

**MESSAGE**

**FROM**

**THE PRESIDENT OF THE UNITED STATES,**

**TO**

**THE TWO HOUSES OF CONGRESS,**

**AT THE**

**COMMENCEMENT OF THE SECOND SESSION**

**OF**

**THE TWENTY-EIGHTH CONGRESS.**

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**DECEMBER 3, 1844.**

Read, and ordered that the usual number of copies of the message and documents be printed,  
and that 10,000 copies extra of the same be also printed.

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**WASHINGTON:**

**BLAIR AND RIVES, PRINTERS.**

**1844.**



## MESSAGE.

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*To the Senate  
and House of Representatives of the United States:*

We have continued cause for expressing our gratitude to the Supreme Ruler of the Universe for the benefits and blessings which our country, under his kind providence, has enjoyed during the past year. Notwithstanding the exciting scenes through which we have passed, nothing has occurred to disturb the general peace, or to derange the harmony of our political system. The great moral spectacle has been exhibited of a nation, approximating in number to 20,000,000 of people, having performed the high and important function of electing their chief magistrate for the term of four years, without the commission of any acts of violence, or the manifestation of a spirit of insubordination to the laws. The great and inestimable right of suffrage has been exercised by all who were invested with it, under the laws of the different States, in a spirit dictated alone by a desire, in the selection of the agent, to advance the interests of the country, and to place beyond jeopardy the institutions under which it is our happiness to live. That the deepest interest has been manifested by all our countrymen in the result of the election, is not less true than highly creditable to them. Vast multitudes have assembled, from time to time, at various places, for the purpose of canvassing the merits and pretensions of those who were presented for their suffrages; but no armed soldiery has been necessary to restrain within proper limits the popular zeal, or to prevent violent outbreaks. A principle much more controlling was found in the love of order and obedience to the laws, which, with mere individual exceptions, everywhere possesses the American mind, and controls with an influence far more powerful than hosts of armed men. We cannot dwell upon this picture without recognising in it that deep and devoted attachment, on the part of the people, to the institutions under which we live, which proclaims their perpetuity. The great objection which has always prevailed against the election by the people of their chief executive officer, has been the apprehension of tumults and disorders, which might involve in ruin the entire government. A security against this is found not only in the fact before alluded to, but in the additional fact that we live under a confederacy embracing already twenty-six States, no one of which has power to control the election. The popular vote in each State is taken at the time appointed by the laws, and such vote is announced by the electoral college, without reference to the decision of other States. The right of suffrage, and the mode of conducting the election, are regulated by the laws of each State; and the election is distinctly federative in all its prominent features. Thus it is that, unlike what might be the results under a consolidated system, riotous proceedings, should they prevail, could only affect the elections in single States, without disturbing, to any dangerous extent, the tranquil-

lity of others. The great experiment of a political confederation—each member of which is supreme as to all matters appertaining to its local interests and its internal peace and happiness, while, by a voluntary compact with others, it confides to the united power of all, the protection of its citizens in matters not domestic—has been so far crowned with complete success. The world has witnessed its rapid growth in wealth and population; and, under the guidance and direction of a superintending Providence, the developments of the past may be regarded but as the shadowing forth of the mighty future. In the bright prospects of that future, we shall find, as patriots and philanthropists, the highest inducements to cultivate and cherish a love of union, and to frown down every measure or effort which may be made to alienate the States, or the people of the States, in sentiment and feeling, from each other. A rigid and close adherence to the terms of our political compact, and, above all, a sacred observance of the guarantees of the constitution, will preserve union on a foundation which cannot be shaken; while personal liberty is placed beyond hazard or jeopardy. The guarantees of religious freedom; of the freedom of the press; of the liberty of speech; of the trial by jury; of the habeas corpus, and of the domestic institutions of each of the States, leaving the private citizen in the full exercise of the high and ennobling attributes of his nature, and to each State the privilege (which can only be judiciously exerted by itself) of consulting the means best calculated to advance its own happiness;—these are the great and important guarantees of the constitution, which the lovers of liberty must cherish, and the advocates of union must ever cultivate. Preserving these, and avoiding all interpolations by forced construction, under the guise of an imagined expediency, upon the constitution, the influence of our political system is destined to be as actively and as beneficially felt on the distant shores of the Pacific, as it is now on those of the Atlantic ocean. The only formidable impediments in the way of its successful expansion (time and space) are so far in the progress of modification, by the improvements of the age, as to render no longer speculative the ability of representatives from that remote region to come up to the capitol, so that their constituents shall participate in all the benefits of federal legislation. Thus it is that, in the progress of time, the inestimable principles of civil liberty will be enjoyed by millions yet unborn, and the great benefits of our system of government be extended to now distant and uninhabited regions. In view of the vast wilderness yet to be reclaimed, we may well invite the lover of freedom of every land to take up his abode among us, and assist us in the great work of advancing the standard of civilization, and giving a wider spread to the arts and refinements of cultivated life. Our prayers should evermore be offered up to the Father of the Universe for his wisdom to direct us in the path of our duty, so as to enable us to consummate these high purposes.

