

RALEIGH REGISTER,

AND NORTH-CAROLINA GAZETTE.

"OURS ARE THE PLANS OF FAIR DELIGHTFUL PEACE, UNWARD PARTY RAGE, TO LIVE LIKE BROTHERS"

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THE PRESIDENT'S MESSAGE.

Fellow-Citizens of the Senate

and 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 a 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 counsels 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 true 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 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 guaranty 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—an 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 fulfill 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 circumstances 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 ratification of which had not been exchanged owing to a delay in its ratification at Brussels, and a subsequent absence of the Belgian Minister of Foreign Affairs, has been after mature deliberation, finally disapproved by that Government as inconsistent with the powers and instructions given to their minister who negotiated it. This disavowal was entirely unexpected, as the liberal principles embodied in the convention, and which form the ground work 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 the 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.

Intestate disensions 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 by their love of justice and their devotion to those peaceful 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 these luxurious 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, 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 was 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-Grenada, 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 united 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 the way to, their respective posts.

From the Argentine Republic, from which a Minister was expected to this Government, nothing further 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 our Government and People could be more sincerely desirous of conciliating a just and friendly intercourse with another 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 U. 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, if an error, be greatly aggravated, if it were to turn out to be any real ground for attributing such a result to a want 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 government of France between the years 1810 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 negotiations to secure it.

Deeply sensible of the injurious effects resulting from this state of things upon the interests and character of both nations, I regarded 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 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 success, as to leave no reasonable ground to doubt that a settlement of a character 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 U. 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 U. 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 six centimes each, into the hands of such person or persons as shall be authorized by the Government of the U. 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, and the other instalments then remaining unpaid, shall be added to the amount of the present convention.

It was also stipulated on the part of the U. States, for the purpose of being completely satisfied from all the reclamations presented by France, on behalf of her 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 on the 1st of January, 1829, shall be maintained, in case the Government of the United States should think proper to diminish those general rates in a new tariff.

In consideration of this stipulation, which shall be binding on the U. 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 U. States, which after the exchange of the ratifications of the present convention, shall be brought directly there 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 3d of February, 1832. On account of its commercial stipulations, it was, within five days thereafter, laid before the Congress of the U. 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 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 indemnities to be paid, or the commercial benefits to be secured to the U. States; and the relations between the U. 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 grounds 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 been made, the draft of the United States Government was dishonored by the Minister of France, and the U. S. thereby involved in much controversy. The next session of the Chambers commenced on the 19th Nov. 1832, and continued until the 26th 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 U. S. and a bill making the necessary appropriations to execute it, were not laid before the Chamber of Deputies, until the 5th 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 approved 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, the Commissioners, sufficient is, nevertheless, shown, to render it absolutely certain that the in-

demnity falls far short of the actual amount of our just claims, independently 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 deterring bias 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 better 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 day 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 U. 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 refusal, and the strongest assurances for 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 of the Chamber should permit, the Legislative Chamber of France should be called together, and the proposition for an appropriation laid before them; that all the constitutional powers of the King and the Chamber should be exerted 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 the 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 of 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 reason 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 obstacle to enter into legislative business at the first meeting of the Chambers. This point, however, might have been overlooked, had not the Chambers, instead of being called to meet at so early a day, that the result of their deliberations might be communicated to us before the meeting of Congress, been prorogued to the 29th of the present month—a period so late that their decision can scarcely be known to the present Congress, prior to its dissolution. To avoid this delay, our Minister in Paris, in virtue of the assent given by the French Minister to the U. S. strongly urged the convocation of the Chambers at an earlier day, but without success. It is proper to remark, however, that this refusal has been accompanied with the most positive assurances on the part of the Executive Government of France, of their intention to press the appropriation at the ensuing session of the Chambers.

The Executive branch of this government has, as matters stand, exhausted all the authority upon the subject with which it is invested, and which it had any reason to believe could be beneficially employed.

The idea of assenting in the refusal to execute the treaty will, I am confident, be for a moment entertained by any branch of this government, and further negotiation is equally out of the question.

