

a sufficient sum of money ought to be appropriated to enable the President of the United States to send ministers to that Congress" which forms the conclusion upon their facts, and their reasoning upon them. Thus stands the case. No assemblage of mortals can be more august, or possess more transcendent powers. They are not only made the grand rallying point in common dangers, the voice that proclaims peace or war, but they are made the arbiters of nations, and seem to hold in their hands the destinies of a large portion of the human race.

To prove, then, the expediency of our being represented at that Congress in some shape or other, it would seem only necessary to say, it sat upon our shores. I now proceed to show the practical operation of this amendment, and that it is calculated to defeat the very object it has in view. I am opposed, most decidedly to the amendment in toto; and as it has passed, I shall have to vote against the whole resolution; for the result will be, to disgust the friends of the measure, whereby we shall lose the bill making appropriation to carry it into effect; & the mission will fall to the ground. That portion of the amendment which I shall first notice, is in these words, "the Government of the United States ought not to be represented at the Congress at Panama, except in a diplomatic character." There are three characters in which the amendment to the resolution contemplates that a Government or a people can be represented. The one is a legislative, the other a diplomatic, and the other by a mere agency. The resolution confines itself to one of these characters; and that it can have no allusion to a legislative is beyond all doubt, for I never could be made to believe, the gentleman who brought forward the amendment, (Mr. M'LANE, of Delaware,) or the gentleman who proposed the modification, Mr. (BUCHANAN, of Penn.) is ignorant of diplomatic science; that he has concluded, the United States may be represented there in some other character than a diplomatic one, is evident from the fact of his having confined, by his amendment, the representation, to that character alone; that he never supposed we could be represented in a legislative character, I have only to recollect that he is a professor of the science of law, and the celebrity of his character as a statesman, with a knowledge of his usual candor, precludes the idea that he would have meddled with a matter with which he was unacquainted, or that it was done with any view of opposition to the administration.—No gentleman in this House, I am certain, will contend that the treaty making power of this Government, can confer legislative authority on any individual; it therefore will not, cannot, be pretended, that we can be represented there in a legislative character. Indeed, I cannot believe it ever entered into the head of the gentleman who introduced the modification, that such a thing would be attempted; as well might it be contended they could clothe an individual with dictatorial power. That character is, therefore, entirely excluded from every consideration in relation to this mission.—That being the case, we must suppose the gentleman had the other two characters, by which we may be represented, in view, when he penned his modification, in those terms of exclusion, and intended, clearly and unequivocally to exclude all idea of a mere agency. The notion of being represented in a legislative character there, is too absurd to have ever entered into the head of any one, and the impossibility of being represented in any other, than one of the two last mentioned, is conclusive, that it is intended by the modification of the resolution to prohibit our being represented there by a mere agent, and to confine our representation to a minister of the highest grade. If it be really true that a representation by means of an agency is intended to be excluded, and that it is so, nothing is more clear, it will not be difficult, at a single glance of the mind, to see the absurdity of their own doctrine. What is it, sir? Let us examine.—It is admitted, on all hands, that there is no power in this Government to confer legislature authority; but they ask, can you say so of the seven Republics that are to join you at Panama? Do you know that they may not attach to their diplomatic agents the idea of legislative authority? We are told, sir, that the manner of the organization of that Congress is entirely unknown, and that its authority will, in a great measure, depend upon its own determinations, or whether it may be more proper to send a person in the character of a mere commercial agent, who shall not be at liberty to mingle at all in their national debates—are considerations entirely put aside by the amendment to the resolution. You cannot appear in any other character than a diplomatic one. Your Executive cannot use any kind of discretion. He cannot send a political or commercial agent; he cannot send a person to appear officially, while, at the same time, it may be very improper, if gentlemen be right, that he should appear in any other manner. And all this, gentlemen admit, is left to discovery, after the ministers shall arrive there, as it is impossible to know the fact beforehand. You therefore, in conforming to the views of gentlemen in the opposition, limit your representation to the only character that can do you mischief, while you exclude every other character that can do you good. It is no more nor less than retrenching the constitutional powers of the President: only to do mischief, and to preclude the possibility of doing good. If you join the Congress according to its principles of association, as they state them, and in the character which they themselves propose, you will not be at liberty afterwards to secure yourselves against their injurious determinations, by saying you did not understand the nature of it, nor will it be any excuse, when your country begins to feel the weight of your indiscretions, that you were compelled to join in that character or none. If they have diplomatic power, say they, that qualifies them for a seat. If they do join, and the Congress should think proper to assume a legislative character, you will be bound by their decisions, whether you agreed to them or not. We are at once, say they, compelled to submit to a dictation without our consent, emanating from a power unknown to the constitution, and over which we have a kind of control.

