

MESSAGE.

Fellow-citizens of the Senate and House of Representatives.

Throughout the year since our last meeting, the country has been eminently prosperous in all its material interests.

Why is it, then, that discontent now so extensively prevails, and the Union of the States, which is the source of all these blessings, is threatened with destruction?

The long-continued and intolerant interference of the Northern people with the question of slavery in the Southern States has at length produced its natural effects.

The most palpable violations of constitutional duty which have yet been committed consist in the acts of different State legislatures to defeat the execution of the laws of the United States.

Let us wait for the overt act. The fugitive-slave law has been carried into execution in every contested case since the commencement of the present administration.

How easy would it be for the American people to settle the slavery question forever, and to restore peace and harmony to this distracted country.

They, and they alone, can do it. All that is necessary to accomplish this, and all for which the slave States have ever contended, is to let alone, and permitted to manage their domestic institutions in their own way.

It is said, however, that the antecedents of the President elect have been sufficient to justify the fears of the South that he will attempt to invade their constitutional rights.

It is alleged as one cause for immediate secession that the Southern States are denied equal rights with the other States in the common Territories.

So far, then, as Congress is concerned, the objection is not to anything they have already done, but to what they may do hereafter.

Constitution to exercise. Every State legislature in the Union is forbidden by its own constitution to exercise its power in any manner which is not provided for in its highest sovereignty except when framing or amending their State constitution.

But the Constitution has not only conferred these high powers upon Congress, but it has adopted effectual means to restrain the States from interfering with their exercise.

And "no State shall, without the consent of Congress, lay any duty of tonnage; keep troops, or ships of war, in time of peace; enter into any agreement or compact with any State or with a foreign power; or give aid, comfort, or shelter to any rebellion against the United States."

The Southern States, standing on the basis of the Constitution, have a right to demand that act of justice from the States of the North.

It is under to justify secession as a constitutional remedy it must be on the principle that the Federal Government is a mere voluntary association of States, to be dissolved at any time by any one of the contracting parties.

After it was framed, with the greatest deliberation and care, it was submitted to conventions of the people of the several States for ratification.

It is not pretended that any clause in the Constitution gives countenance to such a theory. It is altogether founded upon inference, not from any language contained in the instrument itself, but from the sovereign character of the States, acting in their individual capacity.

It is intended to be perpetual, and not to be annulled at the pleasure of any one of the contracting parties. The old articles of confederation were entitled "Articles of Confederation and Perpetual Union between the States."

But that the Union was designed to be perpetual appears conclusively from the nature and extent of the powers conferred by the Constitution on the Federal Government.

power to make war, and to make peace; to raise and support armies; to provide and regulate the value thereof, and to regulate commerce with foreign nations, and among the several States.

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The Government, therefore, is a great and powerful Government, invested with all the attributes of sovereignty over the special subjects to which its authority extends.

It is not every wrong, it is not every grievous wrong, which can justify a resort to such a fearful alternative. This ought to be the last desperate remedy of a people, and it should be resorted to only when all other means of redress have been exhausted.

With France, our ancient and powerful ally, our relations continue to be of the most friendly character. A decision has recently been made by a French judicial tribunal, with the approval of the Imperial Government, which cannot fail to foster the sentiments of mutual regard that have so long existed between the two countries.

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no such discretion. He possesses no power to change the relations heretofore existing between the States, much less to acknowledge the independence of that State. This would be to invest a mere Executive officer with the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States.

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final settlement of the true construction of the Constitution on three special points: 1. An express recognition of the right of property in slaves in the States where it now exists or may hereafter exist.

2. The duty of protecting this right in all the common Territories throughout their territorial existence, and until they shall be admitted as States into the Union, with or without slavery, as their constitutions may prescribe.

3. A like recognition of the right of the master to have his slave, who has escaped from one State to another, restored and "delivered up" to him, and of the validity of the fugitive-slave law enacted for this purpose, together with a declaration that all State laws impairing or defeating this right are violations of the Constitution, and are consequently null and void.

It may be objected that this construction of the Constitution has already been settled by the Supreme Court of the United States, and what more ought to be required? The answer is, that a very large proportion of the people of the United States still contest the correctness of this decision, and never will cease from agitation and admit its binding force until clearly established by the people of the several States in their sovereign character.

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with our present minister at Madrid. Under this condition, that have been demanded "the Cuban claims," amounting to \$128,635 54, and cents, which more than one hundred of our fellow-citizens are interested, were recognized, and the Spanish government agreed to pay \$100,000 of this amount "within three months following the exchange of ratifications."

The payment of the remaining \$28,635 54 was to await the decision of the commissioners for or against "the Amistad claim;" but in any event the balance was to be paid to the claimants either by Spain or the United States.

These terms I have every reason to know are highly satisfactory to the holders of the Cuban claims. Indeed, they have made a formal offer authorizing the State Department to settle these claims, and to deduct the amount of the Amistad claim from the sums which they are entitled to receive from Spain. This offer, of course, cannot be accepted.

All other claims of citizens of the United States against Spain, or of subjects of the Queen of Spain against the United States, including the "Amistad claim" by the United States, referred to a board of commissioners in the usual form. Neither the validity of the Amistad claim nor of any other claim against either party, with the single exception of the Cuban claims, was recognized by the convention. Indeed, the Spanish government did not insist that the validity of the Amistad claim should be thus recognized, notwithstanding its payment had been recommended to Congress by two of my predecessors as well as myself, and an appropriation for that purpose had passed by the Senate of the United States.

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