EXTRA.

CLARKSVILLE, TENN.

SATURDAY, DECEMBER 8, 1860.

The President's Message.

Fellow-Citizens of the Senate
and House of Representatives: Throughout the year since our last meeting. the country has been eminently prosperous in its material interests. The general health has been excellent, our harvests have been abundant, and plenty smiles throughout the land. Our commerce and manufactures have been prosecuted with energy and industry, and have melded fair and ample returns. In short, no nation in the tide of time, has ever presented a spectacle of greater material prosperity, than we have done until a very recent period. Why is it then that discontent now extensively prevails and the Union of the States, which is the source of all these blessings, is threatened with destruction? The long continued and intemperate interference of the Northern people with the question of slavery in the Southern States, has at length produced its natural effects. The different sections of the Union are now arrayed against each other, and the time has arrived so much dreaded by the Father of his Country, when hostile geographical parties have been formed. I have long foreseen, and often forewarned my countrymen of the now impending danger. This does not proceed solely from the claim on the part of In one form or another under the acts of 1793 of the United States. Congress or the Territorial Legislatures to exclude slavery from the Territories; nor from the efforts of different States to defeat the execution of the Fugitive Slave Law. All or any of these evils might have been endured by the South, without danger to the Union, as others have been, in the hope that time and reflection might apply the remedy. The immediate peril arises, not so much from these causes, as from the fact that the violent agitation of the slavery question throughout the North for the last quarter of a century, has at length produced its malign influence on the slaves, and inspired them with vague notions of freedom; hence a sense of security no longer exists around the family altar. This feeling wait for the overt act. of peace at home has given place to apprehensions of servile insurrection.

onsible territorial legislatu e.

Many a matron throughout the South, retires at night, in dread of what may beful herself and her children before the morning. Should loth and inconvenience and with considerable this apprehension of domestic danger, whether real or imaginary, extend and intensify itself, until it should pervade the masses of the Southern people, then disunion will be inevitable. Self-preservation is the first law of nature, and has been implanted in the heart of man by his Creator for the wisest purposes, and no political union, however fraught with blessings and benefits, in all other respects, can long continue, if the necessary quences be to render the homes and fireside of nearly half the parties to it habitually and hopelessly insecure. Sooner or latter the bonds of such a union must be severed. It is my conviction that this fatal period has not yet arrived, and my prayer to God is that he would preserve the Constitution and the Union throughout all generations. But let us take of the Union. warning in time, and remove the cause of danger. It cannot be denied that for five and ed within the last few years, that any erned against the oppress against Slavery in the South, has been inces- State, whenever it shall be her sovereign will ments, cannot be denied: it exists independent sant. In 1835, pictorial hand-bills, and inflam- and pleasure may seconde from the Union in of all constitutions, and has been exercised matory appeals were circulated extensively throughout the South, of a character to excite any violation of the constitutional rights of the it old governments have been destroyed, and the passions of the slaves-and in the lan- other members of the Confederacy; that as under it new ones have been replaced. It is

proceedings of State and County Conventions,

fore resorting to such a remedy.

present or the next Congress.

and by abolition sermons and lectures. The time of Congress has been occupied in violent that the Federal Government is a mere volunspeeches on the never ending subject, and appeals in pamphlet, and other forms, endorsed this be so, the Confederacy is a rope of sand, revolution, but still it is revolution. by distinguished names, have been sent forth from this central point, and spread broadcast over the Union. 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 alone can do ject, and all which the slave States have ever contended for is to be let alone, and permitted few weeks, which cost our forefathers many to manage their domestic institutions in their years of toil, privation and blood to establish. own way, as sovereign States. They, and they alone, are responsible before God and the world for the slavery existing among them. For this the people of the North are not more responsible, and have no more right to interfere, than with similar institutions in Russia or Brazil. Upon their good sense and patriotic forbearance, I confess I still greatly rely. Without their aid it is beyond the power of any President, no matter what may be his own rament, dangerous to the rights of the States, political proclivities, to restore peace and harshilst its advocates maintained that under a mony among the States. Wisely limited and restrained as is his power under our Constituno foundation for such apprehensions. In that tion and laws, he alone can accomplish but little mighty struggle between the first intellects of for good or evil, on such a momentous question; and this brings me to observe that the election of any one of our fellow citizens to their efforts were all vain labor, because the the office of President, does not of itself afford just cause for dissolving the Union. This is noment that any State felt berself accrieved more especially true if his election has been she might secede from the Union. What a erushing argument would this have proved effected by a mere plurality, and not a majoragainst those who dreaded that the rights of ity of the people, and has resulted from transient and temporary causes, which may probathe States would be endangered by the Conbly never again occur. In order to justify a stitution? The truth is, that it was not until resort to revolutionary resistance, the Federal many years after the origin of the Federal Gov-Government must be guilty of a deliberate, ernment, that such a proposition was first adpalpable, and dangerous exercise of powers not granted by the Constitution. The late Presidential election, however, has been held in strict conformity with its express provisions. How then can the result justify a revolution to Carolina to Congress, employs the following