One of the strongest objections which have been urged against confederacies, by writers on government, is the liability of the members to be tampered with by foreign governments, or the people of foreign states, either in their local affairs, or in such as affected the peace of others, or endangered the safety of the whole confederacy. We cannot hope to be entirely exempt from such attempts on our peace and safety. The United States are becoming too important in population and resources not to attract the observation of other nations. It therefore may, in the progress

of time, occur, that opinions entirely abstract in the States in which they may prevail, and in no degree affecting their domestic institutions, may be artfully, but secretly encouraged, with a view to undermine the Union. Such opinions may become the foundation of political parties, until, at last, the conflict of opinion, producing an alienation of friendly feeling among the people of the different States, may involve in one general destruction the happy institutions under which we live. It should ever be borne in mind, that what is true in regard to individuals, is equally so in regard to states. An interference of one in the affairs of another, is the fruitful source of family dissensions and neighborhood disputes; and the same cause affects the peace, happiness, and prosperity of states. It may be most devoutly hoped that the good sense of the American people will ever be ready to repel all such attempts, should they ever be made.

There has been no material change in our foreign relations since my last annual message to Congress. With all the powers of Europe we continue on the most friendly terms. Indeed, it affords me much satisfaction to state, that at no former period has the peace of that enlightened and important quarter of the globe ever been, apparently, more firmly established. The conviction that peace is the true policy of nations, would seem to be growing and becoming deeper amongst the enlightened everywhere; and there is no people who have a stronger interest in cherishing the sentiment, and adopting the means of preserving and giving it permanence, than those of the United States. Amongst these, the first and most effective are, no doubt, the strict observance of justice, and the honest and punctual fulfilment of all engagements. But it is not to be forgotten that, in the present state of the world, it is no less necessary to be ready to enforce their observance and fulfilment in reference to ourselves, than to observe and fulfil them, on our part, in regard to others.

Since the close of your last session, a negotiation has been formally entered upon between the Secretary of State and her Britannic Majesty's minister plenipotentiary and envoy extraordinary residing at Washington, relative to the rights of their respective nations in and over the Oregon territory. That negotiation is still pending. Should it, during your session, be brought to a definitive conclusion, the result will be promptly communicated to Congress. I would, however, again call your attention to the recommendations contained in previous messages, designed to protect and facilitate emigration to that territory. The establishment of military posts, at suitable points upon the extended line of land travel, would enable our citizens to emigrate in comparative safety to the fertile regions below the falls of the Columbia, and make the provision of the existing convention for the joint occupation of the territory by the subjects of Great Britain and the citizens of the United States more available than heretofore to the latter. These posts would constitute places of rest for the weary emigrant, where he would be sheltered securely against the danger of attack from the Indians, and be enabled to recover from the exhaustion of a long line of travel. Legislative enactments should also be made, which should spread over him the ægis of our laws, so as to afford protection to his person and property when he shall have reached his distant home. In this latter respect, the British government has been much more careful of the interests of such of her people as are to be found in that country, than have the United States. She has made necessary provision for their security and protection against the acts of the viciously

disposed and lawless, and her emigrant reposes in safety under the canopy of her laws. Whatever may be the result of the pending negotiation, such measures are necessary. It will afford me the greatest pleasure to witness a happy and favorable termination to the existing negotiation upon terms compatible with the public honor; and the best efforts of the government will continue to be directed to this end.

It would have given me the highest gratification, in this, my last annual communication to Congress, to have been able to announce to you the complete and entire settlement and adjustment of other matters in difference between the United States and the government of her Britannic Majesty, which were adverted to in a previous message. It is so obviously the interest of both countries, in respect to the large and valuable commerce which exists between them, that all causes of complaint, however inconsiderable, should be with the greatest promptitude removed, that it must be regarded as cause of regret that any unnecessary delays should be permitted to intervene. It is true that, in a pecuniary point of view, the matters alluded to are altogether insignificant in amount, when compared with the ample resources of that great nation; but they nevertheless—more particularly that limited class which arise under seizures and detentions of American ships on the coast of Africa, upon the mistaken supposition indulged in at the time the wrong was committed, of their being engaged in the slave-trade—deeply affect the sensibilities of this government and people. Great Britain having recognised her responsibility to repair all such wrongs, by her action in other cases, leaves nothing to be regretted upon the subject, as to all cases arising prior to the treaty of Washington, than the delay in making suitable reparation in such of them as fall plainly within the principle of others, which she has long since adjusted. The injury inflicted by delays in the settlement of these claims falls with severity upon the individual claimants, and makes a strong appeal to her magnanimity and sense of justice for a speedy settlement. Other matters, arising out of the construction of existing treaties, also remain unadjusted, and will continue to be urged upon her attention.

The labors of the joint commission appointed by the two governments to run the dividing-line established by the treaty of Washington, were, unfortunately, much delayed in the commencement of the season, by the failure of Congress, at its last session, to make a timely appropriation of funds to meet the expenses of the American party, and by other causes. The United States commissioner, however, expresses his expectation that, by increased diligence and energy, the party will be able to make up for lost time.