And notwithstanding all the evils gentlemen see in the measure, they agree with me, that we ought to be represented in that Congress in some shape or other; and that we

ought, is beyond all controversy, or I am ignorant of our true policy. There are various considerations which urge themselves upon the mind, to prove the necessity of such a course. Such is our commercial relations, the settlement of some great questions of international law, our security against foreign power, and against even the Republics themselves, if you please; and, whatever the gentleman from Pennsylvania may think of it, to prevent colonization by European Powers upon the continent of America, [but more hereafter.] our general safety, and the abolition of the slave trade, notwithstanding it may be sneered at by some gentlemen, it is one of the most worthy considerations, in the many that present themselves, as an inducement to attend the Congress. And, sir, the very reason which some, nay, every gentleman in the opposition, gives for not attending it, is, in my humble opinion, one of the strongest in favor of doing so. It said to be a tremendous power, that it is to bear down every thing before it; that it entertains the discussions which do not belong to us to discuss; that it a dangerous body, capable of doing much mischief, and ought not to obtain our confidence. Sir, if it be thus powerful, dangerous, and liable to do so much mischief, certainly it behoves us to be near it and as much as in our power lies, by stipulation or otherwise, to prevent it. Would it not, sir, be the highest of madness in this government, to permit an association of the character ascribed it by gentlemen in the opposition, to deliberate upon our very shores, and pay no kind of regard to it. What would the citizens of the United States say to the Executive, if he had pursued such a course. They would say, and justly too: sir, you put our safety at the greatest possible hazard; you remain at home idle and inattentive to our interests, while this Congress may be bartering away the very soil for which we have paid, our commercial regulations may be broken up, exchanges of territory may be made which will endanger our peace, and perhaps our independence.

Why was the power and discretion given to you by the Constitution, to send agents to meet it, if it is not to be exercised. We hold you responsible for all the evils that may accrue to us from such a course. Such, I say, Sir, would be the language of the people, and such ought to be their language. There can be little doubt in any impartial mind, I think, of the propriety, nay the necessity, of a representation in that Congress, as I have before observed; but, Sir, to say that we should be represented there in a diplomatic character, according to the sense which gentlemen in the opposition attach to it, would be madness indeed. Let us see how their argument stands. The amendment to the resolution excludes every character but a diplomatic one—that is the character in which the Spanish Republics themselves propose to appear there—and it is to be presumed, it is the highest one which a representative will attempt to assume, and which will entitle him to all the rights and privileges of membership, and, if gentlemen be right, subject his country to all the restrictions and obligations which their determinations may impose. And to join the Congress in that form, would be a species of mania I hope never to behold in this Republic. Whether we shall join them or not, will depend, say they, upon the organization of this body, the subjects it may think proper to discuss, and the manner in which they may determine their decisions shall affect those connected with them. It may organize itself upon principles not at all suited to our interest or views; it may take upon itself to discuss subjects very unsuitable for us, and may determine to give an effect to its decisions, which would have an injurious bearing upon other Governments connected with them; if this be so, is it not a matter to be left to the discretion of the Executive, in what character we shall join them, or, indeed whether we shall join them at all? Whether it would be better to authorize a person to attend, unofficially, their deliberations as a mere Charge d'Affaires or political agent, and report from time to time, to this Government, the result of their determinations, or whether it may be more proper to send a person in the character of a mere commercial agent, who shall not be at liberty to mingle at all in their national debates—are considerations entirely put aside by the amendment to the resolution. You cannot appear in any other character than a diplomatic one. Your Executive cannot use any kind of discretion. He cannot send a political or commercial agent; he cannot send a person to appear officially, while, at the same time, it may be very improper, if gentlemen be right, that he should appear in any other manner. And all this, gentlemen admit, is left to discovery, after the ministers shall arrive there, as it is impossible to know the fact beforehand. You therefore, in conforming to the views of gentlemen in the opposition, limit your representation to the only character that can do you mischief, while you exclude every other character that can do you good. It is no more nor less than retrenching the constitutional powers of the President: only to do mischief, and to preclude the possibility of doing good. If you join the Congress according to its principles of association, as they state them, and in the character which they themselves propose, you will not be at liberty afterwards to secure yourselves against their injurious determinations, by saying you did not understand the nature of it, nor will it be any excuse, when your country begins to feel the weight of your indiscretions, that you were compelled to join in that character or none. If they have diplomatic power, say they, that qualifies them for a seat. If they do join, and the Congress should think proper to assume a legislative character, you will be bound by their decisions, whether you agreed to them or not. We are at once, say they, compelled to submit to a dictation without our consent, emanating from a power unknown to the constitution, and over which we have a kind of control.