destroy this very Constitution. Reason, justice, and regard for the Constitution all require "The right of the people of a single State that we shall wait for some overt and dangerto absolve themselves at will, without the conous act on the part of the President elect, besent of the other States, from their most solemnfobligations, hazards the liberty and happi It is said, however, that the antecedents ness of millions composing this Union, and can of the President elect have been sufficient not be acknowledged. Such authority is beto justify the fears of the South that he will Heved to be unterly repognant, both to the attemp to levade their Constitutional rights; rinciples upon which the General Government but are such apprehensions of contingent constituted, and to the objects which it was danger in the future sufficient to justify expressly formed to attain. It is not pretendthe immediate destruction of the noblest sys I that any clause in the Constitution gives tem of government ever devised by mortals unterance to such a theory, it is altogether From the very nature of his office and its high anded upon inference, not from any language responsibilities, he must necessarily be conontained in the instrument itself, but from the servative. The stern duty of administering the overeign character of the several States by wast and complicated councils of this Governwhich it was ratified; but it is beyond the power of a State. like an individual, to vield a ment affords in itself a guarantee that he will tiot attempt any violation of a clear Constitu-noual right. After all, he is no more than the sortion of its sovereign rights to secure the mainder?" In the language of Mr. Madi-Chief Executive officer of the Government, son, who has been called the Father of the Constitution, it was formed by the States that His province is not to make, but execute its laws, and it is a remarkable fact in our history is by the people in each of the States, acting in that, notwithstanding the reported efforts of their highest sovereign capacits, and formed the anti-slavery party, no single act has ever consequently by the same authority which passed Congress, unless we may possibly exformed the State Constitutions: nor is the govcept the Missouri Compromise, impairing in the rament of the United States, created by the slightest degree the rights of the South to their 'onstitution, less a government, in the strictproperty in slaves. And it may also be observed, judging from present indications, that powers, than the governments created by the no probability exists of the passage of such an Constitution of the States are within their sevnet by a majority of both Houses either in the eral spheres. It is, like them, organized into Legislative, Executive and Judiciary densetments. It operates like them directly on per-Surely under these circumstances we ought to be restrained from present action by the pre- | sons and things, and like them, it has at comcept of Him who spake as never man spoke, mand a physical force for executing the powers that "sufficient unto the day is the evil therecommitted to it; was intended to be perpetual, of." The day of evil may never come unless and not to be annualed at the pleasure of any we shall rashly bring it upon oruselves. It is one of the contracting parties of the Confed dleged as one cause for immediate secession, eration. A perpetual union between the States. that the Southern States are denied equal rights and by the 13th article, it is expressly declared with the other States in the common territories, that the articles of this Confederation shall be But by what authority are these denied? Not | inevitably observed by every State, and the Congress, which has never passed and selieve never will pass, any act to exclude