We continue to receive assurances of the most friendly feelings on the part of all the other European powers; with each, and all of whom, it is so obviously our interest to cultivate the most amicable relations. Nor can I anticipate the occurrence of any event which would be likely, in any degree, to disturb those relations. Russia, the great northern power, under the judicious sway of her emperor, is constantly advancing in the road of science and improvement; while France, guided by the counsels of her wise sovereign, pursues a course calculated to consolidate the general peace. Spain has obtained a breathing spell of some duration from the internal convulsions which have, through so many years, marred her prosperity; while Austria, the Netherlands, Prussia, Belgium, and the

other powers of Europe, reap a rich harvest of blessings from the prevailing peace.

I informed the two houses of Congress, in my message of December last, that instructions had been given to Mr. Wheaton, our minister at Berlin, to negotiate a treaty with the Germanic States composing the Zoll-Verein, if it could be done—stipulating, as far as it was practicable to accomplish it, for a reduction of the heavy and onerous duties levied on our tobacco, and other leading articles of agricultural production; and yielding, in return, on our part, a reduction of duties on such articles, the product of their industry, as should not come into competition, or but a limited one, with articles the product of our manufacturing industry. The Executive, in giving such instructions, considered itself as acting in strict conformity with the wishes of Congress, as made known through several measures which it had adopted; all directed to the accomplishment of this important result. The treaty was, therefore, negotiated; by which essential reductions were secured in the duties levied by the Zoll-Verein on tobacco, rice, and lard, accompanied by a stipulation for the admission of raw cotton free of duty. In exchange for which highly important concessions, a reduction of duties, imposed by the laws of the United States on a variety of articles, most of which were admitted free of all duty under the act of Congress commonly known as the compromise law, and but few of which were produced in the United States, was stipulated for on our part. This treaty was communicated to the Senate at an early day of its last session, but not acted upon until near its close; when, for the want (as I am bound to presume) of full time to consider it, it was laid upon the table. This procedure had the effect of virtually rejecting it, in consequence of a stipulation contained in the treaty, that its ratifications should be exchanged on or before a day which has already passed. The Executive, acting upon the fair inference that the Senate did not intend its absolute rejection, gave instructions to our minister at Berlin to reopen the negotiation, so far as to obtain an extension of time for the exchange of ratifications. I regret, however, to say that his efforts in this respect have been unsuccessful. I am nevertheless not without hope that the great advantages which were intended to be secured by the treaty may yet be realized.

I am happy to inform you that Belgium has, by an "*arrêté royale*," issued in July last, assimilated the flag of the United States to her own, so far as the direct trade between the two countries is concerned. This measure will prove of great service to our shipping interest, the trade having heretofore been carried on chiefly in foreign bottoms. I flatter myself that she will speedily resort to a modification of her system relating to the tobacco trade, which would decidedly benefit the agriculture of the United States, and operate to the mutual advantage of both countries.

No definitive intelligence has yet been received from our minister, of the conclusion of a treaty with the Chinese empire; but enough is known to induce the strongest hopes that the mission will be crowned with success.

With Brazil our relations continue on the most friendly footing. The commercial intercourse between that growing empire and the United States is becoming daily of greater importance to both; and it is to the interest of both that the firmest relations of amity and goodwill should continue to be cultivated between them.

The republic of New Grenada still withholds (notwithstanding the most persevering efforts have been employed by our chargé d'affaires, Mr. Blackford, to produce a different result) indemnity in the case of the brig "Morris." And the Congress of Venezuela, although an arrangement has been effected between our minister and the minister of foreign affairs of that government, for the payment of \$18,000 in discharge of its liabilities in the same case, has altogether neglected to make provision for its payment. It is to be hoped that a sense of justice will soon induce a settlement of these claims.

Our late minister to Chili, Mr. Pendleton, has returned to the United States, without having effected an adjustment in the second claim of the Macedonian, which is delayed on grounds altogether frivolous and untenable. Mr. Pendleton's successor has been directed to urge the claim in the strongest terms; and, in the event of a failure to obtain a prompt adjustment, to report the fact to the Executive at as early a day as possible, so that the whole matter may be communicated to Congress.

At your last session, I submitted to the attention of Congress the convention with the republic of Peru, of the 17th of March, 1841, providing for the adjustment of the claims of citizens of the United States against that republic; but no definitive action was taken upon the subject. I again invite to it your attention and prompt action.

In my last annual message, I felt it to be my duty to make known to Congress, in terms both plain and emphatic, my opinion in regard to the war which has so long existed between Mexico and Texas; which, since the battle of San Jacinto, has consisted altogether of predatory incursions, attended by circumstances revolting to humanity. I repeat now, what I then said,—that after eight years of feeble and ineffectual efforts to reconquer Texas, it was time that the war should have ceased. The United States had a direct interest in the question. The contiguity of the two nations to our territory was but too well calculated to involve our peace. Unjust suspicions were engendered in the mind of one or the other of the belligerents against us; and, as a necessary consequence, American interests were made to suffer, and our peace became daily endangered. In addition to which, it must have been obvious to all that the exhaustion produced by the war subjected both Mexico and Texas to the interference of other powers; which, without the interposition of this government, might eventuate in the most serious injury to the United States. This government, from time to time, exerted its friendly offices to bring about a termination of hostilities upon terms honorable alike to both the belligerents. Its efforts in this behalf proved unavailing. Mexico seemed, almost without an object, to persevere in the war; and no other alternative was left the Executive but to take advantage of the well-known dispositions of Texas, and to invite her to enter into a treaty for annexing her territory to that of the United States.

