

PRESIDENT'S MESSAGE

Fellow-Citizens of the Senate and House of Representatives:

Throughout the year, since our last meeting, the country has been eminently prosperous in its material interests. The general health has been excellent; our harvests have been abundant, and plenty smiles throughout the land. Our commerce and manufactures have been prosecuted with energy and industry, and have yielded a fair and ample return. In short, no nation in the tide of time has ever presented a spectacle of greater material prosperity than we have done until within a very recent period.

Why is it, then, that discontent now so extensively prevails, and the Union of the States, which is the source of all these blessings, is threatened with destruction? The long continued and temperate intercession of the people, in connection with the question of slavery in the Southern States, has at length produced its natural effects. The different sections of the Union are now arrayed against each other, and the time has arrived, more than ever, when the people of the Southern States, as well as length produced its natural effects. The different sections of the Union are now arrayed against each other, and the time has arrived, more than ever, when the people of the Southern States, as well as length produced its natural effects.

But let us take warning in time, and remove the cause of danger. It is not for five and twenty years, the agitation at the North against slavery in the South has been incessant. In 1835, pictorial hand-bills and inflammatory appeals were circulated through the South, of a character to excite the passions of the slaves; and, in the language of Gen. Jackson, to stimulate them to insurrection, and protract the horrors of a servile war. This agitation has ever since been continued by the press; by the proceedings of State and county conventions, and by abolition sermons and lectures. The time of Congress has been occupied in violent speeches, resolutions, petitions, and appeals, in pamphlet and newspaper articles, by distinguished names, have been sent forth from this central point, and spread broadcast over the Union.

How easy would it be for the American people to settle the slavery question forever, and to restore peace and harmony to this distracted country. They and they alone can do it. All that is necessary to accomplish the object, and all for which the slave States have ever contended, is to be alone, and permitted to manage their domestic institutions in their own way. As sovereign States they, and they alone, are responsible before God and the world for the slavery question. It is not more responsible, and have no more right to interfere than with similar institutions in Russia or in Brazil. If, upon the subject of paternal forbearance, I confess I still greatly regret. With their aid, it is beyond the power of any President, no matter what may be his own political proclivities, to restore peace and harmony among the States. What I desire is, that the States should exercise their power under our Constitution and laws, be alone and permitted to manage their domestic institutions in their own way.

And this brings me to observe, that the election of any one of our fellow-citizens for President, is not sufficient cause for dissolving the Union. This is more especially true of this election, which has been effected by a mere plurality, and not a majority of the people. It is a result from transient and temporary causes, which may probably never again occur. In order to justify a resort to revolutionary resistance, the Federal Government must be guilty of a deliberate, palpable and dangerous exercise of power, not authorized by the Constitution. The late Presidential election, however, has been held in strict conformity with its express provisions. How, then, can the result justify a resort to revolutionary resistance? It is not a violation of the Constitution, and it is not a usurpation of power. It is a result from transient and temporary causes, which may probably never again occur.

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of property. This power Congress is expressly forbidden by the Federal Constitution to exercise. Every State Legislature in the Union is forbidden by its own constitution to exercise it. It cannot be exercised in any State except by the people in their highest sovereign capacity, and for the purpose of amending their State constitution. In like manner, it can only be exercised by the people of a Territory represented in a convention of delegates for the purpose of framing a constitution preparatory to admission as a State into the Union. Then, and not until then, are they invested with power to decide the question whether slavery shall or shall not exist within their limits. This is an act of sovereign authority, and not of subordinate enactment. In order to carry the enumerated powers into effect, Congress possesses the exclusive right to lay and collect duties on imports, and in common with the States to lay and collect all other taxes.

But the Constitution has not only conferred these high powers upon Congress, but it has adopted effectual means to restrain the States from interfering with their exercise. For that purpose it has, in strong prohibitory language, compelled a State to renounce its right to enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; or to assume any debt, except in aid of the public credit. Moreover, without the consent of Congress, no State shall lay any imposts or duties on any imports or exports, except what may be absolutely necessary to execute its treaty, alliance, or confederation; or to regulate the commerce with foreign nations; or to engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

In order to secure the uninterrupted exercise of these high powers against State interference, it is provided "that this Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be ratified, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

Here, then, is a clear and unequivocal assurance to the obligations of official duty, and all senators and representatives of the United States, all members of State legislatures, and all executive and judicial officers, both on the United States and on the part of the States, to be bound by oath or affirmation to support this Constitution. In order to carry into effect these powers, the Constitution has established a perfect Government of sovereignty over the special objects of its Confederation, which was confined to making requisitions on the States in their sovereign capacity, and to execute its own decrees by the agency of its own officers. In this respect it differed essentially from the confederations of former times, which were confined to making requisitions on the States in their sovereign capacity, and to execute its own decrees by the agency of its own officers.

