

President's Message.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES TO THE TWO HOUSES OF CONGRESS, December, 1833.

Fellow citizens of the Senate and House of Representatives:

In the discharge of my official duty, the task again devolves upon me of communicating with new Congress. The reflection that the representation of the Union has been recently renewed, and that the constitutional term of its service will expire with my own, heightens the solicitude with which I shall attempt to lay before it the state of our national concerns, and the devout hope which I cherish, that its labors to improve them may be crowned with success.

You are assembled at a period of profound interest to the American patriot. The unexampled growth and prosperity of our country, having given us a rank in the scale of nations which removes all apprehension of danger to our integrity and independence from external foes, the career of freedom is before us, with an earnestness from the past, that, if true to ourselves, there can be no formidable obstacle in the future, to its peaceful and uninterrupted pursuit. Yet, in proportion to the disappearance of those apprehensions which attend our weakness, is once contrasted with the power of some of the states of the old world, should we now be solicitous as to those which belong to the conviction, that it is to our own conduct, we must look for the preservation of those causes, on which depend the excellence and duration of our happy system of Government.

In the example of other systems, founded on the will of the people, we trace to internal dissension the influences which have so often blasted the hopes of the friends of freedom.—The social elements, which were strong and successful when united against external danger, failed in the more difficult task of properly adjusting their own internal organization, and thus gave way the principle of self-government. Let us trust that this admission will never be forgotten by the Government of the People of the United States and that the testimony which our experience thus far holds out to the great human family, of the practicability and the blessings of free government, will be confirmed in all time to come.

We have but to look at the state of our agriculture, manufactures, and commerce, and the unexampled increase of our population, to feel the magnitude of the trust committed to us. Never, in any former period of our history, have we had greater reason than we now have, to be thankful to Divine Providence for the blessings of health and general prosperity. Every branch of labor we see crowned with the most abundant rewards, in every element of national resources and wealth, and of individual comfort, we witness the most rapid and solid improvements. With no interruptions to this pleasing prospect at home, which will not yield to the spirit of harmony and good will that so strikingly pervades the mass of the people in every quarter, amidst all the diversity of interest and pursuits to which they are attached; and with no cause of solicitude in regard to our internal affairs, which will not, it is hoped, disappear before the principles of simple justice and the forbearance that mark our intercourse with foreign powers, we have every reason to feel proud of our beloved country.

The general state of our Foreign Relations has not materially changed since my last annual message. In the settlement of the question of the North-eastern boundary, little progress has been made—Great Britain has declined according to the proposition of the United States, presented in accordance with the resolution of the Senate, unless certain preliminary conditions were admitted, which I deemed incompatible with a satisfactory and right adjustment of the controversy. Waiting for some distinct proposal from the Government of Great Britain which has been invited, I can only repeat the expression of my confidence, that with the strong mutual disposition which I believe exists, to make a just arrangement, this perplexing question can be settled with a due regard to the well-founded pretensions and pacific policy of all the parties to it. Events are frequently occurring on the Northeastern frontier, of a character to impress upon all the necessity of a speedy and definitive termination of the dispute. This consideration, added to the desire common to both, to relieve the liberal and friendly relations so happily existing between the two countries from all embarrassment, will, no doubt, have its just influence with both.

Our diplomatic intercourse with Portugal has been renewed, and it is expected that the claims of our citizens, partially paid, will be fully satisfied as soon as the condition of the Queen's Government will permit the proper attention to the subject of them. That Government has, I am happy to inform you, manifested a determination to act upon the liberal principles which have marked our commercial policy—the happiest effects upon the future trade between the United States and Portugal, are anticipated from it, and the time is not thought to be remote when a system of perfect reciprocity will be established.

The instalments due under the Convention with the King of the Two Sicilies, have been paid with that scrupulous fidelity by which his whole conduct has been characterised, and the hope is indulged, that the adjustment of the vexed question of our claims will be followed by a more extended and mutually beneficial intercourse between the two countries.

