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PRESIDENT'S MESSAGE.

FELLOW-CITIZENS OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES:

The Constitution of the United States provides that Congress shall assemble annually on the first Monday of December, and it has been usual for the President to make no communication of a public character to the Senate and House of Representatives until advised of their readiness to receive it. I have deferred to this usage until the close of the first month of the session, but my convictions of duty will not permit me longer to postpone the discharge of the obligation enjoined by the constitution upon the President to give to Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. It is a matter of congratulation that the Republic is tranquilly advancing in a career of prosperity and peace.

FOREIGN RELATIONS—CENTRAL AMERICA.

Whilst relations of amity continue to exist between the United States and all foreign powers, with some of them grave questions are depending, which may require the consideration of Congress. Of such questions, the most important is that, which has risen out of the negotiations with Great Britain in reference to Central America.

By the convention concluded between the two governments on the 10th of April, 1850, both parties covenanted, that neither will ever occupy, or fortify, or colonize, or assume, or exercise any dominion over Costa Rica, the Mosquito coast, or any part of Central America. It was the undoubted understanding of the United States, in making this treaty, that all the present States of the former Republic of Central America, and the entire territory of each would thenceforth enjoy complete independence; and that both contracting parties engaged equally, and to the same extent, for the present and for the future; and if either of them had any claim of right in Central America, such claim, and all occupation or authority under it, were unreservedly relinquished by the stipulations of the convention; and that no dominion was thereafter to be exercised or assumed in any part of Central America, by Great Britain or the United States.

This government consented to restrictions in regard to a region of country, wherein we had specific and peculiar interests, only upon the conviction that the like restrictions were in the same sense obligatory on Great Britain. But for this understanding of the force and effect of the convention, it never would have been concluded by us. So clear was the understanding on the part of the United States, that, in correspondence contemporaneous with the ratification of the convention, it was distinctly expressed that the mutual covenants of non-occupation were not intended to apply to the British establishment at the Balize. This qualification is to be ascribed to the fact, that, in virtue of successive treaties with previous sovereigns of the country, Great Britain had obtained a concession of the right to cut mahogany or dye woods at the Balize, but with positive exclusion of domain or sovereignty, and thus it confirms the natural construction and understood import of the treaty as to all the rest of the region to which the stipulations applied.

It, however, became apparent, at an early day after entering upon the discharge of my present functions, that Great Britain still continued in the exercise or assertion of large authority in all that part of Central America commonly called the Mosquito coast, and covering the entire length of the State of Nicaragua, and a part of Costa Rica, and that she regarded the Balize as her absolute domain, and was gradually extending its limits at the expense of the State of Honduras; and that she had formally colonized a considerable insular group known as the Bay Islands, and belonging of right to that State.

All these acts or pretensions of Great Britain being contrary to the rights of States of Central America, and to the manifest tenor of her stipulations with the United States, as understood by this government, have been made the subject of negotiation through the American minister in London. I transmit herewith the instructions to him on the subject, and the correspondence between him and the British Secretary for foreign affairs, by which you will perceive that the two governments differ widely and irreconcilably as to the construction of the convention, and the effect of their respective relations to Central America.

Great Britain so construes the convention, as to maintain, unchallenged, all her previous pretensions over the Mosquito coast, and in different parts of Central America. These pretensions, as to the Mosquito coast, are founded on the assumption of political relations between Great Britain and the remnant of a tribe of Indians on that coast, entered into at a time when the whole country was a colonial possession of Spain. It cannot be successfully controverted, that, by the public law of Europe and America, no possible act of such Indians or their predecessors could confer on Great Britain any political rights.

Great Britain does not allege the assent of Spain as the origin of her claims on the Mos-

quito coast. She has, on the contrary, by repeated and successive treaties, renounced and relinquished all pretensions of her own, and recognized the full and sovereign rights of Spain in the most unequivocal terms. Yet these pretensions, so without foundation in the beginning, and thus repeated abjured, were, at a recent period, revived by Great Britain against the Central American States, the legitimate successors to all the ancient jurisdictions of Spain in that region. They were first applied only to a definite part of the coast of Nicaragua, afterwards to the whole of its Atlantic coast, and lastly to a part of the coast of Costa Rica; and they are now re-asserted to this extent, notwithstanding engagements of the U. States. On the eastern coast of Nicaragua and Costa Rica, the interference of Great Britain, though exerted at one time in the form of military occupation of the port of San Juan del Norte, then in the peaceful possession of the appropriate authorities of the Central American States, is now presented to her as the rightful exercise of a protectorship over the Mosquito tribe of Indians.