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But that the Union was designed to be perpetual appears conclusively from the nature and extent of the powers conferred by the Constitution on the Federal Government. These powers embrace the very highest attributes of national sovereignty. It is not possible to conceive of such a contingency, the responsibility for consequences would rightfully rest upon the heads of the assailants.

Apart from the execution of the laws, so far as they may be practicable, the executive authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to change the relations between the States and the Federal Government, or to acknowledge the independence of that State. This would be to invest a mere Executive officer with the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States, and to bear the responsibility of the recognition of a foreign de facto Government, involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question in the bearing of the Executive authority, and until they shall be admitted as States into the Union, with or without slavery, as their constitutions may prescribe.

A like recognition of the right of the master to re-enslave his fugitive slave, or one State to another, restored and "delivered up" to him, and of the validity of the fugitive slave law enacted for this purpose, together with a declaration that all State laws impairing or defeating this right, and all laws of the Constitution, and all laws of the States, which are consequently null and void.

It may be objected that this construction of the Constitution has already been settled by the Supreme Court of the United States, and that more ought to be required to establish a new and very different interpretation of the people of the United States. I have arrived at the conclusion that no such power has been delegated to Congress or to any other department of the Federal Government. It is manifest, upon an inspection of the Constitution, that the power to recognize the independence of a State is not conferred upon Congress, but is reserved to the States themselves. It is, therefore, my duty to submit to Congress the whole question in the bearing of the Executive authority, and until they shall be admitted as States into the Union, with or without slavery, as their constitutions may prescribe.

It appears from the proceedings of that body, that on the 31st of May, 1857, the clause "delivered up" was the subject of a long and able speech by Mr. Madison, who in a brief but powerful speech, from which I shall extract but a single sentence, said: "The use of force to compel a State to re-enslave his fugitive slave, or one State to another, restored and 'delivered up' to him, and of the validity of the fugitive slave law enacted for this purpose, together with a declaration that all State laws impairing or defeating this right, and all laws of the Constitution, and all laws of the States, which are consequently null and void."

Without descending to particulars, it may be safely asserted, that the power to make war against a State is at variance with the whole spirit and intent of the Constitution. Suppose such a power were conferred upon the President, how are we to govern it afterwards? Shall we hold it as a province, and govern it by despotic power? In the nature of things we could not, by any means, do so. It would be to give to the President the power to elect senators and representatives to Congress, and to perform all the other duties depending upon their own volition, and required from the citizens of a free State as a constituent member of the Government. But, if we possessed this power, would it be wise to exercise it under existing circumstances? The object would doubtless be to preserve the Union. We would not only present the most effectual barrier to the disunion of the States, but we should have a powerful ally in all our efforts to maintain the Union. It is, therefore, my duty to submit to Congress the whole question in the bearing of the Executive authority, and until they shall be admitted as States into the Union, with or without slavery, as their constitutions may prescribe.

The fact is, that our Union rests upon public opinion and can never be cemented by the blood of our citizens. It is not a usurpation of power, and it is not a violation of the Constitution. It is a result from transient and temporary causes, which may probably never again occur. In order to justify a resort to revolutionary resistance, the Federal Government must be guilty of a deliberate, palpable and dangerous exercise of power, not authorized by the Constitution. The late Presidential election, however, has been held in strict conformity with its express provisions. How, then, can the result justify a resort to revolutionary resistance? It is not a violation of the Constitution, and it is not a usurpation of power. It is a result from transient and temporary causes, which may probably never again occur.

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It is not believed that any attempt will be made to expel the United States from this property by force; but if in this I should be mistaken, the office in command of the forts has been ordered to resist to the death. In such a contingency, the responsibility for consequences would rightfully rest upon the heads of the assailants.

Apart from the execution of the laws, so far as they may be practicable, the executive authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to change the relations between the States and the Federal Government, or to acknowledge the independence of that State. This would be to invest a mere Executive officer with the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States, and to bear the responsibility of the recognition of a foreign de facto Government, involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question in the bearing of the Executive authority, and until they shall be admitted as States into the Union, with or without slavery, as their constitutions may prescribe.

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The States might have made a direct representation to Congress with a view to obtain a modification of the two amendments, or they might have applied to the Executive for a suspension of Congress, which would have been a more direct mode of proposing an explanatory amendment to the Constitution of two-thirds of themselves, if such had been their option, might, by an application to Congress, have obtained a convention for the same purpose.

This is the very course which I earnestly recommend in order to obtain an explanatory amendment of the Constitution on the subject of slavery. This might originate with Congress or the State legislatures, as may be deemed most advisable to attain the object.