The internal contest still continues in Spain. Distinguished as this struggle has unhappily been, by incidents of the most sanguinary character, the obligations of the late treaty of indemnification with us, have been, nevertheless, faithfully executed by the Spanish Government.

No provision having been made at the last session of Congress for the ascertaining of the claims to be paid and the apportionment of the funds, under the convention made with Spain, I invite your early attention to the subject—The public evidences of the debt have, according to the terms of the convention, and in the forms prescribed by it, been placed in the possession of the United States, and the interest, as it fell due, has been regularly paid upon them. Our commercial intercourse with Cuba stands as regulated by the act of Congress. No recent information has been received as to the disposition of the government of Madrid on this subject, and the lamented death of our recently appointed Minister, on his way to Spain, with the pressure of their affairs at home, render it scarcely probable that any change is to be looked for during the coming year. Further portions of the Florida archives have been sent to the United States, although the death of one of the commissioners, at a critical moment, embarrassed the progress of the delivery of them. The higher officers of the local Government have recently shown an anxious desire, in compliance with the orders from the parent Government, to facilitate the selection and delivery of all we have a right to claim.

Negotiations have been opened at Madrid, for the establishment of a lasting peace between Spain and such of the Spanish-American Governments of this hemisphere as have availed themselves of the intimation given to all of them, of the disposition of Spain to treat upon the basis of their entire independence. It is to be regretted, that simultaneous appointments, by all of the ministers to negotiate with Spain, had not been made; the negotiation itself would have been simplified, and this long standing dispute, spreading over a large portion of the world, would have been brought to a more speedy conclusion.

Our political and commercial relations with Austria, Prussia, Sweden, and Denmark, stand on the usual favorable basis.—One of the articles of our treaty with Russia, in relation to trade on the N. W. coast of America, having expired, instructions have been given to our Minister at St. Petersburg to negotiate for a renewal of it. The long unbroken amity between the two Governments gives every reason for supposing the article will be renewed, if strong motives do not exist to prevent it, with our view of the subject, can be anticipated here.

I ask your attention to the message of my predecessor at the opening of the second session of the nineteenth Congress relative to our commercial intercourse with Holland, and to the documents connected with that subject, communicated to the House of Representatives on the 10th Jan. 1825, and the 18th Jan. 1826. Coinciding in the opinion of my predecessor, that Holland is not, under the regulations of her present system, entitled to have her vessels and their cargoes received into the United States on footing of American vessels and cargoes, as regards duties of tonnage and impost, a respect for his, and of the to the Legislature, has alone prevented me from acting on the subject.—I should still have waited, without complaint, for the action of Congress, but recently a claim has been made by Belgian subjects to admission into our ports for their ships and cargoes, on the same footing as American, with the allegation we could not dispute, that our vessels received in their ports the identical treatment shown them in the ports of Holland, upon whose vessels no discrimination is made. The ports of the U. States. Giving the same privileges, the Belgians expected the same benefits—benefits that were in fact enjoyed when Belgium and Holland were united under one government.

Satisfied with the justice of their pretensions to be placed on the same footing with Holland, I could not, nevertheless, without disregard to the principle of our laws, admit their claim to be treated as Americans; and, at the same time, respect for Congress, to whom the subject had long since been referred, has prevented me from producing a just equality, by taking from the vessels of Holland privileges conditionally granted by acts of Congress, although the condition upon which the grant was made, has, in my judgment, failed since 1822. I recommend, therefore, a review of the act of 1824, and such a modification of it as

will produce an equality, on such terms as Congress shall think best comports with our settled policy, and the obligations of justice to two friendly powers.

With the sublime Porte, and all the Governments on the coast of Barbary, our relations continue to be friendly. The proper steps have been taken to renew our treaty with Morocco.

The Argentine Republic has again promised to send within the current year, a Minister to the United States.

