

## President's Message.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES TO THE TWO HOUSES OF CONGRESS, December, 1835.

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 a 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 it a rank in the scale of nations which removes all apprehension of danger to our integrity and independence from external foes, the career of our progress is before us, with an earnestness of 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 as once contrasted with the power of some of the states of the old world, should we not 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 admonition 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 harvest; in every element of national resources and wealth, 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, appear 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 rightful adjustment of the controversy. Waiting for some distant 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 feelings which I believe exist, 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 frontiers, of a character to impress upon all the necessity of a speedy and definitive termination of the dispute. This consideration, added to the desire to maintain 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, requested 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 characterized, and the hope is indulged, that the adjustment of the 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 indemnity, which we have been, nevertheless, faithfully executed by the Spanish Government, have been maintained.

No provision having been made at the last session of Congress for the ascertainment of the claims to be paid and the appropriation 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 legal proceedings, 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, however, has 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 stronger motives do not exist to prevent it than, 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 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. 1835, and the 18th Jan. 1837. 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 cargo, as regards duties of tonnage and impost, a respect for her reference of it to the Legislature, has alone prevented me from acting on the subject. I should still have waited, without comment for the action of Congress, but recently a claim has been made by Belgium subjects to admission into our ports for their ships and cargoes, on the same footing as American vessels; and the allegation we could not dispute, that our vessels received in their ports the identical treatment shown them in 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. 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 to ours. 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 comport with our settled policy, and the obligation of justice to two friendly powers.

With the subject of the claims of 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.

Our diplomatic agents in Brazil, Chili, Peru, Central America, Venezuela, and New Grenada, constantly assure us 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 dilatory state, or to the pressure of imperative domestic questions. One country has been, and another probably will 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 his hemisphere are still self-tormented by domestic dissensions. Revolution, succeeds revolution; and the nations are in a state of anarchy. The diplomatic agents of the United States, in consequence of the revolutions, are unable to perform their duties sufficiently stable to erect to justice expectations. Ministers are sent and 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 discuss together, with the existing Government, after it has proved its ability to sustain the assaults made upon it, or with its successor, if overthrown. If this unhappy condition of things continues much longer, other nations will be under the painful necessity of deciding whether justice to 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.

In 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 antiquity 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 our nations, committed by the armies or under the control of France. Such, it is now conceded is the character of the wrongs we suffered—wrong 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 foreign ports, brought back, and adjudged to privateers, before or without condemnations, was sent 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 clear. It was to demand the satisfaction 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, 1831, 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 to comply with the demand, and the subject was put upon the message, and, at the same time, called for the 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. 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 as follows:—"We, approving the above convention, in all and each of the dispositions which are contained therein, do 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, anything like a serious attempt to obtain 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 presented 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 doubting 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 authorize 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 to the President, and a 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 the body to the subject. Sincerely desirous of preserving the pacific 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 the 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 secured the responsibility, great as I regarded it to be, of suffering Congress to separate without communicating with 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, 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 unserved communication of the case 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 regarded as a menace to France, in not only disavowing such a design, but in declaring that her pride and her power were too well known to expect any thing from her fears. The message did not reach Paris until more than a month after the Chambers had been in session, and such was the insensibility of the Ministry to our rightful claims and just expectations, that our Minister had been informed that the matter, when introduced, would not be pressed as a cabinet measure.

Although the message was not officially communicated to the French Government, and notwithstanding the declaration to the contrary, which it contained, the French Ministry decided to consider the conditional recommendation of reprisals, a menace and an insult, which the honor of the nation made it incumbent on them to resent. The measures resorted to by them to evince their sense of the supposed indignity,—were the immediate recall of their Minister at Washington, the offer of passports to the American Minister at Paris, and a public notice to the Legislative Chambers that all diplomatic intercourse with the United States had been suspended.

Having, in this manner, vindicated the dignity of France, they next proceeded to illustrate her justice. To this end, a bill was immediately introduced into the Chamber of Deputies, proposing to make the appropriations necessary to carry into effect the treaty. As this bill subsequently passed into a law, the provision of which now constitutes the main subject of difficulty between the two nations, it becomes my duty, in order to place the subject before you in a clear light, to trace the history of its passage, and to refer with some particularity, to the proceedings and discussions in regard to it. The Minister of Finance, in his opening speech, alluded to the measures which had been adopted to resolve the supposed indignity, and recommended the execution of the treaty as a measure required by the honor and justice of France. He then, in the name of the Ministry, declared the message, so long as it had not received the sanction of Congress, a mere expression of the personal opinion of the President,—for which, neither the Government nor the people of the United States were responsible, and that an engagement had been entered into, for the fulfillment of which the honor of France was pledged. Entertaining the views of the two nations, which the French Ministry proposed to annex to the condition of the money,—was, that it should not be made until it was ascertained that the Government of the United States had done nothing to injure the interests of France; or, in other words, that no steps had been authorized by Congress, for the fulfillment of the treaty.