But the establishment of the Balize, now reaching far beyond the treaty limits, into the State of Honduras, and that of the Bay Islands, appertaining of right to the same state, are as distinctly Colonial Governments as those of Jamaica or Canada, and therefore contrary to the very letter as well as the spirit of the convention with the United States, as it was at the time of ratification, and now is understood by this Government.

The interpretation which the British government thus in assertion and act, persists in ascribing to the convention, entirely changes its character. While it holds us to all our obligations, it, in a measure, releases Great Britain from those which constituted the consideration of this government for entering into the convention. It is impossible, in my judgment for the United States to acquiesce in such a construction of the respective relations of the two governments to Central America.

To a renewed call by this government upon Great Britain, to abide by, and carry into effect, the stipulations of the convention, according to its obvious import, by withdrawing from the possession or colonization of portions of the Central American States of Honduras, Nicaragua, and Costa Rica, the British Government has at length replied, affirming that the operation of the treaty is prospective only, and did not abandon or contract any possession held by her in Central America, at the date of its conclusion.

This reply substitutes a partial issue, in the place of the General one presented by the U. States. The British Government passes over the question of the rights of Great Britain, real or supposed, in Central America, and assumes that she has such rights at the date of the treaty, and that those rights comprehend the protectorship of the Mosquito Indians, the extended jurisdiction and limits of the Balize, and the colony of the Bay Islands, and thereupon proceeds by implication to infer, that, if the stipulations of the treaty be merely future in effect, Great Britain may still continue to hold the contested portions of Central America.—The United States cannot admit either the interference or the premises. We steadily deny, that, at the date of the treaty, Great Britain had any possessions there, other than the limited and peculiar establishment at Balize, and maintain that, if she had any, they were surrendered by the convention.

This Government, recognizing the obligations of the treaty, has of course desired to see it executed in good faith by both parties, and in the discussion, therefore, has not looked to rights, which we might assert, independently of the treaty, in consideration of our geographical position and of other circumstances, which create for us relations to the Central American States, different from those of any Government of Europe.

The British Government, in its last communication, although well knowing the views of the United States, still declares that it sees no reason why a conciliatory spirit may not enable the two Governments to overcome all obstacles to a satisfactory adjustment of the subject. Assured of the correctness of the construction of the treaty constantly adhered to by this government, and resolved to insist on the rights of the United States, yet actuated also by the same desire, which is avowed by the British Government, to remove all causes of a serious misunderstanding between two nations associated by so many ties of interest and kindred, it has appeared to me proper act to consider an amicable solution of the controversy hopeless.

There is, however reason to apprehend, that with Great Britain in the actual occupation of the disputed territories, and the treaty therefore practically null, so far as regards our rights, this international difficulty cannot long remain undisturbed, without involving in serious danger the friendly relations, which it is the interest as well as the duty of both countries to cherish and preserve. It will afford me sincere gratification if future efforts shall result in the success anticipated heretofore with more confidence that the aspect of the case permits me now to entertain.

RECRUITMENT.

One other subject of discussion between the United States and Great Britain has grown out

of the attempt, which the exigencies of the war in which she is engaged with Russia, induced her to make, to draw recruits from the United States.

It is the traditional and settled policy of the United States to maintain impartial neutrality during the wars, with which time after time occur among the great powers of the world.—Performing all the duties of neutrality towards the respective belligerent States, we may reasonably expect them not to interfere with our lawful enjoyment of its benefits. Notwithstanding the existence of such hostilities, our citizens retain the individual right to continue all their accustomed pursuits, by land or by sea, at home or abroad, subject only to such restriction in this relation as the laws of war, the usages of nations, or special treaties, may impose; and it is our sovereign right that our territory and jurisdiction shall not be invaded by either of the belligerent parties, for the transit of their armies, the operations of their fleets, the levy of troops for their service, the fitting out of cruisers, or any agent, either, or any other act or incident of war. And these undeniable rights of neutrality, individual and national, the United States will, under no circumstances, surrender.