A Convention with Mexico for extending the time for the appointment of commissioners to run the boundary line has been concluded, and will be submitted to the Senate. Recent events in that country have awakened the liveliest solicitude in the United States. Aware of the strong temptations existing, and the powerful inducements held out to the citizens of the United States, to mingle in the dissensions of our immediate neighbors, instructions have been given to the District Attorneys of the United States, where indications warrant it, to prosecute, without respect to persons, all who might attempt to violate the obligations of our neutrality; while, at the same time it has been thought necessary to apprise the Government of Mexico that we should require the integrity of our territory to be scrupulously respected by both parties.

From our diplomatic agents in Brazil, Chili, Peru, Central America, Venezuela, and New Grenada, constant assurances are received of the continued good understanding with the Governments to which they are severally accredited. With those Governments upon which our citizens have valid and accumulating claims, scarcely an advance towards a settlement of them is made, owing mainly to their distracted state, or to the pressure of imperative domestic questions. Our patience has been, and will probably be still further severely tried;—but our fellow citizens, whose interests are involved, may confide in the determination of the Government to obtain for them, eventually, ample retribution.

Unfortunately, many of the nations of this hemisphere are still tormented by domestic dissensions—Revolution, succeeds revolution; injuries are committed upon foreigners engaged in lawful pursuits, much time elapses before a Government sufficiently stable is erected to justify expectation of redress—Ministers are sent & received, and before the discussion of past injuries are fairly begun, fresh troubles arise; but too frequently new injuries are added to the old, to be settled together with the existing Government, after it has proved its ability to sustain the assaults made upon it, or its successor, it overthrown. If this unhappy condition of things continues much longer, other nations will be under the painful necessity of deciding whether justice to their suffering citizens does not require a prompt redress of injuries by their own power, without waiting for the establishment of a Government competent and enduring enough to discuss and to make satisfaction for them.

Since the last session of Congress, the validity of our claims upon France, as liquidated by the treaty of 1831, has been acknowledged by both branches of her Legislature, and the money has been appropriated for their discharge, but the payment is, I regret to inform you, still withheld.

A brief recapitulation of the most important incidents in this protracted controversy, will show how utterly untenable are the grounds upon which this course is attempted to be justified.

On entering upon the duties of my station, I found the United States an unsuccessful applicant to the justice of France, for the satisfaction of claims, the validity of which was never questionable, and has now been most solemnly admitted by France herself. The antiquated character of these claims, their high justice, and the aggravating circumstances out of which they arose, are too familiar to the American People to require description.

It is sufficient to say that, for a period of ten years and upwards our commerce was, with but little interruption, the subject of constant aggressions on the part of France—aggressions, the ordinary features of which were condemnations of vessels and cargoes under arbitrary decrees, adopted in contravention, as well of the laws of nations, as of treaty stipulations; burnings on the high seas; and seizures and confiscations, under special imperial rescripts, in the ports of other nations occupied by the armies or under the control of France. Such, it is now conceded is the character of the wrongs we suffered—wrongs in many cases, so flagrant, that even their authors never denied our right to reparation. Of the extent of these injuries, some conception may be formed from the fact, that after the burning of a large amount at sea, and the necessary deterioration, in other cases, by long detention, the American property so seized and sacrificed at forced sales, excluding what was adjudged to privateers, before or without condemnation, brought into the French treasury upwards of twenty-four millions of francs, besides large custom house duties.

