

# Western Carolinian... Extra.

ATURDAY, DECEMBER 7, 1833.

## Message of the President of the United States, to both Houses, at the opening of the Twenty-Third Congress.

FELLOW-CITIZENS OF THE SENATE AND HOUSE OF REPRESENTATIVES:

On your assembling to perform the high trusts which the People of the United States have confided to you, of legislating for their common welfare, it gives me pleasure to congratulate you on the happy condition of our beloved country. By the favor of Divine Providence, health is again restored to us; peace reigns within our borders; abundance crowns the labors of our fields; commerce and domestic industry flourish and increase; and individual happiness rewards the private virtue and enterprize of our citizens.

Our condition abroad is no less honorable than it is prosperous at home. Seeking nothing that is not right, and being determined to submit to nothing that is wrong, but with honest friendships and liberal intercourse with all Nations, the United States have gained through the world the confidence and respect which are due to the character of the American People, and a policy so just and so congenial to the spirit of the Institutions.

In bringing to your notice the particular state of our Foreign Affairs, it affords me high gratification to inform you that they are in a condition which promises the continuance of friendship with all Nations.

With Great Britain, the interesting question of our Northern Boundary remains still undecided. A negotiation, however, upon that subject, has been renewed since the close of the last Congress; and a proposition has been submitted to the British Government, with the view of establishing, in conformity with the resolution of the Senate, the line designated by the Treaty of 1783. Though no definite answer has been received, it may be daily looked for, and I entertain a hope that the overture may ultimately lead to a satisfactory adjustment of this important matter.

I have the satisfaction to inform you that a negotiation which, by desire of the House of Representatives, was opened, some years ago, with the British Government, for the erection of Light-houses on the Bahamas, has been successful. These works, when completed, together with those which the United States have constructed on the western side of the Gulf of Florida, will contribute essentially to the safety of navigation in that sea. This joint participation in establishments interesting to humanity and beneficial to commerce, is worthy of two enlightened Nations, and indicates feelings which cannot fail to have a happy influence upon their political relations. It is gratifying to the friends of both to perceive that the intercourse between the two People is becoming daily more extensive, and that sentiments of mutual good will have grown up, befitting their common origin, justifying the hope, that, by wise counsels on each side, not only unsettled questions may be satisfactorily terminated, but new causes of misunderstanding prevented.

Notwithstanding that I continue to receive the most amicable assurances from the Government of France, and that in all other respects the most friendly relations exist between the United States and that Government, it is to be regretted that the stipulations of the Convention concluded on the 4th July, 1831, remain, in some important parts, unfulfilled.

By the second article of that Convention, it was stipulated that the sum payable to the United States should be paid at Paris, in six annual instalments, into the hands of such person or persons as should be authorized by the Government of the United States to receive it; and by the same article the first instalment was payable on the 31st day of February, 1833. By the Act of Congress of the 13th July, 1832, it was made the duty of the Secretary of the Treasury to cause several instalments, with the interest thereon, to be received from the French Government, and transmitted to the United States, in such manner as he may deem best; and, by the same Act of Congress, the stipulations on the part of the United States, in the Convention, were in all respects fulfilled. Not doubting that a Treaty thus made and ratified by the two Governments, and faithfully executed by the U. States, would be promptly complied with by the other party, and desiring to avoid the risk and expense of intermediate agencies, the Secretary of the Treasury deemed it advisable to receive and transfer the first instalment by means of a draft upon the French Minister of Finance. A draft for this purpose was accordingly drawn, in favor of the Cashier of the Bank of the United States, for the amount accruing to the United States out of the first instalment, and the interest payable with it. This bill was not drawn at Washington until five days after the instalment was payable at Paris, and was accompanied by a special authority from the President, authorizing the Cashier or his assigns to receive the amount. The mode thus adopted of receiving the instalment, was officially made known to the French Government by the American Charge de Affaires at Paris, pursuant to instructions from the Department of State. The bill, however, though not presented for payment until the 23d day of March, was not paid, and for the reason assigned by the French Minister of Finance, that no appropriation had been made by the French Chambers. It is not known to me that, up to that period, any appropriation had been required of the Chambers; and although a communication was subsequently made to the Chambers, by direction of the King, recommending that the necessary provision should be made for carrying the Convention into effect, it was at an advanced period of the session, and the subject was finally postponed until the next meeting of the Chambers.

Notwithstanding it has been supposed, by the French Ministry, that the financial stipulations of the treaty cannot be carried into effect without an appropriation by the Chambers, it appears to me to be not only consistent with the charter of France, but due to the character of both Governments, as well as to the rights of our citizens, to treat the Convention made and ratified in proper form, as pledging the good faith of the French Government for its execution, & as imposing upon each department an obligation to fulfil it; & I have received assurances, through our Charge de Affaires at Paris, and the French Minister Plenipotentiary at Washington, and more recently through the Minister of the United States at Paris, that the delay has not proceeded from any indisposition on the part of the King and his Ministers to fulfil the treaty, and that measures will be presented at the next meeting of the Chambers, and with a reasonable hope of success, to obtain the necessary appropriation.

