

While the tariff of the last session of Congress was a subject of legislative deliberation, it was foretold by some of its opponents that one of its necessary consequences would be to impair the revenue. —It is yet too soon to pronounce, with confidence, that this prediction was erroneous. The obstruction of one avenue of trade not unfrequently opens an issue to another. The consequence of the tariff will be to increase the exportation, and to diminish the importation of some specific articles. But by the general law of trade, the increase of exportation of one article will be followed by an increased importation of others, the duties upon which will supply the deficiencies, which the diminished importation would otherwise occasion. The effect of taxation upon revenue can seldom be foreseen with certainty. It must abide the test of experience. As yet no symptoms of diminution are perceptible in the receipts of the Treasury. As yet, little addition of cost has even been experienced upon the articles burdened with heavier duties by the last tariff. The domestic manufacturer supplies the same or a kindred article at a diminished price, and the consumer pays the same tribute to the labor of his own countrymen, which he must otherwise have paid to foreign industry and toil.

The tariff of the last session was, in its details, not acceptable to the great interests of any portion of the Union, not even to the interest which it was specifically intended to subserve. Its object was to balance the burdens upon native industry imposed by the operation of foreign laws; but not to aggravate the burdens of one section of the Union by the relief afforded to another. To the great principle sanctioned by that act, one of those upon which the Constitution itself was formed, I hope and trust the authorities of the Union will adhere. But if any of the duties imposed by the act only relieve the manufacturer by aggravating the burden of the planter, let a careful revisal of its provisions, enlightened by the practical experience of its effects, be directed to retain those which impart protection to native industry, and remove or supply the place of those which only alleviate one great national interest by the depression of another.

The United States of America, and the people of every State of which they are composed, are each of them sovereign powers. The legislative authority of the whole is exercised by Congress, under the authority granted them in the common Constitution. The legislative power of each State is exercised by assemblies deriving their authority from the Constitution of the State. Each is sovereign within its own province. The distribution of power between them, presupposes that these authorities will move in harmony with each other. The members of the State and General Governments are all under oath to support both, and allegiance is due to the one and to the other. The case of a conflict between these two powers has not been supposed, nor has any provision been made for it in our institutions; as a virtuous nation of ancient times existed more than five centuries without a law for the punishment of parricide.

More than once, however, in the progress of our history, have the People and the Legislatures of one or more States, in moments of excitement, been instigated to this conflict; and the means of effecting this impulse have been allegations that the acts of Congress to be resisted were unconstitutional. The People of no one State have ever delegated to their Legislature the power of pronouncing an act of Congress unconstitutional; but they have delegated to them powers, by the exercise of which the execution of the laws of Congress within the State may be resisted. If we suppose the case of such conflicting legislation sustained by the corresponding executive and judicial authorities, patriotism and philanthropy turn their eyes from the condition in which the parties would be placed, and from that of the people of both, which must be its victims.

The reports from the Secretary of War, and from the various subordinate offices of the resort of that Department, present an exposition of the public administration of affairs connected with them, through the course of the current year. The present state of the army, and the distribution of the force of which it is composed, will be seen from the report of the Major General. Several alterations in the disposal of the troops, have been found expedient in the course of the year, and the discipline of the army, though not entirely free from exception, has been generally good.

The attention of Congress is particularly invited to that part of the report of the Secretary of War which concerns the existing system of our relations with the Indian tribes. At the establishment of the Federal Government, under the present Constitution of the U. States, the principle was adopted of considering them as foreign and independent powers; and also as proprietors of lands. They were, moreover, considered as savages, whom it was our policy and our duty to use our influence in converting

to christianity, and in bringing within the pale of civilization.

As independent powers, we negotiated with them by treaties: as proprietors, we purchased of them all the lands which we could prevail upon them to sell—as brethren of the human race, rude and ignorant, we endeavored to bring them to the knowledge of religion and of letters. The ultimate design was to incorporate in our own institutions that portion of them which could be converted to the state of civilization. In the practice of European States, before our Revolution, they had been considered as children to be governed; as tenants at discretion, to be disposed of as occasion might require; as hunters, to be indemnified by trifling concessions for removal from the grounds upon which their game was extirpated. In changing the system, it would seem as if a full contemplation of the consequences of the change had not been taken. We have been far more successful in the acquisition of their lands than in imparting to them the principles, or inspiring them with the spirit, of civilization. But in appropriating to ourselves their hunting grounds, we have brought upon ourselves the obligation of providing them with subsistence; and when we have had the rare good fortune of teaching them the arts of civilization and the doctrines of christianity, we have unexpectedly found them forming, in the midst of ourselves, communities claiming to be independent of ours, and rivals of sovereignty within the territories of members of our Union. This state of things requires that a remedy should be provided. A remedy which, while it shall do justice to those unfortunate children of nature, may secure to the members of our confederation their rights of sovereignty and of soil. As the outline of a project to that effect, the views presented in the report of the Secretary of War are recommended to the consideration of Congress.