In pursuance of this policy, the laws of the United States do not forbid their citizens to sell to either of the belligerent powers articles, contraband of war, or to take man-of-war or soldiers on board their private ships for transportation; and although, in so doing, the individual citizen exposes his property or person to some of the hazards of war, his acts do not involve any breach of national neutrality, nor of themselves implicate the Government.—Thus, during the progress of the present war in Europe, our citizens have, without national responsibility therefor, sold gunpowder and arms to all bidders, regardless of the destination of those articles. Our merchantmen have been and still continue to be, largely employed by Great Britain and by France, in transporting troops, provisions and munitions of war to the principal seats of military operations, and in bringing home their sick and wounded soldiers; but such use of our mercantile marine is not interdicted either by the international, or by our municipal law, and therefore does not compromise our neutral relations with Russia.

But our municipal law, in accordance with the law of nations, proemphatically forbids, not only foreigners, but our own citizens, to fit out, within the limits of the United States, a vessel to commit hostilities against any State with which the United States are at peace, or to increase the force of any foreign armed vessel intended for such hostilities against a friendly State.

Whatever concern may have been felt by either of the belligerent powers lest private armed cruisers, or other vessels in the service of one, might be fitted out in the ports of this country to deprive of the property of the other, all such fears have proved to be altogether groundless. Our citizens have been withheld from any such act of purpose by good faith and by respect for the law.

While the laws of the country are thus pre-emptory in their prohibition of the equipment or armament of belligerent cruisers in our ports, they provide not less absolutely that no person shall, within the territory or jurisdiction of the United States, enlist, or enter himself, or hire, or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered, in the service of any foreign State, either as a soldier, or as a marine or seaman on board of any vessel of war, letter of marque, or privateer. And these enactments are also in strict conformity with the law of nations, which declares, that no State has the right to raise troops for land or sea service in another State without its consent, and that whether forbidden by the municipal law or not, the very attempt to do it, without such consent, is an attack on the national sovereignty.

Such being the public rights and the municipal law of the United States, no solicitude on the subject was entertained by this Government, when, a year since, the British Parliament passed an act to provide for the enlistment of foreigners in the military service in Great Britain. Nothing on the face of the act, or in its public history, indicated that the British Government proposed to attempt recruitment in the United States, nor did it ever give intimation of such intention to this Government. It was a matter of surprise, therefore, to find, subsequently, that the engagement of persons within the United States to proceed to Halifax, in the Province of Nova Scotia, and there enlist in the service of Great Britain, was going on extensively, with little or no disguise. Ordinary legal steps were immediately taken to arrest and punish parties concerned, and so put an end to acts infringing the municipal law, and derogatory to our sovereignty. Meanwhile, suitable representations on the subject were addressed to the British Government.

Thereupon it became known, by the admission of the British Government itself, that the attempt to draw recruits from this country originated with it, or at least had its approval and sanction; but it also appeared that the public agents engaged in it had stringent instructions' the municipal law of the United States.

It is difficult to understand how it should have been supposed that troops could be raised here, by Great Britain, without violation of the municipal law. The unmistakable object of the law was to prevent every such act, which, if performed, must be either in violation of the law, or in studied evasion of it, and, in either alternative, the act done would be alike injurious to the sovereignty of the United States.

In the meantime, the matter acquired additional importance by the requirements in the United States not being discontinued, and the disclosure of the fact that they were prosecuted upon a systematic plan, devised by official authority; that recruiting rendezvous had been opened in our principal cities, and depots for the reception of recruits established on our frontier, and the whole business conducted under the supervision and by the regular co-operation of British officers, civil military,—some in the North American Provinces, and some in the United States. The complicity of those officers in an undertaking which could only be accomplished by defying our laws, throwing suspicion over our attitude of neutrality, and disregarding our territorial rights, is conclusively proved by the evidence elicited on the trial of such of their agents as have been apprehended and convicted. Some of the officers thus implicated are of high official position, and many of them beyond our jurisdiction, so that legal proceedings could not reach the source of the mischief.