It is necessary to state, captured, condemned, or burnt certain lists of vessels, examination and liquidation at sea, proper to facilitate in the stipulations of the Convention, and which, if States by the intermediary of the Legation, the under instructions from this Government, Charge de Affaires been communicated; and this delay, it is apprehended to the Commissioners, within the time at duties ascribed by law.

Under these circumstances, in a case so important to the interests of our citizens, and to the character of our country, and, under disappointments so unexpected, I deemed it my duty, however I might respect the general assurances to which I have adverted, no longer to delay the appointment of a Minister Plenipotentiary to Paris, but to despatch him in season to communicate the result of his application to the French Government at an early period of your session. I accordingly appointed a distinguished citizen for this purpose, who proceeded on his mission in August last, and was presented to the King early in the month of October. He is particularly instructed as to all matters connected with the present posture of affairs; and I indulge the hope, that, with the representations he is instructed to make, and from the dispositions manifested by the King and his Ministers, in their recent assurances to our Minister at Paris, the subject will be early considered, and satisfactorily disposed of, at the next meeting of the Chambers.

As this subject involves important interests, and has attracted a considerable share of the public attention, I have deemed it proper to make this explicit statement of its actual condition; and should I be disappointed in the hope now entertained, the subject will be again brought to the notice of Congress in such manner as the occasion may require.

The friendly relations which have always been maintained between the United States and Russia have been further extended and strengthened by the treaty of navigation and commerce, concluded on the 6th of December last, and sanctioned by the Senate before the close of its last session. The ratifications having been since exchanged, the liberal provisions of the treaty are now in full force; and, under the encouragement which they have received, a flourishing and increasing commerce, yielding its benefits to the enterprise of both nations, affords to each the just recompense of wise measures, and adds new motives for that mutual friendship which the two countries have hitherto cherished towards each other.

It affords me peculiar satisfaction to state that the Government of Spain has at length yielded to the justice of the claims which have been so long urged in behalf of our citizens, and has expressed a willingness to provide an indemnification, as soon as the proper amount can be agreed upon. Upon this latter point; it is probable an understanding had taken place between the Minister of the United States and the Spanish Government, before the decease of the late King of Spain; and, unless that event may have delayed its completion, there is reason to hope that it may be in my power to announce to you, early in your present session, the conclusion of a convention upon terms not less favorable than those entered into for similar objects with other nations. That act of justice would well accord with the character of Spain, and is due to the United States from their ancient friend. It could not fail to strengthen the sentiments of amity and good will between the two nations, which it is so much the wish of the United States to cherish, and so truly the interest of both to maintain.

By the first section of an Act of Congress passed on the 13th July, 1832, the tonnage duty on Spanish ships arriving from the ports of Spain, was limited to the duty payable on American vessels in the ports of Spain, previous to the 20th October, 1817, being five cents per ton. The act was intended to give effect, on our side, to an arrangement made with the Spanish Government, by which discriminating duties of tonnage were to be abolished in the ports of the United States and Spain, on the vessels of the two nations. Pursuant to that arrangement, which was carried into effect on the part of Spain, on the 20th of May, 1832, by a royal order, dated the 29th April, 1832, American vessels in the ports of Spain have paid five cents per ton, which rate or duty is also paid in those ports by Spanish ships; but as American vessels pay no tonnage duty in the ports of the United States, the duty of five per cent payable in our ports by Spanish vessels, under the Act above mentioned, is really a discriminating duty, operating to the disadvantage of Spain. Though no complaint has yet been made on the part of Spain, we are not the less bound by the obligations of good faith to remove the discrimination; and I recommend that the Act be amended accordingly. As the royal order, above alluded to, includes the ports of the Balearic and Canary Islands, as well as those of Spain, it would seem that the provisions of the Act of Congress should be equally extensive; and that for the repayment of such duties as may have been improperly received, an addition should be made to the sum appropriated at the last session of Congress for refunding discriminating duties.

As the arrangement referred to, however, did not embrace the Islands of Cuba and Porto Rico, discriminating duties, to the prejudice of American shipping, continue to be levied there. From the extent of the commerce carried on between the United States and those Islands, particularly the former, the discrimination causes serious injury to one of those great national interests which it has been considered an essential part of our policy to cherish, and has given rise to complaints on the part of our merchants. Under instructions given to our Minister at Madrid, earnest representations have been made by him to the Spanish Government upon this subject, and there is reason to expect, from the friendly disposition which is entertained towards this country, that a beneficial change will be produced. The disadvantage, however, to which our shipping is subjected by the operation of these discriminating duties, requires that they be met by suitable countervailing duties during your present session—power being at the same time vested in the President to modify or discontinue them as the discriminating duties on American

vessels or their cargoes may be modified or discontinued at those Islands. Intimations have been given to the Spanish Government, that the United States may be obliged to resort to such measures as are of necessary self-defence; and there is no reason to apprehend that it would be unfavorably received. The proposed proceeding, if adopted, would not be permitted, however, in any degree, to induce a relaxation in the efforts of our Minister to effect a repeal of this irregularity, by friendly negotiation; and it might serve to give force to his representations, by showing the dangers to which that valuable trade is exposed by the obstructions and burthens which a system of discriminating and countervailing duties necessarily produces.