The subject had already been an affair of twenty years' uninterrupted negotiation, except for a short time, when France was overwhelmed by the military power of United Europe. During this period, whilst other nations were extorting from her, payment of their claims at the point of the bayonet, the United States intermitted their demand for justice, out of respect to the oppressed condition of a gallant people to whom they felt under obligations for fraternal assistance in their own days of suffering and of peril.—The bad effects of these protracted and unavailing discussions, as well upon our relations with France as upon our national character, were obvious; and the line of duty was to my mind equally so. This was, either to insist upon the adjustment of our claims within a reasonable period, or to abandon them altogether. I could not doubt, that by this course, the interest and honor of both countries would be best consulted. Instructions were therefore given in this spirit to the Minister who was sent out once more to demand reparation. Upon the meeting of Congress, in December, 1829, I felt it my duty to speak of these claims, and the delays of France, in terms calculated to call the serious attention of both countries to the subject. The then French Ministry took exception to the message, on the ground of its containing a menace, under which it was not agreeable to the French Government to negotiate. The American Minister, of his own accord, refused the construction which was attempted to be put upon the message, and, at the same time, called to the re-collection of the French Ministry, that the President's message was a communication addressed, not to foreign Governments, but to the Congress of the United States, in which it was enjoined upon him, by the constitution, to lay before that body information of the state of the Union, comprehending its foreign as well as its domestic relations; and that if, in the discharge of this duty, he felt it incumbent upon him to summon the attention of Congress, in due time, to what might be the possible consequences of existing difficulties with any foreign Government, he might fairly be supposed to do, under a sense of what was due from him in a frank communication with another branch of his own Government, and not from any intention of holding a menace over a foreign power. The views taken by him received my approbation, the French Government was satisfied, and the negotiation was continued. It terminated in the treaty of July 4, 1831, recognizing the justice of our claims, in part, and promising payment to the amount of twenty-five millions of francs, in six annual instalments.

The ratifications of this treaty were exchanged at Washington, on the 2d of February, 1832, and in five days thereafter it was laid before Congress, who immediately passed the acts necessary, on our part, to secure to France the commercial advantages conceded to her in the compact. The treaty had previously been solemnly ratified by the King of the French, in terms which are certainly not mere matters of form, and of which the translation is, in all and each of the dispositions which are contained in it, to declare, by ourselves, as well as by our heirs and successors, that it is accepted, approved, ratified, and confirmed; and by these presents, signed by our hand, we do accept, approve, ratify, and confirm it; promising, on the faith and word of a King, to observe it, and to cause it to be observed inviolably, without ever contravening it, or suffering it to be contravened, directly or indirectly, for any cause, or under any pretence whatsoever.

Official information of the exchange of ratifications in the United States reached Paris whilst the Chambers were in session. The extraordinary, and to us injurious delays of the French Government, in their action upon the subject of its fulfillment, have been heretofore stated to Congress, and I have no disposition to enlarge upon them here. It is sufficient to observe that the then pending session was allowed to expire without even an effort to obtain the necessary appropriations; that the two succeeding ones were also suffered to pass away without a decision upon the subject; and that it was not until the fourth session, almost three years after the conclusion of the treaty, and more than two years after exchange of ratifications, that the bill for execution of the treaty was pressed to a vote and rejected.

In the meantime, the government of the United States, having full confidence that a treaty entered into and so solemnly ratified by the French King, would be executed in good faith, and not doubt that provision would be made for the payment of the first instalment which was to become due on the second day of February, 1833, negotiated a draft for the amount through the Bank of the United States

When this draft was presented by the holder, with the credentials required by the treaty to authorise him to receive the money, the government of France allowed it to be protested. In addition to the injury in the nonpayment of the money by France, conformably to her engagements, the United States were exposed to a heavy claim on the part of the Bank, under pretence of damages, in satisfaction of which that institution seized upon, and still retains, an equal amount of the public moneys. Congress was in session when the decision of the Chambers reached Washington; and an immediate communication of this apparently final decision of France, not to fulfil the stipulations of the treaty, was the course naturally to be expected from the President. The deep tone of dissatisfaction which pervaded the public mind, and the correspondent excitement produced in Congress by only a general knowledge of the result, rendered it more than probable, that a resort to immediate measure of redress would be the consequence of calling the attention of that body to the subject. Sincerely desirous of preserving the peaceful relations which had so long existed between the two countries, I was anxious to avoid this course if I could be satisfied, that by doing so neither interest nor honor of my country would be compromised. Without the fullest assurances upon that point, I could not hope to acquit myself of the responsibility to be incurred, in suffering Congress to adjourn without laying the subject before them. Those received by me were believed to be of that character.