What the disposition or the views of Congress might be, was then unknown to the French Cabinet. But on the 4th of January, the Senate resolved that it was at that time, inexpedient to adopt any legislative measures in regard to the state of affairs between the United States and France, and no action on the subject had occurred in the Chamber of Deputies. These facts were known in Paris prior to the 28th of March, 1835, when the committee to whom the bill of indemnification had been referred, reported it to the Chamber of Deputies. That committee substantially re-echoed the sentiments of the Ministry, declared that Congress had set aside the propo-

sitions of the President, and recommended the passage of the bill, without any other restriction than that originally proposed. This was what the French Ministry and Chambers, and if the position assumed by them, and which had been so frequently and solemnly announced as the only one compatible 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 that the bill should be re-passed by 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 resented by the recall of their Minister, and the offer of passports to ours, they now, for the first time, proposed to ask explanations. Sentiments 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 performance 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 an opinion characterized by themselves as personal and impetive.

The conception that it was my intention to menace or insult the Government of France, is as unfounded, as 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, in his opinion, 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 whom it may be necessary to speak; and the American People are incapable of submitting to an interference, by any Government of the world, with the free performance of the duties which the Constitution has imposed upon their public functionaries. The discussions which intervene between the several departments of our government belong to ourselves; and, for any thing said in them, our public servants are only responsible to their own constituents, and to each other. If, in the course of their consultations, facts are erroneously stated, or unjust deductions are made, they require no other interference to correct them, than to be informed of the error, and to make it right; and what is due to their own character; but they can never submit to be interrogated upon the subject, as a matter of right by a foreign power. When our discussions terminate in acts, our responsibility to foreign powers commences, not as individuals, but as a nation. The principle which calls in question the President for the language of his message, would equally justify a foreign Government in demanding explanation of the language used in the report of a committee, or by a member in debate.

This is not the first time that the Government of France has taken exception to the Message of American Presidents. President Washington and the first President Adams, in the performance of their duties to the American people, fell under the animadversions of the French Directory. The objection taken by the Ministry of Charles X., and removed by the explanations made by our Minister upon the spot, has already been adverted to. When it was understood that the Ministry of the present King took exception to my Message of the last year, putting a construction upon it that was disavowed upon its face, our late Minister at Paris, in answer to the note which first announced a dissatisfaction with the language used in the message, made a communication to the French Government, in which he stated the twenty-ninth day of January 1835, calculated to remove all impressions which an unreasonable susceptibility had created.—He repeated, and called the attention of the French Government to the disavowal contained in the Message itself, of any intention to intimidate by menace; he truly declared that it contained, and was intended to contain no charge of fault against the King of the French, and properly distinguished between the right to complain, in unexceptionable terms, of the omission to execute an agreement, and an accusation of bad motives in withholding such execution—and demonstrated, that the necessary use of that right ought not to be considered as an offensive imputation. Although this communication was made without instructions, and entirely on the Minister's own responsibility, yet it was afterwards made the act of this Government, by my full approbation, and that approbation was officially 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 with the obnoxious amendment, supported 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, they should know, whether the Government has adhered to it, or not. In consequence, 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 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 on the performance of a duty which he knew could never be complied with, he thought it his 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 no case, no such language had been used; and that this had, in a manner, been 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 used in that note, and he officially informed them that it had been approved by the President, and that, therefore, every explanation which he could reasonably be asked, or honorably given, had already been made, and 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 especially invite the attention of Congress, was laid before me, I entertained the hope that the means it 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 now 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 unpleasant 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 on 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 enlarged policy, and to the influence of that 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

new aspect, which has been given to the controversy, is so vitally important to the independent administration of the Government, that it can neither be surrendered nor compromised, without national degradation. I hope it is unnecessary for me to say, that such sacrifice will not be made through any agency of mine. The honor of my country shall never be stained by an apology from me, for the statement of truth and the performance of duty; nor can I give any explanation of my official acts, except such as is due to integrity and justice, and consistent with the principles on which our institutions have been framed. The determination will, I am confident, be approved by my constituents. I have, indeed, studied their character to but little purpose, if the sum of twenty-five millions of francs will have the weight of a feather, in the estimation of what appertains to their national independence; and if, unhappily, a different impression should at any time obtain in any quarter, they will; I am sure, rally round the Government, of their choice with alacrity and unanimity, and silence forever the degrading imputation.

Having thus frankly presented to you the circumstances which since the last session of Congress have occurred in this interesting and important matter, with the views of the Executive in regard to them, it is at this time only necessary to add, that whenever the advice now daily expected from our Charge d'Affaires shall have been received, they will be made the subject of a special communication.

The condition of the Public Finances was never more flattering than at the present period.

Since my last annual communication, all the remains of the Public Debt have been redeemed, or money has been placed in deposits for this purpose, whenever the creditors choose to receive it. All the other pecuniary engagements of the Government have been honorably and promptly fulfilled, and there will be a balance in the Treasury, at the close of the present year, of about nineteen millions of dollars. It is believed, that after meeting all outstanding and unexpended appropriations, there will remain near eleven millions to be applied to any new objects which Congress may designate or to the more rapid execution of the works already in progress. In aid of these objects and to satisfy the current expenditures of the ensuing year, it is estimated that there will be received from various sources, twenty millions more in 1836.

