, the news of which was received from our minister in Paris about the 15th of May last, might have been considered the final determination of the French government not to execute the stipulations of the treaty, and would have justified an immediate communication of the facts to Congress, with a recommendation of such ultimate measures as the interest and honor of the United States might seem to require. But with the news of the refusal of the Chambers to make the appropriation, were conveyed the regrets of the King, and a declaration that a national vessel should be forthwith sent out, with instructions to the French minister to give the most ample explanations of the past, and the strongest assurances of the future. After a long passage the promised despatch vessel arrived. The pledges given by the French minister, upon receipt of his instructions, were, that as soon after the election of the new members as the charter would permit, the legislative Chambers of France should be called together, and the proposition for an appropriation laid before them; that all the constitutional powers of the King and his cabinet should be extended to accomplish the object; and that the result should be made known early enough to be communicated to Congress at the commencement of the present session. Relying upon these pledges, and not doubting that the acknowledged justice of our claims, the promised exertions of the King and his cabinet, and above all, that sacred regard for the national faith and honor for which the French character has been so distinguished, would secure an early execution of the treaty in all its parts, I did not deem it necessary to call the attention of Congress to the subject at its last session.

I regret to say that the pledges made through the minister of France have not been redeemed. The new Chambers met on the 31st July last, and although the subject of fulfilling treaties was alluded to in the speech from the throne, no attempt was made by the King or his cabinet to procure an appropriation to carry it into execution. The reasons given for this omission, although they might be considered sufficient in an ordinary case, are not consistent with the expectations founded upon the assurances given here, for there is no constitutional ob-