The report from the Engineer Department presents a comprehensive view of the progress which has been made in the great systems promotive of the public interest, commenced and organized under the authority of Congress, and the effects of which have already contributed to the security, as they will hereafter largely contribute to the honor and dignity of the nation.

The first of these great systems is that of fortifications, commenced immediately after the close of our last war, under the salutary experience which the events of that war had impressed upon our countrymen of its necessity. Introduced under the auspices of my immediate predecessor, it has been continued with the persevering and liberal encouragement of the Legislature; and combined with corresponding exertions for the gradual increase and improvement of the Navy, prepares for our extensive country a condition of defence adapted to any critical emergency which the varying course of events may bring forth. Our advances in these concerted systems have, for the last ten years, been steady and progressive; and in a few years more will be so completed as to leave no cause for apprehension that our sea coast will ever again offer a theatre of hostile invasion.

The next of these cardinal measures of policy, is the preliminary to great and lasting works of public improvement, in the surveys of roads, examination for the course of canals, and labors for the removal of the obstructions of rivers and harbors, first commenced by the act of Congress of 30th April, 1824.

The report exhibits in one table the funds appropriated at the last and preceding sessions of Congress, for all these fortifications, surveys, and works of public improvement; the manner in which these funds have been applied, the amount expended upon the several works which may be necessary to complete them. In a second, the works projected by the Board of Engineers, which have not been commenced, and the estimate of their cost. In a third, the report of the Annual Board of Visitors at the Military Academy at West Point. For thirteen fortifications erecting on various points of our Atlantic coast, from Rhode Island to Louisiana, the aggregate expenditure of the year has fallen a little short of one million of dollars.

For the preparation of five additional reports of reconnoissances and surveys, since the last session of Congress, for the civil constructions upon thirty-seven different public works commenced, eight others for which specific appropriations have been made by acts of Congress, and twenty other incipient surveys under the authority given by the act of 30th April, 1824, about one million more of dollars have been drawn from the Treasury.

To these two millions of dollars are to be added the appropriation of 250,000 dollars, to commence the erection of a breakwater near the mouth of the Delaware river; the subscriptions to the Delaware and Chesapeake—the Louisville and Portland, the Dismal Swamp, and the Chesapeake and Ohio Canals; the large donations of lands to the States of Ohio, Indiana, Illinois, and Alabama,

for objects of improvements within those States, and the sums appropriated for light houses, buoys, and piers, on the coast, and a full view will be taken of the munificence of the nation in the application of its resources to the improvement of its own condition.

Of these great national undertakings, the Academy at West Point is among the most important in itself, and the most comprehensive in its consequences. In that institution, a part of the revenue of the nation is applied to defray the expense of educating a competent portion of her youth, chiefly to the knowledge and the duties of military life. It is the living armory of the nation. While the other works of improvement enumerated in the reports now presented to the attention of Congress, are destined to ameliorate the face of nature; to multiply the faculties of communication between the different parts of the Union; to assist the labors, increase the comforts, and enhance the enjoyments of individuals—the instruction acquired at West Point, enlarges the dominion and expands the capacities of the mind. Its beneficial results are already experienced in the composition of the army, and their influence is felt in the intellectual progress of society. The institution is susceptible still of great improvement from benefactions proposed by several successive Boards of Visitors, to whose earnest and repeated recommendations I cheerfully add my own.

With the usual annual reports from the Secretary of the Navy and the Board of Commissioners, will be exhibited to the view of Congress the execution of the laws relating to that department in the public service. The repression of piracy in the West Indian and in the Grecian Seas, has been effectually maintained, with scarcely any exception. During the war between the governments of Buenos Ayres and of Brazil, frequent collisions between belligerent acts of power and the rights of neutral commerce occurred. Licentious blockades, irregularly enlisted or impressed seamen, and the property of honest commerce seized with violence, and even plundered under legal pretences, are disorders never separable from the conflicts of war upon the ocean. With a portion of them, the correspondence of our commanders on the eastern aspect of the South American coast, and among the islands of Greece, discover how far we have been involved. In these the honor of our country and the rights of our citizens have been asserted and vindicated. The appearance of new squadrons in the Mediterranean, and the blockade of the Dardanelles, indicate the danger of other obstacles to the freedom of commerce, and the necessity of keeping our naval force on those seas. To the suggestions repeated in the report of the Secretary of the Navy, and tending to the permanent improvement of this institution, I invite the favorable consideration of Congress.