Since your last session Mexico has threatened to renew the war, and has either made, or proposes to make, formidable preparations for invading Texas. She has issued decrees and proclamations, preparatory to the commencement of hostilities, full of threats, revolting to humanity, and which, if carried into effect, would arouse the attention of all Christendom. This new demonstration of feeling, there is too much reason to believe, has been produced in consequence of the negotiation of the late treaty of annexation with Texas. The Executive, therefore, could not be indif-

ferent to such proceedings; and it felt it to be due, as well to itself as to the honor of the country, that a strong representation should be made to the Mexican government upon the subject. This was accordingly done, as will be seen by the copy of the accompanying despatch from the Secretary of State to the United States envoy at Mexico. Mexico has no right to jeopard the peace of the world, by urging any longer a useless and fruitless contest. Such a condition of things would not be tolerated on the European continent. Why should it be on this? A war of desolation, such as is now threatened by Mexico, cannot be waged without involving our peace and tranquillity. It is idle to believe that such a war could be looked upon with indifference by our own citizens inhabiting adjoining States; and our neutrality would be violated, in despite of all efforts on the part of the government to prevent it. The country is settled by emigrants from the United States, under invitations held out to them by Spain and Mexico. Those emigrants have left behind them friends and relatives, who would not fail to sympathise with them in their difficulties, and who would be led by those sympathies to participate in their struggles, however energetic the action of the government to prevent it. Nor would the numerous and formidable bands of Indians—the most warlike to be found in any land—which occupy the extensive regions contiguous to the States of Arkansas and Missouri, and who are in possession of large tracts of country within the limits of Texas, be likely to remain passive. The inclinations of those numerous tribes lead them invariably to war whenever pretexts exist.

Mexico had no just ground of displeasure against this government or people for negotiating the treaty. What interest of hers was affected by the treaty? She was despoiled of nothing, since Texas was forever lost to her. The independence of Texas was recognised by several of the leading powers of the earth. She was free to treat; free to adopt her own line of policy; free to take the course which she believed was best calculated to secure her happiness. Her government and people decided on annexation to the United States; and the Executive saw, in the acquisition of such a territory, the means of advancing their permanent happiness and glory. What principle of good faith, then, was violated? what rule of political morals trampled under foot? So far as Mexico herself was concerned, the measure should have been regarded by her as highly beneficial. Her inability to reconquer Texas had been exhibited, I repeat, by eight (now nine) years of fruitless and ruinous contest. In the mean time, Texas has been growing in population and resources. Emigration has flowed into her territory from all parts of the world, in a current which continues to increase in strength. Mexico requires a permanent boundary between that young republic and herself. Texas, at no distant day, if she continues separate and detached from the United States, will inevitably seek to consolidate her strength by adding to her domain the contiguous provinces of Mexico. The spirit of revolt from the control of the central government has, heretofore, manifested itself in some of those provinces; and it is fair to infer that they would be inclined to take the first favorable opportunity to proclaim their independence, and to form close alliances with Texas. The war would thus be endless; or, if cessations of hostilities should occur, they would only endure for a season. The interests of Mexico, therefore, could in nothing be better consulted than in a peace with her neighbors, which would result in the

establishment of a permanent boundary. Upon the ratification of the treaty, the Executive was prepared to treat with her on the most liberal basis. Hence the boundaries of Texas were left undefined by the treaty. The Executive proposed to settle these upon terms that all the world should have pronounced just and reasonable. No negotiation upon that point could have been undertaken between the United States and Mexico, in advance of the ratification of the treaty. We should have had no right, no power, no authority to have conducted such a negotiation; and to have undertaken it, would have been an assumption equally revolting to the pride of Mexico and Texas, and subjecting us to the charge of arrogance: while to have proposed, in advance of annexation, to satisfy Mexico for any contingent interest she might have in Texas, would have been to have treated Texas, not as an independent power, but as a mere dependency of Mexico. This assumption could not have been acted on by the Executive, without setting at defiance your own solemn declaration that that republic was an independent state. Mexico had, it is true, threatened war against the United States, in the event the treaty of annexation was ratified. The Executive could not permit itself to be influenced by this threat. It represented, in this, the spirit of our people, who are ready to sacrifice much for peace, but nothing to intimidation. A war, under any circumstances, is greatly to be deplored, and the United States is the last nation to desire it; but if, as the condition of peace, it be required of us to forego the unquestionable right of treating with an independent power of our own continent, upon matters highly interesting to both, and that upon a naked and unsustained pretension of claim by a third power, to control the free will of the power with whom we treat,—devoted as we may be to peace, and anxious to cultivate friendly relations with the whole world, the Executive does not hesitate to say that the people of the United States would be ready to brave all consequences sooner than submit to such condition. But no apprehension of war was entertained by the Executive; and I must express frankly the opinion, that, had the treaty been ratified by the Senate, it would have been followed by a prompt settlement, to the entire satisfaction of Mexico, of every matter in difference between the two countries. Seeing, then, that new preparations for hostile invasion of Texas were about to be adopted by Mexico, and that these were brought about because Texas had adopted the suggestions of the Executive upon the subject of annexation, it could not passively have folded its arms and permitted a war, threatened to be accompanied by every act that could mark a barbarous age, to be waged against her, because she had done so.