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gation, though imperfect, as that a breach of it is calculated to engender discontent and dissatisfaction, when finally rejected: which, indeed, may amount to a fatal rupture between the contracting parties. And further, Sir, if gentlemen in the opposition be right, were our representatives to join the Congress there, in the character proposed by the amendment to the resolution, that is, in a diplomatic one, and in the course of their deliberations an order or decree should pass, to the provisions of which this government could not possibly conform, should we not be chargeable with fraud, on the ground of having joined their association without making known the restrictions and limitations of our Government, under which the representatives acted? We certainly should. I am for leaving every Department of government responsible for its own acts, without offering to share with them their honor or disgrace. Suppose the President should pursue the course gentlemen prescribe for him, and this measure should be ultimately attended with all the evils they see in it, who of us would be willing to share in the disgrace?

The gentleman who introduced the amendment to the resolution, says he is in favor of the mission. I ask him, suppose the President conforms to his views, when he shall discover it to have been the means of involving his country in a sanguinary war, will he be willing to share with him the disgrace of the measure, and bear with him the reproaches of a deluded and injured people: I trust not. Let each branch of the government arrogate to itself the right of dictating to the other, the manner in which each shall perform its duties, they divide and weaken their responsibility, and rob the people of the only guarantee they have, for a faithful administration of their affairs. Besides sir, what becomes of the checks and restraints which the wisdom of your statesmen has labored to establish, and by which only, the operations of your government are kept in poise; strike them out of the great political machine, and it runs down like a clock without a pendulum. I have been told by gentlemen they voted for the amendment because it is the very plan the President himself has proposed, and that it is not obligatory on him at any rate. If the former be true, our act is mere supererogation and worse than useless; if the latter, it is no less than usurpation. I am against the amendment; and as it has been adopted, I shall vote against the resolution. In this view of the amendment, in relation to its practical operation, I think it must be evident to every rational mind, that its effects, if it have any, must be evil only. If there be any character in which this government can be represented at Panama, other than a diplomatic one, the Executive ought to be left to choose that which should seem most likely to promote the interest and views of the United States; if there really be no other character by which we can be represented there, why then the amendment to the resolution is a mere nullity, and ought to be so treated. The people ought not to be led astray by sound without sense, or frightened with phantoms, which really have no existence in nature. Let us now proceed to another view of its practical operation, and I think I shall be able to show, that the intended restrictions are calculated to defeat the very object of the mission. The particular provision that I allude to, is that which prohibits the United States "from becoming parties to any compact, to prevent colonization upon the continent of America." Sir, is there any danger in such a compact; does it become a part of our national policy to avoid a compact with our neighbors, to prevent colonization on our shores? If it be necessary to adopt it, as a principle, in the maintenance of our neutral relations, with any power, I cannot see it. Sir, to lay ourselves under such a restriction, may exclude us from the benefit of a great measure of defense or common safety. To lay ourselves under such a restriction, I repeat it, may be the means of compelling us to omit the adoption of the only measure, by which we could secure ourselves from the encroachments of an enemy. Advantages in that particular point, may be got by negotiation, which we can never attain, even by a wasting war itself. I have before said, that vicinity may give us an interest in public affairs aloof. "We cannot become parties to any stipulation or compact to prevent colonization upon our continent." Sir, you violate good faith, for the very purpose of bringing about an evil, and then prohibit the use of the only plausible means in your power to prevent its effects. You change your usual friendly policy, whereby you weaken the confidence of your friend in his exertions to sustain himself in a struggle with his adversary; you drive him to stipulate for his safety, in a manner which must be injurious to you, and you put it out of his power to stipulate for your own safety. Have not the shores of Cuba and Porto Rico been lent; yes, literally lent, to a bandit of Pirates and marauders; has it not, and does it not now, cost you millions annually for a naval force, to protect your commerce in those seas, against such wretches? How much innocent blood has been spilt, and how much private property plundered there, and has Spain been able or willing, to arrest the progress of those abominable degradations? Has she not, by her inability or neglect to do so, long since given us good cause to seize the Island of Cuba and dispossess her of that part of her foreign domain! Has she, or does she, pretend to hold sufficient authority there to warrant her claim to retain under colonial subjection, that Island? Has she, not been called upon to protect at least her shores from the pollutions of piracy? and has she not been deaf to those calls, unable to answer them? And no matter which, by such an omission, she has furnished sufficient cause for this Government to arrest that colony from her hands. Is it not understood, that an attack will be made upon Cuba, by one or more of the Southern Republics, and perhaps on the Island of Porto Rico?