If it shall be the pleasure of Congress to await the further action of the French Chambers, no further consideration of the subject will, at this session, probably be required at your hands. But if, from the original delay in asking for an appropriation, from the refusal of the Chambers to grant it when asked, from the omission to bring the subject before the Chambers at this last session, from the fact, that including the session, there have been five different occasions when the appropriation might have been made, and from the delay in convoking the Chambers until some weeks after the meeting of Congress, it was well known that a communication of the whole subject to Congress at the last session was prevented by assurances that it should be disposed of before its present meeting, you should feel your lives constrained to doubt whether it be the intention of the French Government in all its branches to carry the treaty into effect, and think that such measures as the occasion may demand, to call for, should be now taken, the important question arises: what those measures shall be.

Our institutions are essentially pacific. Peace and friendly intercourse with all nations, are as much the desire of our Government as they are the interests of our People. But these objects are not to be permanently secured, by surrendering the rights of our citizens, or permitting solemn treaties for their indemnity in cases of flagrant wrong, to be abrogated or set aside.

It is undoubtedly in the power of Congress seriously to affect the agricultural and manufacturing interests of France, by the passage of laws relating to her trade with the United States.—Her produce, manufactures, and tonnage, may be subjected to heavy duties in our ports, or all commercial intercourse with her may be suspended. But there, the powerful, and, to my mind, conclusive objection to this mode of proceeding.—We cannot embarrass or cut off the trade of France, without, at the same time, in some degree, embarrassing or cutting off our own trade. The interests of such a warfare must fall, though beneficial to our own citizens, and could not but impair the means of the Government, and weaken that united sentiment in support of the rights and honor of the nation which must now pervade every bosom.

Nor is it impossible that such a course of legislation would produce once more into our national councils, those disturbing questions in relation to the tariff of duties which have been so recently put to rest. Besides, by every measure adopted by the Government of the U. States with the view of injuring France, the clear perception of right which will induce our own people, and the people of all other nations, even of France herself, to pronounce our quarrel just, will be obscured, and the support rendered to us in a final resort to more decisive measures, will be more limited and equivocal. There is but one point in the controversy, and upon that the whole civilized world must pronounce. It is to be in the wrong, we insist that she shall pay a sum of money, which she has acknowledged to be due; and of the justice of this demand there can be but one opinion among mankind. True policy seems to dictate that the question at issue should be kept thus

disencumbered, and that not the slightest preference should be given to France to persist in her refusal to make payment, by any act on our part affecting the interest of her people. The question should be left as it is now, in such an attitude that when France fulfills her treaty stipulations, all controversy will be at an end.

It is my conviction, that the U. States ought to insist on a prompt execution of the treaty, and in case it be refused, or longer delayed, take redress into their own hands. After the delay on the part of France of a quarter of a century in acknowledging these claims by treaty, it is not to be tolerated, that another quarter of a century be wasted in negotiating about the payment. The laws of nations provide a remedy for such occasions. It is a well settled principle of the international code, that where one nation owes another a liquidated debt, which it refuses or neglects to pay, the aggrieved party may seize on the property belonging to the other, its citizens or subjects, sufficient to pay the debt, without giving just cause of war. This remedy has been repeatedly resorted to, and recently by France herself in Portugal, under circumstances less unquestionable.

The time at which resort should be had to this or any other mode of redress, is a point to be decided by Congress. If an appropriation shall not be made by the French Chambers at their next session, it may justly be concluded that the Government of France has finally determined to disregard its own solemn undertaking, and refuse to pay an acknowledged debt. In that event, every day's delay upon our part will be a stain upon our national honor, as well as a denial of justice to our injured citizens.—Prompt measures, when the refusal of France shall be complete, will not only be most honorable and just, but will have the best effect upon our national character.

Since France, in violation of the pledges given through her minister here, has delayed her final action so long that her decision will not probably be known in time to be communicated to this Congress, I recommend that a law be passed, authorizing reprisals upon French property, in case provision shall not be made for the payment of the debt, at the approaching session of the French Chambers. Such a measure ought not to be considered by France as a menace.—Her pride and power are too well known to expect any thing from her tears, and preclude the necessity of a declaration that nothing pataking of the character of intimidation is intended by us. She ought to look upon it as the evidence only of an inflexible determination on the part of the United States, to insist on their rights. That Government, by doing only what it has itself acknowledged to be just, will be able to spare the United States the necessity of taking redress into their own hands, and save the property of French citizens from that seizure and sequestration which American citizens so long endured without retaliation or redress. If she should continue to refuse that act of acknowledged justice, and in violation of the law of nations, making reprisals on our part the occasion of hostilities against the United States, she would but expose herself to just censure of civilized nations and to the retributive judgments of Heaven.