The explanatory amendment might be confined to the final settlement of the true construction of the Constitution on the specific points: 1. An express recognition of the right of property in slaves in the States where it now exists or may hereafter exist. 2. The duty of protecting this right in all the common territories of the United States, until they shall be admitted as States into the Union, with or without slavery, as their constitutions may prescribe.

A like recognition of the right of the master to re-enslave his fugitive slave, or one State to another, restored and "delivered up" to him, and of the validity of the fugitive slave law enacted for this purpose, together with a declaration that all State laws impairing or defeating this right, and all laws of the Constitution, and all laws of the States, which are consequently null and void.

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United States the mutual friendship and regard which has so long existed continuing to be maintained. I submit a copy of the resolutions of the Senate, and of the resolutions of the House of Representatives, which we would desire to be adopted by the Executive.

Our relations with Spain are now of a more complicated than less dangerous character than they have been for many years. Our citizens have long held, and continue to hold, numerous claims against the Spanish government. These have been urged for a series of years by our successive diplomatic representatives in Madrid, but without success. The Spanish government finally agreed to institute a joint commission for the adjustment of these claims, and on the 5th day of March, 1860, concluded a convention for this purpose with our plenipotentiary at Madrid, under the name of a convention, which have been denominated "the Cuban claims," amounting to \$128,636 and 64 cents, in which more than one hundred of our fellow-citizens are interested, were recognized, and the Spanish government agreed to pay the same in this amount "within three months following the exchange of ratifications." The payment of the remaining \$28,636 64 was to await the decision of the commissioners for or against the Amistad claim; but in any event the balance was to be paid to the claimants either by Spain or the United States. These terms I have every reason to believe to be highly satisfactory to the holders of the Cuban claims. Indeed, they have made a formal offer to the State Department to settle these claims, and to deduct the amount of the Amistad claim from the sums which they are entitled to receive from Spain. This offer, of course, cannot be accepted.

All other claims of citizens of the United States against the Spanish government, including the "Amistad claim," were by this convention referred to a board of commissioners in the usual form. Neither the validity of the Amistad claim, nor of the Cuban claims, was recognized by the convention. Indeed, the Spanish government did not insist that the validity of the Amistad claim should be thus recognized, but that the Cuban claims should be referred to a board of commissioners in the usual form. Neither the validity of the Amistad claim, nor of the Cuban claims, was recognized by the convention. Indeed, the Spanish government did not insist that the validity of the Amistad claim should be thus recognized, but that the Cuban claims should be referred to a board of commissioners in the usual form.

It is not a usurpation of power, and it is not a violation of the Constitution. It is a result from transient and temporary causes, which may probably never again occur. In order to justify a resort to revolutionary resistance, the Federal Government must be guilty of a deliberate, palpable and dangerous exercise of power, not authorized by the Constitution. The late Presidential election, however, has been held in strict conformity with its express provisions. How, then, can the result justify a resort to revolutionary resistance? It is not a violation of the Constitution, and it is not a usurpation of power. It is a result from transient and temporary causes, which may probably never again occur.

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claims of our citizens which had been long pending, are referred for adjustment to a board of commissioners. I submit a copy of the resolutions of the Senate, and of the resolutions of the House of Representatives, which we would desire to be adopted by the Executive.

Our relations with Mexico remain in a state of uncertainty. I discussed extensively these relations, and do not now repeat the details. They proved conclusively that our citizens were injured by the Mexican government, and that the Mexican government was bound to make satisfaction. The Mexican government finally agreed to institute a joint commission for the adjustment of these claims, and on the 5th day of March, 1860, concluded a convention for this purpose with our plenipotentiary at Mexico, under the name of a convention, which have been denominated "the Cuban claims," amounting to \$128,636 and 64 cents, in which more than one hundred of our fellow-citizens are interested, were recognized, and the Mexican government agreed to pay the same in this amount "within three months following the exchange of ratifications." The payment of the remaining \$28,636 64 was to await the decision of the commissioners for or against the Amistad claim; but in any event the balance was to be paid to the claimants either by Mexico or the United States. These terms I have every reason to believe to be highly satisfactory to the holders of the Cuban claims. Indeed, they have made a formal offer to the State Department to settle these claims, and to deduct the amount of the Amistad claim from the sums which they are entitled to receive from Mexico. This offer, of course, cannot be accepted.

All other claims of citizens of the United States against the Mexican government, including the "Amistad claim," were by this convention referred to a board of commissioners in the usual form. Neither the validity of the Amistad claim, nor of the Cuban claims, was recognized by the convention. Indeed, the Mexican government did not insist that the validity of the Amistad claim should be thus recognized, but that the Cuban claims should be referred to a board of commissioners in the usual form. Neither the validity of the Amistad claim, nor of the Cuban claims, was recognized by the convention. Indeed, the Mexican government did not insist that the validity of the Amistad claim should be thus recognized, but that the Cuban claims should be referred to a board of commissioners in the usual form.

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