Avery from these territories; and certainly at by the Supreme Court which has solemnly the articles of Confederation, states it was esleaded that slaves are property, and like all tablished in order to turm a more perfect Unafter property, their owners have a right to ion, does not include the essential attribute of them into the common territories and hold perpetuity, but that the Union was designed to there under the protection of the Consti-. So far then as Congress is concerned. ture and extent of the powers conferred by jection is not to anything they have althe constitution on the federal government, done, but to what they may do hereafter. These powres embrace the very highest attriall surely be admitted that this apprehenbates of national sovereignty. They place both dorof future danger is no good reason for an the sword and the purse under its control. Congress has power to make war and to make is true that the Territorial Legislature of peace, to raise and support armies and navies Kuma, on the 23d of February, 1860, passed, and to conclude treaties with fereign governreat haste, an act over the vete of the Gov- ments. It is invested with the nower to coin er, declaring that slavery is, and shall be money and to regulate the value thereof, and ver prohibited in the territory. Such an to regulate commerce with foreign nations and however, plainly violating the rights of among the several States. It is not necessary serty secured by the Constitution, will sure to enumerate the other high powers which e declared void by the Judiciary whenever | bave been conferred upon the Federal Governtall be presented in a legal form. Only ment. In order to carry the enumerated powe days after my inauguration, the Supreme ets into effect Congress possesses the exclusive et of the United States solemnity adjudged | right to lay and collect daties on imports, and this power did not exist in a Territorial in common with the States to lay and collect slature. Yet such has been the factions all other taxes. But the Constitution has not er of the times, that the correctness of this only conferred these high powers upon Conson has been extensively impagned be- gress but it has adopted effectual means to re the people, and the question has given strain the States from interfering with their ex. to angry political conflict throughout the erese for that purpose. It has in a strong propitry. Those who have appealed from this hilatory language expressiv declared, that no gment of our highest Constitutional tribu- State shall enter into any treaty, alleanee or to popular assemblies, would, if they could, confederation, grant letters of marque and rejest Territorial Legislatures with power to prisal, commoney, emit balls of eredit, make ful the sacred rights of property. This anything but gold and silver coin a tender in wer Congress is expressly forbidden by the payment of debts, pass any bill of attainder, femil Constitution to exercise. Every State | cx post facto law or laws impairing the obligaislature in the Union, is forbidden by its | tions of contracts. Moreover, without the con-

delegates for the purpose of framing a Consti-ution, prefator, to admission as a State into troops or ships of war in time of peace, enter the Union. Then, and not until then, are they invested with power to decide the question whether slavery shall or shall not exist within their limits. This is an act of sovereign audinger as will not admit of further delay. thority, and not of subordinate territorial legis-

the equality of the States in the Territories be State interposition, it is provided that the destroyed, and the rights of property in slaves Courts and the laws of the United States, which would depend not upon the guarantees of the con shall be made in pursuance thereof, and all stitution, but upon the shifting majorities of an treaties made or which shall be made under the authority of the United States, shall be Such a doctrine, from its intrinsic unsound- the supreme law of the land, and the Judgesin ness, cannot long influence any portion of our every State shall be bound thereby any thing people, much less can it afford a good reason in the Constitution or laws of any State to the for a dissolution of the Union. The most pal- contrary notwithstanding. The solemn sanepable violations of constitutional duty which tion of religion has been superadded to the obhave yet been committed consist in the acts of ligations of official duty, and all Senators and different State Legislatures to defeat the exe | Representatives of the United States, all memcution of the Fugitive Slave Law. It ought bers of State Legislatures, and all Executive to be remembered, however, that for these acts and Judicial officers, both of the United States neither Congress nor any President can be and the several States, shall be bound by oath justly held responsible, having been past in vi-olation of the Federal Constitution, they are ion, they are In order to carry into effect these laws, the therefore null and void. All the Courts, both Constitution has established a perfect Govern-State and National, before whom the question | ment in all its forms, Legislative, Executive has arisen, have, from the beginning, declared and Judicial, and the Government, to the exthe Fugitive Slave Law to be unconstitutional. | tent of its powers, acts upon the individual citi-The single exception is that of a State Court zens of every State, and executes its own dein Wisconsin, and this has not only been re-crees by the agency of its own officers. In versed by the proper appellate tribunal, but this respect it differs entirely from the Govhas met with such universal reprobation that ernment under the old Confederation, which there can be no danger from it as a precedent. was confined to making requisitions on the The validity of this law has been established States in their sovereign character. This left over and over again by the Supreme Court of it in the discretion of each whether to obey or the United States with perfect unanimity. It to refuse, and they often declined to comply is founded upon an express provision of the with such requisitions. It thus became neces-Constitution, requiring that the fugitive slaves sary, for the purpose of removing the barrier, who escape from service in one State to anoth- and in order to form a more perfect union, to shall be delivered up to their masters. establish a Government which could act direct-Without this provision, it is a well-known his- ly upon the people, and execute its own laws torical fact that the Constitution itself could without the intermediate agency of the States, never have been adopted by the Convention. This has been accomplished by the Constitution