Collisions with France is, the more to be regretted, on account of the position she occupies in Europe, in relation to liberal institutions. But, in maintaining our national rights and honor, all Governments are alike to us. If, by a collision with France, in a case where she is clearly in the wrong, the march of liberal principles shall be impeded, the responsibility for that result, as well as every other, will rest on her own head.

Having submitted these considerations, it belongs to Congress to decide whether, after what has taken place, it will still await the further action of the French Chambers, or now adopt such provisional measures as it may deem necessary and best adapted to protect the rights and maintain the honor of the country. Whatever that decision may be, it will be faithfully enforced by the Executive, as far as he is authorized so to do.

According to the estimates of the Treasury Department, the revenue accruing from all sources, during the present year, will amount to twenty million six hundred and twenty-four thousand seven hundred and seventeen dollars, which, with the balance remaining in the Treasury on the 1st of January last, of eleven million seven hundred and two thousand nine hundred and five dollars, produces an aggregate of thirty-two million three hundred and twenty-seven thousand six hundred and twenty-three dollars. The total expenditure during the year for all objects, including the Public Debt, is estimated at twenty-five million five hundred and twenty-one thousand three hundred and ninety dollars, which will leave a balance in the Treasury on the 1st of January, 1835, of six million seven hundred and thirty-six thousand two hundred and thirty-two dollars. In this balance, however, will be included about one million one hundred and fifty thousand dollars of what was heretofore reported by the department as not effective.

Former appropriations, it is estimated that there will remain unexpended at the close of the year, eight million two thousand nine hundred and twenty-five dollars; and that of this sum, there will not be required more than five million one hundred and forty-one thousand nine hundred and sixty-four dollars, to accomplish the objects of all the current appropriations. Thus it appears that, after satisfying all those appropriations, and after discharging the last item of our public debt, which will be done on the 1st of January next, there will remain unexpended in the Treasury an effective balance of about four hundred and forty thousand dollars. That such should be the aspect of our finances, is highly flattering to the industry and enterprise of our population, and auspicious of the wealth and prosperity which await the future cultivation of their growing resources. It is not deemed prudent, however, to recommend any change for the present in our impost rates, the effect of the gradual reduction now in progress in many of them not being sufficiently tested to guide us in determining the precise amount of revenue which they will produce.

Free from public debt, at peace with all the world, and with no complicated interests to consult in our intercourse with Foreign powers, the present may be hailed as that epoch in our history the most favorable for the settlement of those principles in our domestic policy, which shall be best calculated to give stability to our republic, and secure the blessings of freedom to our citizens. Among these principles, from our best experience, it cannot be doubted that simplicity in the character of the Federal Government, and a rigid economy in its administration, should be regarded as fundamental and sacred. All must be sensible that the existence of the public debts, by rendering taxation necessary for its extinguish-

ment, has increased the difficulties which are inseparable from any exercise of the taxing power; and that it was, in this respect, a remote agent in producing those disturbing questions which grew out of the discouragements relating to the tariff. If such has been the tendency of a debt incurred in the acquisition and maintenance of our national rights and liberties, the obligation of which all portions of the Union cheerfully acknowledged, it must be obvious, that whatever is calculated to increase the burdese of the Government without necessity, must be fatal to all our hopes of preserving its true character. While we are facilitating ourselves, therefore, upon the extinguishment of the national debt, and the prosperous state of our finances, let us not be tempted to depart from those sound maxims of public policy, which enjoin a just adaptation of the revenue to the expenditures that are consistent with a rigid economy, and an entire abstinence from all topics of legislation that are not clearly within the constitutional powers of the government, and suggested by the wants of the country. Properly regarded, under such a policy, every diminution of the public burdese arising from taxation, gives to individual enterprise increased power, and furnishes to all the members of our happy confederacy new motives for patriotic affection and support. But, above all, its most important effect will be found in its influence upon the character of the Government, by confiding its action to those objects which will be sure to secure to it the attachment and support of our fellow-citizens.