That the feelings produced in the United States by the news of the rejection of the appropriation would be such as I have described them to have been, was foreseen by the French government, and prompt measures were taken by it to prevent the consequences. The King, in person, expressed through our Minister at Paris, his profound regret at the decision of the Chambers, and promised to send, forthwith, a national ship, with despatches to his Minister here, authorizing him to give such assurances as would satisfy the Government and People of the United States, that the treaty would yet be fully executed by France. The national ship arrived, and the Minister received his instructions. Claiming to act under the authority derived from them, he gave to this Government, in the name of his, the most solemn assurances, that as soon after the new elections as the character would permit the French Chambers would be convened, and the attempt to procure the necessary appropriations renewed; that the constitutional powers of the King and his Ministers should be put in requisition to accomplish the object; and he was understood, and so expressly informed by this Government at the time, to engage, that the question should be pressed to a decision at a period sufficiently early to permit information of the result to be communicated to Congress at the commencement of their next session. Relying upon these assurances, I incurred the responsibility, great as I regarded it to be, of suffering Congress to separate without communicating them on the subject.

The expectations justly founded upon the promises thus solemnly made to this Government by that of France, were not realized. The French Chambers met on the 31st of July, 1834, soon after the election, and although our Minister in Paris urged the French Ministry to bring the subject before them, they declined doing so. He next insisted that the Chambers, if prorogued without acting on the subject, should be reassembled at a period so early that their action on the treaty might be known in Washington prior to the meeting of Congress. This reasonable request was not only declined, but the Chambers were prorogued to the 29th of December, a day so late that their decision, however urgently pressed, could not, in all probability, be obtained in time to reach Washington before the necessary adjournment of Congress by the Constitution. The reasons given by the Ministry for refusing to convoke the Chambers at an early period, were afterwards shown not to be insuperable, by their actual convocation on the 1st of December, under a special call, for Domestic purposes—which fact; however, did not become known to the last session of Congress.

Thus disappointed in our just expectations, it became my imperative duty to consult with Congress in regard to the expediency of a resort to retaliatory measures in case the stipulations of the treaty should not be speedily complied with; and to recommend such as in my judgment, the occasion called for. To this end, an unreserved communication of the subject, in all its aspects, became indispensable. To have shrunk, in making it, from saying all that was necessary to its correct understanding, and that the truth would justify, for fear of giving offence to others, would have been unworthy of us. To have gone, on the other hand, a single step further, for the purpose of wounding the pride of a government and people with whom we had so many motives for cultivating relations of amity and reciprocal advantage, would have been unwise and improper. Admonished by the past of the difficulty of making even the simplest statement of our wrongs without disturbing the sensibilities of those, who by their position became responsible for their redress, and earnestly desirous of preventing any further obstacles from that source, I went out of my way to preclude a construction of the message, by which the recommendation that was made to Congress might be rejected. The law, after this friendly explanation, passed by this Government at the time, and was fully approved, and so made known on the 25th of April, 1835, to the French Government. It, however, failed to have any effect. The law, after this friendly explanation, passed by the King's Ministers, and was finally approved by the King.

The people of the United States are justly attached to a pacific system in their intercourse with foreign nations. It is proper, therefore, that they should know whether their Government has adhered to it. In the present instance, it has been carried to the utmost extent that was consistent with a becoming self-respect. The note of the 29th of January, to which I have before alluded, was not the only one on which our Minister took upon himself the responsibility of presenting on the same subject and in the same spirit. Finding that it was intended to make the payment of a just debt dependent upon the performance of a condition which he knew could never be complied with, he thought it a duty to make another attempt to convince the French Government that whilst self-respect and regard to the dignity of other nations would always prevent us from using any language that ought to give offence, yet we could never admit a right in any foreign Government to ask explanations of, or interfere in any manner, in the communications which one branch of our public councils made with another; that in the present case, no such language had been used, and that this, in a formal note, was fully and voluntarily stated, before it was contemplated to make the explanation a condition; and that there might be no misapprehension, he stated the terms in that note, and he officially informed them that it had been approved by the President, and that, therefore, every explanation which could reasonably be asked, or orally given, had already been made, that the contemplated measure had been anticipated by a voluntary and friendly declaration, and was therefore not only useless, but might be deemed offensive, and certainly would not be complied with, if annexed as a condition.