Other considerations of a controlling character influenced the course of the Executive. The treaty which had thus been negotiated, had failed to receive the ratification of the Senate. One of the chief objections which were urged against it, was found to consist in the fact that the question of annexation had not been submitted to the ordeal of public opinion in the United States. However untenable such an objection was esteemed to be, in view of the unquestionable power of the Executive to negotiate the treaty, and the great and lasting interests involved in the question, I felt it to be my duty to submit the whole subject to Congress, as the best expounders of popular sentiment. No definitive action having been taken on the subject by Congress, the question referred itself directly to the decision of the States and the people. The great popular

election which has just terminated, afforded the best opportunity of ascertaining the will of the States and the people upon it. Pending that issue, it became the imperative duty of the Executive to inform Mexico that the question of annexation was still before the American people, and that, until their decision was pronounced, any serious invasion of Texas would be regarded as an attempt to forestall their judgment, and could not be looked upon with indifference. I am most happy to inform you that no such invasion has taken place; and I trust that, whatever your action may be upon it, Mexico will see the importance of deciding the matter by a resort to peaceful expedients, in preference to those of arms. The decision of the people and the States on this great and interesting subject has been decisively manifested. The question of annexation has been presented nakedly to their consideration. By the treaty itself, all collateral and incidental issues, which were calculated to divide and distract the public councils, were carefully avoided. These were left to the wisdom of the future to determine. It presented, I repeat, the isolated question of annexation; and in that form it has been submitted to the ordeal of public sentiment. A controlling majority of the people, and a large majority of the States, have declared in favor of immediate annexation. Instructions have thus come up to both branches of Congress, from their respective constituents, in terms the most emphatic. It is the will of both the people and the States that Texas shall be annexed to the Union promptly and immediately. It may be hoped that, in carrying into execution the public will, thus declared, all collateral issues may be avoided. Future legislatures can best decide as to the number of States which should be formed out of the territory, when the time has arrived for deciding that question. So with all others. By the treaty, the United States assumed the payment of the debts of Texas, to an amount not exceeding \$10,000,000, to be paid (with the exception of a sum falling short of \$400,000) exclusively out of the proceeds of the sales of her public lands. We could not, with honor, take the lands, without assuming the full payment of all incumbrances upon them.

Nothing has occurred, since your last session, to induce a doubt that the dispositions of Texas remain unaltered. No intimation of an altered determination, on the part of her government and people, has been furnished to the Executive. She still desires to throw herself under the protection of our laws, and to partake of the blessings of our federative system; while every American interest would seem to require it. The extension of our coastwise and foreign trade, to an amount almost incalculable—the enlargement of the market for our manufactures—a constantly growing market for our agricultural productions—safety to our frontiers, and additional strength and stability to the Union,—these are the results which would rapidly develop themselves upon the consummation of the measure of annexation. In such event, I will not doubt but that Mexico would find her true interest to consist in meeting the advances of this government in a spirit of amity.

Nor do I apprehend any serious complaint from any other quarter; no sufficient ground exists for such complaint. We should interfere in no respect with the rights of any other nation. There cannot be gathered from the act any design, on our part, to do so with their possessions on this continent. We have interposed no impediments in the way of such acquisitions of territory (large and extensive as many of them are) as the

leading powers of Europe have made, from time to time, in every part of the world. We seek no conquest made by war. No intrigue will have been resorted to, or acts of diplomacy essayed, to accomplish the annexation of Texas. Free and independent herself, she asks to be received into our Union. It is a question for our own decision, whether she shall be received or not.

The two governments having already agreed, through their respective organs, on the terms of annexation, I would recommend their adoption by Congress in the form of a joint resolution, or act, to be perfected and made binding on the two countries when adopted, in like manner, by the government of Texas.

In order that the subject may be fully presented in all its bearings, the correspondence which has taken place in reference to it, since the adjournment of Congress, between the United States, Texas, and Mexico, is herewith transmitted.

The amendments proposed by the Senate to the convention concluded between the United States and Mexico on the 20th of November, 1843, have been transmitted, through our minister, for the concurrence of the Mexican government; but, although urged thereto, no action has yet been had on the subject; nor has any answer been given which would authorize a favorable conclusion in the future.

The decree of September, 1843, in relation to the retail trade, the order for the expulsion of foreigners, and that of a more recent date in regard to passports—all of which are considered as in violation of the treaty of amity and commerce between the two countries—have led to a correspondence of considerable length between the minister for foreign relations and our representative at Mexico, but without any satisfactory result. They remain still unadjusted; and many and serious inconveniences have already resulted to our citizens in consequence of them.