or 1859, both being substantially the same the In short, the Government created by the Fugitive Slave Law has been the law of the Constitution, and drawing its authority from and from the days of Washington until the the sovereign people of each of the several present moment. Here, then, a clear case is States, has precisely the same right to exercise presented in which it will be the duty of the next President, as it has been my own, to act enumerated cases, that each one of them poswith vigor in executing this supreme law sesses over subjects not delegated to the Uniagainst the conflicting enactments of State Legislatures. Should be fail in the performance ively, or to the people. To the extent of the of this high duty, he will then have manifested delegated powers, the Constitution of the a disregard of the Constitution and laws to the United States is as much a part of the Constigreat injury of the people of nearly one-half tution of each State, and is as binding upon the States of the Union. But are we to pre- the people as though it had been textually insume in advance that he will thus violate his serted therein. This Government, therefore, duty? This would be at war with every prin- is a great and powerful government, invester ciple of justice-of christian charity. Let us with all the attributes of sovereignty of the special subjects to which its authority extends. vait for the overt act.

The Fugitive Slave Law has been carried inIts framers never intended to implant in its to execution in every contested case since the bosom the seeds of its own destruction; nor ommencement of the present administration, were they at its creation, guilty of the absurdithough often, it is to be regretted, with great ty of providing for its own dissolution.

It was not intended by its framers to be the expense to the Government. Let us trust that | baseless fabric of a vision, which, at the touch e State Legislatures will repeal their uncon- of the enchanter, would vanish into thin air, stitutional and obnoxious enactments; unless but a substantial and mighty fabric, capable of this shall be done without unnecessary delay it | resisting the slow decay of time, and of defy is impossible for any human power to save the ling the storms of ages. Indeed, well may Union. The Southern States, standing on the | jealous patriots of that day have indulged fears, basis of the Constitution, have a right to de- that a government of such high powers might mand this act of justice from the States of the violate the reserved rights of the States, and North. Should it be refused them, the Con- wisely did they adopt the rule of a strict con stitution, to which all the States are parties, struction of those powers to prevent the danwill have been wilfully violated by one portion | ger; but they did not fear, nor had they any of them, in a provision essential to the do-mestic security and happiness of the remaind-ever be so interpreted as to enable any State, er. In that event the injured States, after by her own act and without the consent of her having first used all peaceful and Constitution sister States, to discharge her people from all al means to obtain redress, would be justified or any of their Federal obligations. It may be in revolutionary resistance to the government asked, then, are the people of the States with out redress against the tyranny and oppression I have purposely confined my remarks to of the Federal Government? By no means. revolutionary resistance, because it has been The right of resistance on the part of the govaccordance with the Constitution, and without at all periods of the world's history. Under guage of Gen. Jackson, to stimulate them to each became parties to the Union by the vote embodied in strong and express language, in insurrection, and produce all the horrors of a of its own people assembled in Convention, so our own Declaration of Independence, but the servile war. This agitation has ever since any one of them may retire from the Union in distinction must ever be observed, that this is been continued by the public press, by the a similar manner, by the vote of such a Con-revolution against an established government, vention. In order to justify secession as a con- and not a voluntary secession from it by virtue