Is not the possession of that island, (I mean Cuba) of the greatest imaginable importance to us? Has not the government thought so? and has it not exhibited all due solicitude to prevent even the Republics themselves from taking possession of it? Is it not presumable that every power in Europe, interested in the negotiations at Panama, will feel a deep interest in occupying it? Its consumption of agriculture produce is immense; the products of its own soil renders its possession desirable to every power in the world; its position being within cannon shot almost of the United States, the command of the mouth of the Mississippi being secured by it; the facility with which it may be converted into an Arsenal or Store-House for munitions of war, it being unapproachable, except, perhaps, at a single point, all combine to render it expedient, nay, absolutely necessary to us, by every means in our power, warranted by justice, its passing into strange hands. Situated as it is now, in the market, liable to be disposed of to the highest bidder, subject to be exchanged, in case of an amicable adjustment, for some continental province of the south or south-west, is it possible that it can be the policy of this Government to have its hands tied up, and not be at liberty to become a party to such a stipulation? Suppose a negotiation should take place, in which England should become the purchaser of this island, and France a part of the Province of San Louis, which lies on your western and southern frontier, the latter extending on the borders of your present possessions, more than a thousand miles; and Spain, through the agency of France, were again to assert her right to that portion of country lying some hundred miles east of the mouth of the Sabine river, under the pretext once before suggested, that you had not fairly obtained it by your purchase of France, what would be your situation in the event of a rupture with England? You may be at once surrounded with enemies. On your northern frontier, she harasses you with an interminable predatory war, while in the South she preys upon your commerce. The island of Cuba furnishing a capacious harbor for her shipping, and an immense deposit for military and marine stores, she is enabled at the same time, by blocking up the mouth of the Mississippi, to cut off the Western States from all possibility of a market for their surplus produce, and not only to maraud your whole maritime frontier, but entirely to annihilate your commerce with all the world. And, sir, while England is thus going you on the north, the east, and the south, and plundering you of the little surplus property you may have acquired by your industry in time of peace, France, on your western border, in disputing the very soil on which you tread, and which was paid for by the sweat of your brows. Sir, are these imaginary evils? They are not. They exist in the very nature of your miserable policy; and how often have we to exclaim, in the winding up of our follies—who could have imagined the evils that have come upon us?

By changing your policy, and withdrawing from those republics your wonted support, you not only weaken their moral force, by diminishing the chances in favor of their ultimate success, but you at the same time strengthen the arms of their enemy, by flattering his hopes of regaining, what he calls, his invaded rights. By such a course, too, you reduce them to the necessity of entering into stipulations unfriendly to you, with their allies or enemies, for the preservation and continuation of that freedom and independence for which they have wasted their blood and treasure. And, sir, the effects upon your own government are little less fatal than upon theirs. You present to the world a most fearful spectacle, a people divided among themselves—you throw open your doors to intrigue, bribery and corruption at home, and invite aggression from abroad. You exhibit to the world a division and distraction of councils, that too strongly indicate the morbid and centrifugal action of the internal organs of your political system. You strike a fatal blow at your own peace—defeat your own object. You tell your commerce in those seas, against the people you distrust the co-ordinate branches of the Government—the geo-