These considerations, and the fact, that the cause of complaint was not a mere casual occurrence, but a deliberate design, entered upon with a full knowledge of our functions, impelled me to present the case to the British Government, in order to secure, not only a cessation of the wrong, but its reparation.—The subject is still under discussion, the result of which will be communicated to you in due time.

BRITISH RELATIONS—CONTINUED.

I repeat the recommendation submitted to the last Congress, that provisions be made for the appointment of a Commissioner, in connection with Great Britain, to survey and establish the boundary line, which divides the Territory of Washington from the contiguous British possessions. By reason of the extent and importance of the country in dispute, there has been imminent danger of collision between the subjects of Great Britain and the citizens of the United States, including their respective authorities in that quarter. The prospect of a speedy arrangement has contributed hitherto to induce on both sides forbearance to assert by force what each claims as a right. Continuance of delay on the part of two Governments to act in the matter will increase the dangers and difficulties of the controversy.

Misunderstanding exists as to the extent, character and value of the possessory rights of the Hudson's Bay Company, and the property of the Puget's Sound Agricultural Company, reserved in our treaty with Great Britain relative to the Territory of Oregon. I have no reason to believe that a cession of the rights of both Companies to the United States, which would be the readiest means of terminating all questions, can be obtained on reasonable terms; and, with a view to this end, I present the subject to the attention of Congress.

The colony of Newfoundland, having enacted the laws required by the treaty of the 5th of June, 1854, is now placed on the same footing, in respect to commercial intercourse with the United States, as the other British North American Provinces.

The commission which the treaty contemplated, for determining the rights of fishery in rivers and mouths of rivers on the coast of the United States and the British North American Provinces, has been organized and has commenced its labors—to complete which there is needed further appropriations for the service of another season.

SOUND DUES.

In pursuance of the authority conferred by a resolution of the Senate of the United States, passed on the third day of March last, notice was given to Denmark on the 14th of April, of the intention of this Government to avail itself of the stipulation of the subsisting convention of friendship, commerce and navigation between that Kingdom and the United States, whereby either party might, after ten years, terminate the same at the expiration of one year from the date of notice for that purpose.

The consideration which led me to call the attention of Congress to that Convention, and induced the Senate to adopt the resolution referred to, still continues in full force. The Convention contains an article which, although it does not directly engage the United States to submit to the imposition of tolls on the vessels and cargoes of Americans passing into or from the Baltic Sea, during the continuance of the treaty, yet may, by possibility, be construed as implying such submission. The exaction of those tolls not being justified by any principle of international law, it became the right and duty of the United States to relieve themselves from the implication of engagement on the subject, so as to be perfectly free to act in the premises in such a way as their public interests and honor shall demand.

I remain of the opinion that the United States ought not to submit to the payment of the Sound Dues, not so much because of their amount, which is a secondary matter, but because it is in effect the recognition of the right of Denmark to treat one of the great maritime highways of nations as a close sea, and the navigation of it as a privilege for which tribute may be imposed upon those who have occasion to use it.

The Government, on a former occasion, not unlike the present, signified its determination to maintain the freedom of the seas, and of the natural channels of navigation. The Barbary States had, for a long time, coerced the payment of tribute from all nations, while ships frequented the Mediterranean. To the last degree of such payment made by them, the U. States, although suffering less by their depredations than many other nations, returned the explicit answer, that we preferred war to trib-

ute, and thus opened the way to the relief of the commerce of the world from an ignominious tax, so long submitted to by the more powerful nations of Europe.

If the manner of the payment of the Sound Dues differ from that of the tribute formerly conceded to the Barbary States, still their exaction by Denmark has no better foundation in right. Each was, in its origin, nothing but a tax on a common natural right, extorted by those who were at that time able to obstruct the free and secure enjoyment of it, but who no longer possess that power.