stitutional remedy, it must be on the principle of an inherent constitutional right. tary association of States, to be dissolved at face: Secession is nothing more nor less than leasure by one of the contracting parties. If revolution. It may or it may not be justifiable and to be penetrated and dissolved by the first in the meantime, is the responsibility and true adverse wave of public opinion in any of the position of the executive, bound by solemn States. In this manner our thirty-three States outh before God and the country to take care may resolve themselves into as many petty, that the laws be faithfully executed? From jarring and hostile republics, each one retiring this obligation he cannot be absolved by any from the Union without responsibility, when- human power. But what if the performance ever any sudden excitement might impel them of this duty, in whole or in part, has been rento such a course; by this process a Union dered impracticable by events over which he might be entirely broken into fragments in a could have exercised no control? Such at the present moment is the case throughout the State of South Carolina. So far as the laws of uch a principle is wholly inconsistent with the | the United States to secure the administration history, as it was framed with the greatest de- of justice by means of the Federal Judiciary liberation and care, it was submitted to con- is concerned, all the Federal officers within its entions of the people of the several States for | limits, through whose agency alone those laws ratification, its provisions were discussed at can be carried into execution, have already reength in these bodies, composed of the first signed. We have no longer a District Judge, en of the country. Its opponents contended or District Attorney, in South Carolina. In that it conferred power upon the Federal Gov- fact, the whole machinery of the Federal Government, necessary for the distribution of remedial justice among the people, has been fair construction of the instrument, there was demolished, and it would be difficult, if not impossible, to replace it. The only acts of Congress on the statute book bearing upon this this or any other country, it never occurred to subject, are those of the 28th February, 1795, any individual, either among its opponents or and 3d March, 1807. These authorize the advocates, to assert or even to intimate that President, after he shall have ascertained that the Marshal with his posse comitatus is unable to execute civil or criminal process in any particular case, to call forth the militia, and employ the army and navy to aid him in performing the service, having first, by proclamation, commanded the insurgents to disperse and return peaceably to their respective abodes within a limited time. This duty cannot, by any possibility, be performed in a State where no vanced. It was then met and refuted by the Judicial authority exists to issue process, and conclusive arguments of General Jackson, who, where there is no Marshal to execute, and in his message of the 16th of January, 1833, where, even if there were such an office, the transmitting the nullitying ordinance of South entire population would combine in one solid

The mere resistance of these provisions or legislation, to overcome a united opposi-States who may place themselves in a similar | night, by an application to Congress, have ob- | ceive from Spain. tion of forts, magazines, arsenals, &c., and over these the authority to exercise exclusive a contingency, the responsibility for consequences would rightfully rest upon the heads of the laws, so far as this may be practicable, the Executive has no authority to decide what invested with no such discretion. He possesss no power to change the relations heretofore xisting between them, much less to acknow-

The Preamble to the Constitution of the United States, having express reference to to do this would on his part be a naked act of ment established by the Constitution itself prove the certain means of immediately abolusurpation. It is, therefore, my duty to sub- would be received with favor by all the ishing the African Slave Trade, throughout the mit to Congress the whole question, in all its | States of the Confederacy. In any event | world. I would not repeat this recommendabearings. be perpetual, appears conclusively from the na-forward, that the emergency may arrise when separate themselves from the Union. you may be called upon to decide the momentons question whether you possess the | idential office the aspect neither of our foreign | proud and ancient Spanish Monarchy. Surely power, by force of arms, to compel a State to | nor domestic affairs was at all satisfactory. We | no person ever attributed to the first Napoleon remain in the Union. I should feel myself | were involved in dangerous complications with | a disregard of the national honor of France, recreant to my duty were I not to express an | several nations, and two of our territories were | for transferring Louisiana to the United States tion, fairly stated, is: Has the Constitution del- a restoration of the Africa slave trade had nucentred to Congress the power to force a State | merous and powerful advocates; unlawful milto submission which is attempting to with- itary expeditions were countenanced by many braw, or has actually withdrawn, from the Con- of our entizens and were suffered, in defiance federacy. If answered in the affirmative, it of the efforts of our Government, to escape that of the Sultan, our relations continue to be must be on the principle that the power has from our shores for the purpose of making of the most friendly character. heen conferred upon Congress to declare and war upon the inoffending people of neighborto make war against a State. After much se- | ing Republics, with whom we were at peace. ious reflection, I have arrived at the conclu- In addition to these and other difficul-Federal Government. It is manifest, upon an impled severity and ruinous consequences to inspection of the Constitution, that this is not the country. When we take a retrospect of the 18th of June, 1858, has been faithfully obgranted to Congress, and it is equally with its material prosperity at the time of the vention of the 8th November, 1858, suppleing been delegated to Congress it was exassiv refused by the convention which fremed he constitution. It appears from the procedings of that body that on the 31st of May, 1787, the Opr relations with Great Britain are of the tack, equal to about \$700,000, was supulated chause authorizing an execution of the force of most friendly character. Since the commence- to be paid in satisfaction of the claims of the whole against a delinquent State came up | ment of my administration, the two dangerous | American citizens out of the one-fiftieth of for consideration. Mr. Madison opposed it in a questions arising from the Clayton and Bulwer the receipts for to mage import and export