A resolution of the House of Representatives, requesting that one of our small public vessels should be sent to the Pacific Ocean and South Sea, to examine the coasts, islands, harbors, shoals, & reefs in those seas, and to ascertain their true situation and description, has been put in a train of execution. The vessel is nearly ready to depart: the successful accomplishment of the expedition may be greatly facilitated by suitable legislative provisions; and particularly by an appropriation to defray its necessary expense. The addition of a second, and perhaps a third vessel, with a slight aggravation of the cost, would contribute much to the safety of the citizens embarked on this undertaking, the results of which may be of the deepest interest to our country.

With the report of the Secretary of the Navy, will be submitted, in conformity to the Act of Congress, of 3d March, 1827, for the gradual improvement of the Navy of the United States, statements of the expenditures under that act, and of the measures taken for carrying the same into effect. Every section of that statute contains a distinct provision, looking to the great object of the whole, the gradual improvement of the Navy. Under its salutary sanctions, stores of ship timber have been procured, and are in process of seasoning and preservation for the future uses of the Navy. Arrangements have been made for the preservation of the live oak timber growing on the lands of the United States, and for its reproduction to supply at future and distant days the waste of that most valuable material for ship building, by the great consumption of it yearly, for the commercial as well as for the military marine of our country. The construction of the two Dry Docks at Charlestown and at Norfolk, is making satisfactory progress towards a durable establishment. The examinations and enquiries to ascertain the practicability and expediency of a Marine Railway at Pensacola, though not yet accomplished, have been postponed, but to be the more effectually made. The Navy Yards of the United States have been examined, and plans for their improvement, and the preservation of the public property therein; at Portsmouth, Charlestown, Philadelphia, Washington, and Gosport;

and to which two others are to be added, have been prepared and received my sanction; and no other portion of my public duties has been performed with a more intimate conviction of its importance to the future welfare and security of the Union.

With the report from the Postmaster General, is exhibited a comparative view of the gradual increase of that establishment, from five to five years, since 1792 till this time, in the number of Post Offices, which has grown from less than two hundred to nearly eight thousand; in the revenue yielded by them, which, from sixty-seven thousand dollars, has swollen to upwards of a million and a half, and in the number of miles of Post Roads, which, from five thousand six hundred and forty-two, have multiplied to one hundred and fourteen thousand five hundred and thirty-six.—While, in the same period of time, the population of the Union has about thrice doubled, the rate of increase of these offices is nearly forty, and of the revenue, and of travelled miles, from twenty to twenty-five for one. The increase of revenue, within the last five years, has been nearly equal to the whole revenue of the Department in 1812.

The expenditures of the Department, during the year which ended on the first of July last, have exceeded the receipts by a sum of about twenty-five thousand dollars. The excess has been occasioned by the increase of mail conveyances and facilities, to the extent of near eight hundred thousand miles. It has been supplied by collections from the Postmasters of the arrearages of preceding years.—While the correct principle seems to be, that the income levied by the Department should defray all its expenses, it has never been the policy of this Government to raise from this establishment any revenue to be applied to any other purposes. The suggestion of the Postmaster General, that the insurance of the safe transmission of moneys by the mail might be assumed by the Department, for a moderate and competent remuneration, will deserve the consideration of Congress.

A Report from the Commissioner of the public buildings in this City exhibits the expenditures upon them in the course of the current year. It will be seen that the humane and benevolent intentions of Congress in providing, by the Act of 20th May, 1826, for the erection of a Penitentiary in this district, have been accomplished. The authority of further Legislation is now required for the removal to this tenement of the offenders against the laws, sentenced to atone by personal confinement for their crimes, and to provide a code for their employment and government while thus confined.

The Commissioners appointed conformably to the Act of 2d March, 1827, to provide for the adjustment of claims of persons entitled to indemnification under the first Article of the Treaty of Ghent, and for the distribution among such claimants of the sum paid by the Government of Great Britain under the Convention of 13th November, 1826, closed their labors on the 30th of August last, by awarding the claimants the sum of one million one hundred and ninety-seven thousand four hundred and twenty-two dollars and eighteen cents; leaving a balance of seven thousand five hundred and thirty-seven dollars and eighty-two cents, which was distributed ratably amongst all the claimants to whom awards had been made, according to the directions of the Act.