Denmark, while resisting our assertion of the freedom of the Baltic Sound and Belts, has indicated a readiness to make some new arrangements on the subject, and has invited the Governments interested, including the United States, to be represented in a Convention to be assembled for the purpose of receiving and considering a proposition, which she intends to submit, for the capitalization of the Sound Dues, and the distribution of the sum to be paid as a communication among the Governments, according to the respective proportion of their maritime commerce to and from the Baltic. I have declined in behalf of the United States to accept this invitation for the most cogent reasons. One is, that Denmark does not offer to submit to the Convention the question of her right to levy the Sound Dues. A second is, that if the Convention were allowed to take cognizance of that peculiar question, still it would not be competent to deal with the great international principles involved, which effect the right in these cases of navigation and commercial freedom, as well as that of access to the Baltic. Above all, by the express terms of the proposition, it is contemplated that the consideration of the Sound Dues shall be commingled with and made subordinate to a matter wholly extraneous, the balance of power among the Governments of Europe.

While, however, rejecting this proposition, and insisting on the right of free transition into and from the Baltic, I have expressed to Denmark a willingness on the part of the United States, and to share liberally with other powers in compensating her for any advantages which commerce shall hereafter derive for expenditures made by her for the improvement and safety of the navigation of the Sound or Belts.

I lay before you, herewith, sundry documents on the subject, in which my views are more fully disclosed. Should no satisfactory arrangements be soon concluded, I shall again call your attention to the subject, with recommendation of such measure as may appear to be required in order to assert and secure the rights of the United States, so far as they are affected by the pretensions of Denmark.

FRANCE.

I announce with much gratification that, since the adjournment of the last Congress, the question then existing between this Government and that of France, respecting the French Consul at San Francisco, has been satisfactorily determined, and that the relations of the two Governments continue to be of the most friendly nature.

GREECE.

A question, also, which has been pending for several years between the United States and the Kingdom of Greece, growing out of the sequestration, by public authorities of that country, of property belonging to the present American Consul at Athens, and which had been the subject of earnest discussion heretofore, has recently been settled to the satisfaction of the party interested, and of both Governments.

SPAIN.

With Spain peaceful relations are still maintained, and some progress has been made in securing the redress of wrongs complained of by this Government. Spain has not only disavowed and disapproved the conduct of the officers who illegally seized and detained the steamer Black Warrior at Havana, but has also paid the sum claimed as indemnity for the loss thereby inflicted on citizens of the United States.

In consequence of a destructive hurricane, which visited Cuba in 1854, the supreme authority of that island issued a decree, permitting the importation, for the period of six months, of certain building materials and provisions, free of duty, but revoked it when about half of the period only had elapsed, to the injury of citizens of the United States, who had proceeded to act on the faith of that decree. The Spanish Government refused indemnification to the parties aggrieved, until recently, when it assented to payment being promised to be made soon as the amount due can be ascertained.

Satisfaction claimed for the arrest and search of the steamer El Dorado has not yet been accorded, but there is reason to believe that it will be, and that case, with others, continues to be urged on the attention of the Spanish Government. It will not abandon the hope of concluding with Spain some general arrangements, which, if it do not wholly prevent the recurrence of difficulties in Cuba, will render them less frequent, and wherever they shall occur, facilitate their more speedy settlement.

MEXICO.

The interposition of this Government has been invoked by many of its citizens, on account of injuries done to their persons and property, for which the Mexican Republic is responsible. The unhappy situation of that country for some time past, has not allowed its Government to give due consideration to claims of private reparation, and has appeared to call for and justify some forbearance in such matters on the part of this Government. But if the revolutionary movements which have lately occurred in that republic, and in the organization of a state government, urgent appeals to its justice will then be made, and it may be hoped, with success, for the redress of all complaints of our citizens.

CENTRAL AMERICA.

In regard to the American Republics, which from their proximity, and other considerations, have peculiar relations to this government, while it has been my constant aim strictly to

observe all the obligations of political friendship and good neighborhood, obstacles to this have arisen in some of them, from their own insufficient power to check lawless interruptions, which in effect throw most of the task on the United States. Thus it is that the distracted internal condition of the State of Nicaragua has made it incumbent on me to appeal to the good faith of our citizens to abstain from unlawful intervention in its affairs, and to adopt preventive measures to the same end, which on a similar occasion, had the best results in reassuring the peace of the Mexican States of Sonora and Lower California.