manner, it can only be exercised by the people of the Territory represented in a convention of States, and no State shall without the consent of the discussion, bore a threatenconsidered by the party attacked as a dissolution of all previous compacts by which it might be bound." Upon his motion the clause was unanimously postponed and was never, I be lieve, again presented. Soon afterwards, on that the British Government had not then the 8th of June, 1787, when incidentally adverting to the 8thiest he said, "Any Govern-Honduras and Nicaragua in pursuance of the unless actually invaded or in such imminent dinger as will not admit of further delay.

In order still further to secure the uninterrupted exercise of these high powers against the States in the Territories be well and the rights of property in slaves depend not upon the guarantees of the con, but upon the shifting majorities of an one sible territorial legislature.

The such imminent dinger as will not admit of further delay.

In order still further to secure the uninterrupted exercise of these high powers against the unconstitutional proceedings of the States in the Territories be depend not upon the guarantees of the conjugate of the subject he said, "Any Governments for the United States formed on the supposed practicability of using force against the unconstitutional proceedings of the States would prove as visionary and fallactions and the laws of the United States, which shall be made in pursuance thereof, and all treaties made or which shall be made under the supposed practicability of using force against the unconstitutional proceedings of the States would prove as visionary and fallactions a aid Confederation. Without descending to with Nicaragua on the 28th of August, 1860, particularize, it may be safely asserted that the relinquishing the Mosquito Protectorate. Bepower to make wer against a State, is at vari- sides by the former the Bay Islands are recog-

ance with the whole spirit and intent of the Constitution. Suppose such a war should result in the conquest of a State, how are we these treaties conform in every important parto govern it afterwards. Shall we hold it as a ticular to the amendments adopted at London, province and govern it by a despotic power? on the 17th October, 1856, between the two In the nature of things we could not by physi- governments. It will be recollected that this cal force control the whole of the people and treaty was rejected by the British Government compel them to elect Senators and Representa- because of its objection to the just and importives to Congress, and to perform all the other tant amendment of the Senate to the article durtes depending upon their own volition and relating to Rustan and the other islands in the required from the free citizens of a free State as Bay of Honduras. It is a source of sincere the war between Great Britain and France and constituent member of the Confederacy. satisfaction to all classes of our fellow-citizens, the Chinese Empire, although in conjunction But if we possessed this power would it be wise and especially to those engaged in foreign with the Russian Minister, he was ever ready to exercise it under existing circumstances? commerce, that the claim on the part of Great and willing, had the opportunity offered, to The object would doubtless be to preserve the Britain forcibly to visit and search American employ his good offices in restoring peace be-Union. War would not only present the merchant vessels on the high seas, in time of most effectual means of destroying it, but peace, has been abandoned. This was by far. would banish all hope of its peaceable re- the most dangerous question to the peace of construction, besides in the fraternal conflict the two countries, which has existed since the a vast amount of blood and treasure would war of 1812. Whilst it remained open they be expended, rendering future reconciliation between the States impossible. In the mean-time who can forctell what would be the sufferings and privations of the people during its out our entire country, produced by the forci-existence. The fact is our Union rests upon ble search of American merchant vessels by public opinion, and can never be cemented by British cruisers on the coast of Cuba, in the the blood of its citizens shed in civil war. If spring of 1858. The American people hailed May last, and the treaty itself was proclaimed it cannot live in the affections of the people, it must one day perish. Congress possesses many tary of the Navy to our naval force in the to expect that under its protection and influmust one day perish. Congress possesses many means of preserving by conciliation; but the Gulf of Mexico, to protect all vessels of chee, our trade and intercourse with that dissword was not placed in her hands to preserve the United States on the high seas from search tant and interesting people will rapidly in- his deputies when officially called upon as a it by force. But may I be permitted solemnly to invoke my countrymen to pause and deliberate before they determine to destroy this, unfortunate collision between the naval forces purpose the Tycoon had accredited three of his could not have been permanently settled withthe grandest temple which has ever been dedicated to human freedom since the world began. It has been consecrated by the blood of the two countries. This was most fortunated in the people, the ballot-box who were received and treated with marked distinction and kindness, both by the Governour fathers, by the glories of the past, and by the hopes of the future. The Union has already made us the most prosperous, and ere still remains open, is the disputed title between turned to their native land entirely satisfied and kindness, toom by the Government and kindness and the supplies toom by the Government and kindness and the supplies to the supplies the supplies to long will, if preserved, render us the most powerful nation on the face of the earth. In the vicinity of Washington Territory. As friendly feelings for our country. Let us