The selection and preparation of the Florida archives for the purpose of being delivered over to the United States, in conformity with the royal order, as mentioned in my last annual message, though in progress, has not yet been completed. This delay has been produced partly by causes which were unavoidable, particularly the prevalence of cholera at Havana; but measures have been taken which it is believed will expedite the delivery of those important records.

Congress were informed, at the opening of the last session, that, "owing, as was alluded, to embarrassments in the finances of Portugal, consequent upon the civil war in which that nation was engaged," payment had been made of only one instalment of the amount which the Portuguese Government had stipulated to pay for indemnifying our citizens for property illegally captured in the blockade of Terceira. Since that time, a postponement for two years, with interest of the two remaining instalments, was requested by the Portuguese Government; and as a consideration, it offered to stipulate that rice of the United States should be admitted into Portugal at the same duties as Brazilian rice. Being satisfied that no better arrangement could be made, my consent was given; and a royal order of the King of Portugal was accordingly issued on the 4th day of February last, for the reduction of the duty on rice of the United States. It would give me pleasure if, in speaking of that country, in whose prosperity the United States are so much interested, and with whom a long subsisting, extensive, and mutually advantageous commercial intercourse has strengthened the relations of friendship, I could announce to you the restoration of its internal tranquillity.

Subsequently to the commencement of the last session of Congress, the final instalment payable by Denmark, under the Convention of the 28th day of March, 1830, was received. The Commissioners for examining the claims, have since terminated their labors, and their awards have been paid at the Treasury as they have been called for. The justice rendered to our citizens by that Government, is thus completed, and a pledge is thereby afforded for the maintenance of that friendly intercourse becoming the relations that the two nations mutually bear to each other.

It is satisfactory to inform you that the Danish Government have recently issued an ordinance by which the commerce with the Island of St. Croix is placed on a more liberal footing than heretofore. This change cannot fail to prove beneficial to the trade between the United States and that colony; and the advantages likely to flow from it may lead to greater relaxations in the colonial systems of other nations.

The ratifications of the Convention with the King of the two Sicilies, have been duly exchanged, and the Commissioners appointed for examining the claims under it have entered upon the duties assigned to them by law. The friendship that the interests of the two nations require of them being now established, it may be hoped that each will enjoy the benefits which a liberal commerce should yield to both.

A treaty of amity and commerce between the U. States and Belgium, was concluded during the last winter, and received the sanction of the Senate; but the exchange of the ratifications has hitherto been delayed, in consequence, in the first instance, of some delay in the reception of the treaty of Brussels, and, subsequently, of the absence of the Belgian Minister of Foreign Affairs, at the important conferences in which his Government is engaged at London.

That treaty does but embody those enlarged principles of friendly policy, which, it is sincerely hoped, will always regulate the conduct of the two nations, having such strong motives to maintain amicable relations towards each other, and so sincerely desirous to cherish them.

With all the other European Powers with whom the United States have formed diplomatic relations, and with the Sublime Porte, the best understanding prevails. From all, I continue to receive assurances of good will towards the U. States—assurances which it gives me no less pleasure to reciprocate than to receive. With all, the engagements which have been entered into are fulfilled with good faith on both sides. Measures have also been taken to enlarge our friendly relations, and extend our commercial intercourse, with other States. The system we have pursued, of aiming at no exclusive advantages, and of dealing with all on terms of fair and equal reciprocity, and of adhering scrupulously to all our engagements, is well calculated to give success to efforts intended to be mutually beneficial.

The wars of which the Southern part of this Continent was so long the theatre, and which were carried on either by the mother country against the States which had formerly been her colonies, or by the States against each other, having terminated, and their civil dissensions having so far subsided, as, with few exceptions, no longer to disturb the public tranquillity, it is earnestly hoped those States will be able to enjoy themselves without interruption in perfecting their institutions, cultivating the arts of peace, and promoting, by wise counsels and able exertions, the public and private prosperity which their patriotic struggles so well entitle them to enjoy.

With those States our relations have undergone but little change during the present year. No re-union having yet taken place between the States which composed the Republic of Colombia, our Charge d'Affaires at Bogota has been accredited to the Government of New Granada, and we have, therefore, no diplomatic relations with Venezuela and Equator, except as they may be included in those heretofore formed with the Colombian Republic. It is understood that Representatives from the three States were about to assemble at Bogota to confer on the subject of their mutual interests, particularly that of their union; and if the result should render it necessary, measures will be taken on our part to preserve with each that friendship and those liberal commercial connections which it has been the constant desire of the