When this latter communication, to which I specially invite the attention of Congress, was laid before me, I entertained the hope that the means obviously intended to afford of an honorable and speedy adjustment of the difficulties between the two nations, would have been accepted; and I therefore did not hesitate to give it my sanction and full approbation. This was due to the Minister who had made himself responsible for the act; and it was published to the People of the United States, and is now laid before their representatives, to show how far their executive has gone in its endeavors to restore a good understanding between two countries. It would have been, at any time, communicated to the Government of France, had it been officially requested.

The French Government having received all the explanation which honor and principle permitted, and which could in reason be asked, it was hoped it would no longer hesitate to pay the instalments due. The agent authorized to receive the money was instructed to inform the French Minister of his readiness to do so. In reply to this notice, he was told that the money could not then be paid, because the formalities required by the act of the Chambers had not been arranged.

Not having received any official communication of the intentions of the French Government, and anxious to bring, as far as practicable, this unparallel affair to a close before the meeting of Congress, that you might have the whole subject before you, I caused our Charge d'affaires at Paris, to be instructed to ask for the final determination of the French Government; and in the event of their refusal to pay the instalments now due, without further explanations, to return to the United States.

The result of this application has not reached us, but is daily expected. That it may be favorable, is my sincere wish. France having now, through all the branches of her government, acknowledged the validity of our claims, and the obligation of the treaty of 1831, and there really existing no adequate cause for further delay, will at length, it may be hoped, adopt the course which the interests of both nations, not less than the principles of justice, so imperiously require. The treaty being once executed in her part, little will remain, to disturb the friendly relations of the two countries; nothing, indeed, which will not yield to the suggestions of a pacific and enlightened policy, and to the influence of mutual good will, and of those generous recollections, which we may confidently expect will then be revived in all their ancient force.

In any event, however, the principle involved in the

actions of the President, and recommended the passage of the bill, without any other restriction than that originally proposed. This was known to the French Ministry Chambers, and if the position assumed by them, and which had been so frequently and solemnly announced as the only one comparable with the honor of France, was maintained, and the bill passed as originally proposed, the money would be paid, and there would be an end of this unfortunate controversy.

But this cheering prospect was soon destroyed by an amendment introduced into the bill at the moment of its passage, providing that the money should not be paid until the French Government should receive satisfactory explanations of the President's message, of 1834, and what is still more extraordinary, the President of the Council of Ministers adopted this amendment, and consented to its incorporation in the bill. In regard to a supposed insult which had been formally presented by the recall of their minister, and the offer of reparation to ours, they now, for the first time, proposed to ask explanations. Statements and propositions, which they had declared could not be justly imputed to the Government or People of the United States, are set up as obstacles to the acceptance of an act of conceded justice to that Government and People. They had declared that the honor of France required the fulfillment of the engagement into which the King had entered unless Congress adopted the recommendations of the message. They ascertained that Congress did not adopt them, and yet that fulfillment is refused, unless they first obtain from the President explanations of his message.

The conception that it was my intention to menace or insult the Government of France, is unfounded, and is the attempt to extort from the fears of that nation what her sense of justice may deny, would be vain and ridiculous. But the Constitution of the United States imposes on the President the duty of laying before Congress the condition of the country, in its foreign and domestic relations, and of recommending such measures as may be necessary to be required by its interests. From the performance of this duty he cannot be deterred by the fear of wounding the sensibilities of the People or Government of