TREASURY.

Since the last session of Congress a treaty of amity, commerce and navigation, and the surrender of fugitive criminals, with the Kingdom of the two Sicilies a treaty of friendship, commerce and navigation with Nicaragua, and a convention of commercial reciprocity with the Hawaiian Kingdom, have been negotiated. The latter Kingdom and the State of Nicaragua have also acceded to a declaration, recognizing as international rights the principles contained in the convention between the United States and Russia of the 22nd of July, 1854. These treaties and conventions will be laid before the Senate for ratification.

TREASURY.

The statement made in my last annual Message, respecting the anticipated receipts and expenditures of the Treasury, have been substantially verified.

It appears from the Report of the Secretary of the Treasury, that the receipts during the last fiscal year ending June 30, 1855, from all sources, were \$65,003,930; and that the public expenditures for the same period, exclusive of payments on account of the public debt, amounted to \$51,365,803. During the same period, the payments made in redemption of the public debt, including interest and premium, amounted to \$9,814,828.

The balance in the Treasury at the beginning of the present fiscal year, July 1, 1855, \$18,031,975; the receipts for the first quarter, and the estimated receipts for the remaining three-quarters, amount, together, to \$67,918,734, thus affording in all, as the available resources of the current fiscal year, the sum of \$86,850,710.

If, to the actual expenditures of the first quarter of the current fiscal year, be added the probable expenditures for the remaining three-quarters, as estimated by the Secretary of the Treasury, the sum total will be \$71,826,846, thereby leaving an estimated balance in the Treasury on July 1, 1856, of \$15,023,863, 41.

In the above estimated expenditures of the present fiscal year are included \$4,000,000 to meet the last installment of the 10,000,000 provided for in the late treaty with Mexico, and \$7,750,000 appropriated on account of the debt due to Texas, which two sums made an aggregate amount of \$10,750,000, and reduce the expenditures, actual or estimated, for ordinary objects of the year, to the sum of \$60,476,846.

The amount of the public debt, at the commencement of the present fiscal year, was \$40,859,631, and deduction being made of subsequent payments, the whole public debt of the Federal Government remaining at this time is less than \$4,000,000.

The remnant of certain other Government stocks, amounting to \$243,900, referred to in my last message as outstanding, has since been paid.

I am fully persuaded that it will be difficult to devise a system superior to that, by which the fiscal business of the Government is now conducted. Notwithstanding the great number of public agents of collection and disbursement, it is believed that the checks and guards provided, including the requirement of monthly returns, render it scarcely possible for any considerable fraud on the part of those agents, or neglect involving hazard of serious public loss, to escape detection. I renew, however, the recommendation, heretofore made by me, of the enactment of a law declaring it felony on the part of public officers to insert false entries in their books of record or account, or to make false returns, and also requiring them on the termination of their service to deliver to their successors all books, records, and other objects of a public nature in their custody.

Deprived as our public revenue is, in chief part, from duties on imports, its magnitude affords gratifying evidence of the prosperity, not only of our commerce, but of the other great interests upon which that depends.

The principle that all money's not required for the current expenses of the Government should remain for active employment in the hands of the people, and the conspicuous fact that annual revenue from all sources exceeds, by many millions of dollars, the amount needed for a prudent and economical administration of the public affairs, cannot fail to suggest the propriety of an early revision and reduction of the tariff of duties on imports. It is now so general conceded that the purpose of revenue alone can justify the duties on imports, that, in readjusting the impost tables and schedules, which unquestionably require essential modifications, a departure from the principles of the present tariff is not anticipated.

ARMY.

The army during the last year, has been actively engaged in defending the Indian frontier, the route of the service permitting but few and small garrisons in our permanent fortifications. The additional regiments, have been recruited and organized, and a large portion of the troops have already been sent to the field. All the duties which devolve on the military establishment have been satisfactorily performed, and the dangers and privations incident to the character of the service required of our troops, have furnished additional evidence of their courage, zeal, and capacity to meet any requisition which their country may make upon them.—For the details of the military operations, the distribution of the troops, and additional provisions required for the military service, I refer to the report of the Secretary of War and the accompanying documents.