Should Congress make new appropriations, in conformity with the estimates which will be submitted from the proper departments, amounting to about twenty-four millions, still, the available surplus, at the close of the next year, after deducting all unexpended appropriation, will probably be not less than six million; this sum, can in my judgment, be now safely applied to the proposed improvements in our Navy Yards, and to new national works, which are not enumerated in the present estimates, or to the more rapid completion of those already begun. Either would be constitutional and useful, and would render unnecessary any attempt in our present peculiar condition, to divide the surplus revenue, or to reduce it any faster than will be effected by the existing laws.

In any event, as the annual report from the Secretary of the Treasury will enter into details, showing the probability of some decrease in the revenue during the next seven years, and a very considerable deduction in 1842, it is not recommended that Congress should undertake to modify the present tariff, so as to disturb the principles on which the compromise act was passed. Taxation on some of the articles of general consumption, which are not in competition with our own productions, may, be no doubt, so diminished as to lessen to some extent the source of this revenue; and the same object can also be assisted by more liberal provisions for the subjects of public defence, which in the present state of our prosperity and wealth, may be expected to engage your attention. If, however, after satisfying the demands which can arise from these sources, the unexpended balance in the Treasury should still continue to increase, it would be better to bear with the evil until the great changes contemplated in our tariff laws have occurred, and shall enable us to revise the system with that care and circumspection which are due to so delicate and important a subject.

It is certainly our duty to diminish, as far as we can, the burdens of taxation, and to regard all the restrictions which are imposed on the trade and navigation of our citizens as evils which we shall mitigate whenever we are not prevented by the adverse legislation and policy of foreign nations, or those peculiar duties which the defence and independence of our country enjoins upon us. We have accomplished much towards the relief of our citizens by the changes which have accompanied the payment of the public debt, and the adoption of the present revenue laws, is manifest from the fact, that compared with 1833, there is a diminution of near 25,000,000, in the last two years, and that our expenditures, independently of those for the public debt, have been reduced near nine millions during the same period.—Let us trust that by the continued observance of economy, and by harmonizing the great interests of agriculture, manufactures, and commerce, much more may be accomplished to diminish the burdens of Government, and to increase still further the enterprise and patriotism of all classes of our citizens, and all the members of our happy confederacy. As the data which the Secretary of the Treasury will lay before you, in regard to our financial resources are full and extended, and will afford a safe guide in your future calculations, I think unnecessary to offer any further observations on that subject here.

Among the evidences of the increasing prosperity of the country, not the least gratifying, is that afforded by the receipts from the sales of the public lands, which amount, in the present year, to the unexpected sum of \$11,000,000.—This circumstance attests the rapidity with which agriculture, the first and most important occupation of man, advances, and contributes to the wealth and power of our extended territory. Being still of the opinion that it is our best policy, as far as we can, consistently with the obligations under which those lands were ceded to the United States, to promote their speedy settlement, I beg leave to call the attention of the present Congress to the suggestion I have offered respecting it, in my former messages.

The extraordinary receipts from the sales of the public lands, invite you to consider what the condition of the public system, and particularly the condition of the General Land Office, may require. At the time this institution was organized, near a quarter of a century ago, it would probably have been thought extravagant to anticipate, for this period, such an addition to its business as has been produced by the vast increase of those sales, during the past and present years. It may also be observed, that since the year 1812, the land offices and surveying districts have been greatly multiplied, and that numerous legislative enactments, from year to year since that time, have imposed a great amount of new and additional duties upon that office; while the want of a timely application of force, commensurate with the care and labor required, has caused the increasing embarrassment of accumulated arrears in the different branches of the establishment.

These impediments to the expedition of much duty in the General Land Office, induce me to submit to your judgment, whether some modification of the laws relating to its organization, or an organization of a new character, be not called for, at the present juncture, to enable the office to accommodate the ends of its institution with a greater degree of facility and promptitude than experience has proved to be practicable under existing regulations. The variety of the concerns, and the magnitude and complexity of the details occupying and dividing the attention of the Commissioner, appear to render it difficult, if not impracticable, for that officer, by any possible assiduity, to bestow on all the multifarious subjects, upon which he is called to act, the steady and careful attention due to their respective importance; unless the Legislature shall assist him by a law providing, or enabling him to provide, for a more regular and economical distribution of labor, with the incident responsibility, among those employed under his direction. The mere manual operation of affixing his signature to the vast number of documents issuing from his office, subverts the regularity of the time and attention claimed by the weightier and more complicated subjects daily accumulating in that branch of the public service, as to indicate the strong necessity of revising the original law of the establishment. It will be easy for Congress, however, to appropriate the expenditure on account of this branch of the service to its real wants, by abolishing, from time to time the offices which can be dispensed with.

[To be concluded on our next.]