The exhibits appended to the Report from the Commissioner of the General Land Office, present the actual condition of that common property of the Union. The amount paid into the Treasury from the proceeds of lands, during the year 1827, and the first half of 1828, falls little short of two millions of dollars. The propriety of further extending the time for the extinguishment of the debt due to the United States by the purchasers of the public lands, limited, by the Act of 21st March last, to the fourth of July next, will claim the consideration of Congress, to whose vigilance and careful attention the regulation, disposal and preservation of this great national inheritance has by the People of the United States been intrusted.

Among the important subjects to which the attention of the present Congress has already been invited, and which may occupy their further and deliberate discussion, will be the provision to be made for taking the fifth census or enumeration of the inhabitants of the United States. The Constitution of the United States requires that this enumeration should be made within every term of ten years, and the date from which the last enumeration commenced was the first Monday of August of the year 1820. The laws under which the former enumerations were taken, were enacted at the Session of Congress immediately preceding the operation. But considerable inconveniences were experienced from the delay of legislation to so late a period. That law, like those of the preceding enumerations, directed that the census should be taken by the Marshals of the several districts and Territories, under instructions from the Secretary of

State. The preparation and transmission to the Marshals of those instructions, required more time than was then allowed between the passage of the law and the day when the enumeration was to commence. The term of six months, limited for the returns of the Marshals, was also found even then too short; and must be more so now, when an additional population of at least three millions must be presented upon the returns. As they are to be made at the short session of Congress, it would, as well as from other considerations, be more convenient to commence the enumeration from an earlier period of the year than the first of August. The most favorable season would be the Spring.—On a review of the former enumerations, it will be found that the plan for taking every census has contained improvements upon that of its predecessor. The last is still susceptible of much improvement. The third census was the first at which any account was taken of the manufactures of the country. It was repeated at the last enumeration, but the returns in both cases were necessarily very imperfect. They must always be so, resting of course only on the communications voluntarily made by individuals interested in some of the manufacturing establishments. Yet they contained much valuable information, and may, by some supplementary provision of the law, be rendered more effective. The columns of age, commencing from infancy, have hitherto been confined to a few periods, all under the number of 45 years. Important knowledge would be obtained by extending those columns, in intervals of ten years, to the utmost boundaries of human life. The labor of taking them would be a trifling addition to that already prescribed, and the result would exhibit comparative tables of longevity highly interesting to the country. I deem it my duty further to observe, that much of the imperfections in the returns of the last and perhaps of preceding enumerations proceeded from the inadequateness of the compensations allowed to the Marshals and their assistants in taking them.

In closing this communication, it only remains for me to assure the Legislature of my continued earnest wish for the adoption of measures recommended by me heretofore, and yet to be acted on by them; and of the cordial concurrence on my part in every constitutional provision which may receive their sanction during the Session, tending to the general welfare.

JOHN QUINCY ADAMS.
Washington, December 2, 1828.

Twentieth Congress: SECOND SESSION.

December 2. In the House of Representatives there was no business transacted beyond the reading of the President's Message, which occupied about fifty minutes, and of which, with the documents accompanying it, 6,000 copies were ordered to be printed.

December 3. In the Senate the resolution for the appointment of the Standing Committees was laid on the table, with the understanding that it would be taken up in a few days. Mr. JOHNSON, of Ky. gave notice that he would introduce a bill to-morrow for the preservation of the Cumberland Road, a portion of which he represented as being in a ruinous condition. The President *pro tem.* stated, in reply to a question put by Mr. JOHNSON, of Kentucky, that speculators would hereafter be excluded from the floor of the Senate.

In the House of Representatives, to-day, on motion of Mr. LITTLE, the various committees were ordered to be appointed. The names on the Committees will, therefore, be announced to-morrow. On motion of Mr. TAYLOR, the several points in the Message of the President were referred to Standing or Select Committees. The subject of the organization of the militia, which was taken up at the last session, was also referred to a Select Committee; and instructions were sent to the Committee on Military Pensions, to inquire into the expediency of revising and amending the existing laws on that subject.

December 4. In the Senate, a Resolution was adopted for the appointment of the standing Committees on Monday next. Mr. BENTON gave notice that he would, to-morrow ask leave to introduce several Bills, among which was a Bill for the graduation of the price of the Public Lands.

In the House of Representatives, after the standing and Select Committees ordered by the resolution of Wednesday to be appointed, had been announced, a few resolutions were offered and adopted. Among others, a resolution was offered by Mr. SUTHERLAND, instructing the Committee of Commerce to inquire into the expediency of abolishing the present system of giving credit for duties on imported goods. Mr. SMITH, of Indiana, submitted a resolution, referring to the Committee of Roads and Canals the subject of the continuance of the Cumberland road through the State of Indiana, which was amended on motion of Mr. McLEAN. This resolution was barely carried, there appearing—ayes 69, noes 66. Mr. TUCKER, of New