Questions growing out of the act of disarming a body of Texan troops, under the command of Major Snively, by an officer in the service of the United States, acting under the orders of our government, and the forcible entry into the custom-house at Bryarly's landing, on Red river, by certain citizens of the United States, and taking away therefrom the goods seized by the collector of the customs, as forfeited under the laws of Texas, have been adjusted, so far as the powers of the Executive extend. The correspondence between the two governments, in reference to both subjects, will be found amongst the accompanying documents. It contains a full statement of all the facts and circumstances, with the views taken on both sides, and the principles on which the questions have been adjusted. It remains for Congress to make the necessary appropriation to carry the arrangement into effect, which I respectfully recommend.

The greatly improved condition of the treasury affords a subject for general congratulation. The paralysis which had fallen on trade and commerce, and which subjected the government to the necessity of resorting to loans, and the issue of treasury notes to a large amount, has passed away; and after the payment of upwards of \$7,000,000 on account of the interest, and in redemption of more than \$5,000,000 of the public debt, which falls due on the 1st of January next, and setting apart upwards of \$2,000,000 for the payment of outstanding treasury notes, and meeting an instalment of the debts of the corporate cities of the District of Columbia, an estimated surplus of upwards of \$7,000,000, over and

above the existing appropriations, will remain in the treasury at the close of the fiscal year. Should the treasury notes continue outstanding, as heretofore, that surplus will be considerably augmented. Although all interest has ceased upon them, and the government has invited their return to the treasury, yet they remain outstanding; affording great facilities to commerce, and establishing the fact, that, under a well-regulated system of finance, the government has resources within itself which render it independent, in time of need, not only of private loans, but also of bank facilities.

The only remaining subject of regret is, that the remaining stocks of the government do not fall due at an earlier day; since their redemption would be entirely within its control. As it is, it may be well worthy the consideration of Congress, whether the law establishing the sinking fund (under the operation of which the debts of the revolution and the last war with Great Britain were, to a great extent, extinguished) should not, with proper modifications, so as to prevent an accumulation of surpluses, and limited in amount to a specific sum, be re-enacted. Such provision, which would authorize the government to go into the market for a purchase of its own stock on fair terms, would serve to maintain its credit at the highest point, and prevent, to a great extent, those fluctuations in the price of its securities, which might, under circumstances, affect its credit. No apprehension of this sort is, at this moment, entertained; since the stocks of the government which, but two years ago, were offered for sale to capitalists at home and abroad, at a depreciation, and could find no purchasers, are now greatly above par in the hands of the holders; but a wise and prudent forecast admonishes us to place beyond the reach of contingency the public credit.

It must also be a matter of unmingled gratification, that, under the existing financial system, (resting upon the act of 1789, and the resolution of 1816,) the currency of the country has attained a state of perfect soundness; and the rates of exchange between different parts of the Union, which, in 1841, denoted, by their enormous amount, the great depreciation, and, in fact, worthlessness of the currency in most of the States, are now reduced to little more than the mere expense of transporting specie from place to place, and the risk incidental to the operation. In a new country like that of the United States, where so many inducements are held out for speculation, the depositories of the surplus revenue, consisting of banks of any description, when it reaches any considerable amount, require the closest vigilance on the part of the government. All banking institutions, under whatever denomination they may pass, are governed by an almost exclusive regard to the interest of the stockholders. -That interest consists in the augmentation of profits, in the form of dividends; and a large surplus revenue intrusted to their custody, is but too apt to lead to excessive loans, and to extravagantly large issues of paper. As a necessary consequence, prices are nominally increased, and the speculative mania very soon seizes upon the public mind. A fictitious state of prosperity for a season exists, and, in the language of the day, money becomes plenty. Contracts are entered into by individuals, resting on this unsubstantial state of things; but the delusion speedily passes away, and the country is overrun with an indebtedness so weighty as to overwhelm many, and to visit every department of industry with great and ruinous embarrassment. The greatest vigilance becomes neces-

sary on the part of the government to guard against this state of things. The depositories must be given distinctly to understand that the favors of the government will be altogether withdrawn, or substantially diminished, if its revenues shall be regarded as additions to their banking capital, or as the foundation of an enlarged circulation. The government, through its revenue, has at all times an important part to perform in connexion with the currency; and it greatly depends upon its vigilance and care whether the country be involved in embarrassments similar to those which it has had recently to encounter, or, aided by the action of the treasury, shall be preserved in a sound and healthy condition.

The dangers to be guarded against are greatly augmented by too large a surplus of revenue. When that surplus greatly exceeds in amount what shall be required by a wise and prudent forecast to meet unforeseen contingencies, the legislature itself may come to be seized with a disposition to indulge in extravagant appropriations to objects, many of which may, and most probably would, be found to conflict with the constitution. A fancied expediency is elevated above constitutional authority; and a reckless and wasteful extravagance but too certainly follows. The important power of taxation, which, when exercised in its most restricted form, is a burden on labor and production, is resorted to, under various pretexts, for purposes having no affinity to the motives which dictated its grant; and the extravagance of government stimulates individual extravagance, until the spirit of a wild and ill-regulated speculation involves one and all in its unfortunate results. In view of such fatal consequences, it may be laid down as an axiom, founded in moral and political truth,—that no greater taxes should be imposed than are necessary for an economical administration of the government; and that whatever exists beyond, should be reduced or modified. This doctrine does in no way conflict with the exercise of a sound discrimination in the selection of the articles to be taxed, which a due regard to the public weal would at all times suggest to the legislative mind. It leaves the range of selection undefined; and such selection should always be made with an eye to the great interests of the country. Composed, as is the Union, of separate and independent States, a patriotic legislature will not fail, in consulting the interests of the parts, to adopt such course as will be best calculated to advance the harmony of the whole; and thus insure that permanency in the policy of the government, without which all efforts to advance the public prosperity are vain and fruitless. This great and vitally important task rests with Congress; and the Executive can do no more than recommend the general principles which should govern in its execution.