Circumstances make it my duty to call the attention of Congress to the Bank of the United States. Created for the convenience of the Government, that institution has become the scourge of the people. Its interference to postpone the payment of a portion of the national debt, that it might retain the public money appropriated for that purpose, to strengthen it in a political contest—the extraordinary extension and contraction of its accommodations to the community—its corrupt and partisan loans—its exclusion of the public directors from a knowledge of its most important proceedings—the unlimited authority conferred on the president to expend its funds in hiring writers, and procuring the execution of printing, and the use made of that authority—the retention of the pension money and books after the selection of new agents—the groundless claim to heavy damages, in consequence of the protest of the bill drawn on the French Government, have, through various channels, been laid before Congress. Immediately after the close of the last session, the Bank, through its president, announced its ability and readiness to abandon the system of unparalleled curtailment, and the interruption of domestic exchanges, which it had practised upon from the 1st of August, 1833, to the 30th June, 1834, and to extend its accommodations to the community. The grounds assumed in this announcement amounted to an acknowledgment that the curtailment, in the extent to which it had been carried, was not necessary to the safety of the Bank, and had been persisted in merely to induce Congress to grant the prayer of the Bank in its memorial relative to the removal of the deposits, and to give it a new charter. They were substantially a confession that all the real distresses which individuals and the country had endured for the preceding six or eight months, had been needlessly produced by it, with the view of affecting, through the sufferings of the people, the legislative action of Congress. It is a subject of congratulation that Congress and the country had the virtue and firmness to bear the infliction; that the energies of our people soon found relief from this tyranny, in vast importations of the precious metals from almost every part of the world; and that, at the close of this tremendous effort to control our Government, the Bank found itself powerless, and no longer able to loan out its surplus means. The community had learned to manage its affairs without its assistance, and trade had already found new auxiliaries; so that, on the 1st of October last, the extraordinary spectacle was presented of a National Bank, more than one-half of whose capital was either lying unproductive in its vaults, or in the hands of foreign bankers.

To the needless distresses brought on the country during the last session of Congress, has since been added the open seizure of the dividends on the public stock, to the amount of one hundred and seventy thousand and fifty one dollars, under pretence of paying damages, cost, and interest, upon the protested French bill. This sum constituted a portion of the estimated revenues for the year 1834, upon which the appropriations made by Congress were based. It would as soon have been expected that our collectors would seize on the customs, or the receivers of our land offices on the moneys arising from the sale of public lands, under pretences of claims against the United States, as that the Bank would have retained the dividends. Indeed, if the principle be established; that any one who chooses to set up a claim against the United States may, without authority of law, seize on the public property or money, wherever he may find it, to pay such claim, there will remain no assurance that our revenue will reach the Treasury, or that it will be applied, after the appropriation, to the purposes designated in the law. The paymasters of our army, and the pursers of our navy, may, under like pretences, apply to their own use moneys appropriated to set in motion the public force, and in time of war leave the country without defence. This measure, resorted to by the Bank, is disorganizing and revolutionary, and, if generally resorted to by private citizens in like cases, would fill the land with anarchy and violence.

It is a constitutional provision, that no money shall be drawn from the Treasury but in consequence of appropriations made by law. The palpable object of this provision is to prevent the expenditure of the public money, for any purpose whatsoever, which shall not have been first approved by the representatives of the people and the States, in Congress assembled. It vests the power of declaring for what purposes the public money shall be expended in the Legislative Department of the Government, to the exclusion of the Executive and Judicial; and it is not within the constitutional authority of either of those Departments to pay it away without law, or to sanction its payment. According to the plain constitutional provision, the claim of the Bank can never be paid without an appropriation by act of Congress. But the Bank has never asked for an appropriation. It attempts to defeat the provision of the Constitution, and obtain payment without an act of Congress, by instead of awaiting an appropriation passed by both Houses, and approved by the President, it makes an appropriation for itself, and invites an appeal to the Judiciary to sanction it. That

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