I refer you to the report of the Secretary of War for an exhibition of the condition of the army; and recommend to you, as well worthy your best consideration, many of the suggestions it contains. The Secretary in no degree exaggerates the great importance of pressing forward, without delay, in the work of erecting and finishing the fortifications, to which he particularly alludes. Much has been done towards placing our cities and roadsteads in a state of security against the hazards of hostile attack within the last four years; but, considering the new elements which have been of late years employed in the propelling of ships, and the formidable implements of destruction which have been brought into service, we cannot be too active or vigilant in preparing and perfecting the means of defence. I refer you, also, to his report, for a full statement of the

condition of the Indian tribes within our jurisdiction. The Executive has abated no effort in carrying into effect the well-established policy of the government, which contemplates a removal of all the tribes residing within the limits of the several States, beyond those limits; and it is now enabled to congratulate the country at the prospect of an early consummation of this object. Many of the tribes have already made great progress in the arts of civilized life; and, through the operation of the schools established among them, aided by the efforts of the pious men of various religious denominations who devote themselves to the task of their improvement, we may fondly hope that the remains of the formidable tribes, which were once masters of this country, will, in their transition from the savage state to a condition of refinement and cultivation, add another bright trophy to adorn the labors of a well-directed philanthropy.

The accompanying report of the Secretary of the Navy will explain to you the situation of that branch of the service. The present organization of the department imparts to its operations great efficiency; but I concur fully in the propriety of a division of the Bureau of Construction, Equipment, Increase, and Repairs, into two bureaus. The subjects, as now arranged, are incongruous, and require, to a certain extent, information and qualifications altogether dissimilar.

The operations of the squadron on the coast of Africa have been conducted with all due attention to the object which led to its organization; and I am happy to say that the officers and crews have enjoyed the best possible health, under the system adopted by the officer in command. It is believed that the United States is the only nation which has by its laws subjected to the punishment of death, as pirates, those who may be engaged in the slave-trade. A similar enactment on the part of other nations would not fail to be attended by beneficial results.

In consequence of the difficulties which have existed in the way of securing titles for the necessary grounds, operations have not yet been commenced towards the establishment of the navy-yard at Memphis. So soon as the title is perfected, no further delay will be permitted to intervene. It is well worthy of your consideration, whether Congress should not direct the establishment of a rope-walk, in connexion with the contemplated navy-yard, as a measure not only of economy, but as highly useful and necessary. The only establishment of the sort now connected with the service is located at Boston; and the advantages of a similar establishment, convenient to the hemp-growing region, must be apparent to all.

The report of the Secretary presents other matters to your consideration, of an important character in connexion with the service.

In referring you to the accompanying report of the Postmaster General, it affords me continued cause of gratification to be able to advert to the fact, that the affairs of the department, for the last four years, have been so conducted as, from its unaided resources, to meet its large expenditures. On my coming into office, a debt of nearly \$500,000 existed against the department, which Congress discharged by an appropriation from the treasury. The department, on the 4th of March next, will be found, under the management of its present efficient head, free of debt or embarrassment; which could only have been done by the observance and practice of the greatest vigilance and economy. The laws have con-

templated, throughout, that the department should be self-sustaining; but it may become necessary, with the wisest regard to the public interests, to introduce amendments and alterations in the system. There is a strong desire manifested in many quarters, so to alter the tariff of letter postage as to reduce the amount of tax at present imposed. Should such a measure be carried into effect, to the full extent desired, it cannot well be doubted but that, for the first years of its operation, a diminished revenue would be collected, the supply of which would necessarily constitute a charge upon the treasury. Whether such a result would be desirable, it will be for Congress, in its wisdom, to determine. It may, in general, be asserted as true, that radical alterations in any system should rather be brought about gradually, than by sudden changes; and, by pursuing this prudent policy in the reduction of letter postage, the department might still sustain itself through the revenue which would accrue by the increase of letters. The state and condition of the public treasury has heretofore been such as to have precluded the recommendation of any material change. The difficulties upon this head have, however, ceased; and a larger discretion is now left to the government.

I cannot too strongly urge the policy of authorizing the establishment of a line of steamships regularly to ply between this country and foreign ports, and upon our own waters, for the transportation of the mail. The example of the British government is well worthy of imitation in this respect. The belief is strongly entertained, that the emoluments arising from the transportation of mail-matter to foreign countries would operate of itself, as an inducement to cause individual enterprise to undertake that branch of the task; and the remuneration of the government would consist in the addition readily made to our steam navy in case of emergency, by the ships so employed. Should this suggestion meet your approval, the propriety of placing such ships under the command of experienced officers of the navy will not escape your observation. The application of steam to the purposes of naval warfare cogently recommends an extensive steam marine as important in estimating the defences of the country. Fortunately, this may be obtained by us, to a great extent, without incurring any large amount of expenditure. Steam vessels to be engaged in the transportation of the mails on our principal watercourses, lakes, and parts of our coast, could also be so constructed as to be efficient as war vessels when needed; and would, of themselves, constitute a formidable force in order to repel attacks from abroad. We cannot be blind to the fact that other nations have already added large numbers of steamships to their naval armaments, and that this new and powerful agent is destined to revolutionize the condition of the world. It becomes the United States, therefore, looking to their security, to adopt a similar policy; and the plan suggested will enable them to do so at a small comparative cost.

I take the greatest pleasure in bearing testimony to the zeal and untiring industry which has characterized the conduct of the members of the executive cabinet. Each, in his appropriate sphere, has rendered me the most efficient aid in carrying on the government; and it will not, I trust, appear out of place for me to bear this public testimony. The cardinal objects which should ever be held in view by those intrusted with the administration of public affairs, are rigidly, and without favor or affection, so to interpret the national will, expressed in the laws, as that injus-

justice should be done to none—justice to all. This has been the rule upon which they have acted; and thus it is believed that few cases (if any) exist, wherein our fellow-citizens, who from time to time have been drawn to the seat of government for the settlement of their transactions with the government, have gone away dissatisfied. Where the testimony has been perfected, and was esteemed satisfactory, their claims have been promptly audited; and this in the absence of all favoritism or partiality. The government which is not just to its own people, can neither claim their affection nor the respect of the world. At the same time, the closest attention has been paid to those matters which relate more immediately to the great concerns of the country. Order and efficiency in each branch of the public service have prevailed, accompanied by a system of the most rigid responsibility on the part of the receiving and disbursing agents. The fact, in illustration of the truth of this remark, deserves to be noticed,—that the revenues of the government, amounting in the last four years to upwards of \$120,000,000, have been collected and disbursed, through the numerous governmental agents, without the loss, by default, of any amount worthy of serious commentary.

The appropriations made by Congress for the improvement of the rivers of the west, and of the harbors on the lakes, are in a course of judicious expenditure under suitable agents; and are destined, it is to be hoped, to realize all the benefits designed to be accomplished by Congress. I cannot, however, sufficiently impress upon Congress the great importance of withholding appropriations from improvements which are not ascertained, by previous examination and survey, to be necessary for the shelter and protection of trade from the dangers of storms and tempests. Without this precaution, the expenditures are but too apt to enure to the benefit of individuals, without reference to the only consideration which can render them constitutional—the public interests and the general good.

I cannot too earnestly urge upon you the interests of this District, over which, by the constitution, Congress has exclusive jurisdiction. It would be deeply to be regretted should there be, at any time, ground to complain of neglect on the part of a community which, detached as it is from the parental care of the States of Virginia and Maryland, can only expect aid from Congress, as its local legislature. Amongst the subjects which claim your attention, is the prompt organization of an asylum for the insane who may be found, from time to time, sojourning within the District. Such course is also demanded by considerations which apply to branches of the public service. For the necessities in this behalf, I invite your particular attention to the report of the Secretary of the Navy.

I have thus, gentlemen of the two houses of Congress, presented you a true and faithful picture of the condition of public affairs, both foreign and domestic. The wants of the public service are made known to you; and matters of no ordinary importance are urged upon your consideration. Shall I not be permitted to congratulate you on the happy auspices under which you have assembled, and at the important change in the condition of things which has occurred in the last three years? During that period, questions with foreign powers, of vital importance to the peace of our country, have been settled and adjusted. A desolating and wasting war with savage tribes has been brought to a close. The internal tranquillity of the country, threatened by agitating questions, has been preserved. The credit of the government, which had experienced a temporary em-

barrassment, has been thoroughly restored. Its coffers, which, for a season, were empty, have been replenished. A currency, nearly uniform in its value, has taken the place of one depreciated and almost worthless. Commerce and manufactures, which had suffered in common with every other interest, have once more revived; and the whole country exhibits an aspect of prosperity and happiness. Trade and barter, no longer governed by a wild and speculative mania, rest upon a solid and substantial footing; and the rapid growth of our cities, in every direction, bespeaks most strongly the favorable circumstances by which we are surrounded. My happiness, in the retirement which shortly awaits me, is the ardent hope which I experience, that this state of prosperity is neither deceptive nor destined to be short lived; and that measures which have not yet received its sanction, but which I cannot but regard as closely connected with the honor, the glory, and still more enlarged prosperity of the country, are destined, at an early day, to receive the approval of Congress. Under these circumstances, and with these anticipations, I shall most gladly leave to others, more able than myself, the noble and pleasing task of sustaining the public prosperity. I shall carry with me into retirement the gratifying reflection, that, as my sole object throughout has been to advance the public good, I may not entirely have failed in accomplishing it; and this gratification is heightened in no small degree by the fact, that when, under a deep and abiding sense of duty, I have found myself constrained to resort to the qualified veto, it has neither been followed by disapproval on the part of the people, nor weakened in any degree their attachment to that great conservative feature of our government.

JOHN TYLER.

WASHINGTON, *December 3*, 1844.