powerful nation on the face of the earth. In the vicinity of washington region of the globe the title of this question is still under negociation, it is not deemed advisable at the present moment to deemed advisable at the present moment advisable at the pre "American Citizen" is held in the highest res. deemed advisable at the present moment to peet, and when pronounced in a foreign land it make any other allusion to the subject.

The recent visit of the Prince of Wales in ses the hearts of our countrymen to swell with honest pride. Surely, when we reach the appropriate character, to the people of this of Japan and his successors. brink of the yawning abyss we shall recoil with | country has proved to be a most auspicious corror from the last fatal plunge. By such a event in its consequences. It cannot fail to lread catastrophe the hopes of the friends of increase the kindred and kindly feelings of freedom throughout the world would both countries in their political and social indestroyed and a long night of tercourse with each other. FRANCE. leaden despotism would enshroud the nation. Our example for more than eighty years would With France, our ancient and powerful ally, not only be lost, but it would be quoted as a our relations continue to be of the most nclusive proof that man is unfit for self gov- friendly character. A decision has recently It is not every wrong, nay it is not been made by a French Judicial Tribunal, with ery grievous wrong which can justify a re-

ins of conciliation had been exhausted,

ng human, will have its day. I firmly be-

article providing for its own amendment.

tion. To this we are also indebted for the

by the friends of State rights at that period, as

to have rendered it extremely doubtful whether

the Constitution could have long survived

without these amendments. Again, the Con-

stitution was amended by the same process

after the election of President Jefferson by the

House of Representatives, in February, 1803.

the approbation of the Imperial Government, ert to such a fearful alternative. This ought which cannot fail to foster the sentiments o to be the last desperate remedy of a despair- mutual regard that has so long existed between ng people, after every other Constitutional the two countries. Under the French law no person can serve in the armies of France un-We should reflect, that under this free Govern- less he be a French citizen. ent there is an incessant ebb and flow in pub-The law of France recognizing the natural opinion. The slavery question, like every right of expatriation, it follows as a necessary consequence that aFrenchman, by the fact of ha

eve that it has already reached and passed the ing become a citizen of the United States, has ulminating point, but if in the midst of the changed his allegiance and has lost his native existing excitement the Union shall perish, the character. He cannot, therefore, be compelled evil may then become irreparable. Congress can to serve in the French armies, in case he should contribute much to arrest it by proposing and return to his native country. These principles commending to the Legislatures of the seve- were announced in 1852, by the French Minisral States the remedy for existing evils which ter of War, and in two late cases have been the Constitution has uself provided for its own | confirmed by the French judiciary. In these, preservation. This has been tried at different two natives of France have been discharged critical periods of our history and always with from the French army, because they had beeminent success. It is to be found in the fifth come American citizens. To employ the language of our present Minister to France, who Under this article, amendments have been pro- has rendered good service on this occasion, "I adjustment of the claims of American citizens jority refused to vote, it cannot be pretended posed by two-thirds of both Houses of Con- do not think our French naturalized fellow- against the Government of Costa Rica, and I that this refusal to exercise the electoral frangress, and have been ratified by the Legisla- citizens will hereafter experience much annoy- am happy to inform you that these have finally chise could invalidate an election fairly held tures of three-fourths of the several States, ance on this subject. I venture to predict that and have consequently become parts of the the time is not far distant when the other con-Constitution. To this process the country is | tinental powers will adopt the same wise and indebted for the clause prohibiting Congress just policy which has done so much honor to from passing any laws respecting an establish- the enlightened government of the Emperor." ment of religion, of abridging the freedom of In any event, our government is bound to commissioners, and providing for the payment mission of States into the Union without such speech or of the press, or of the right of peti- protect the rights of her naturalized citizens everywhere, to the same extent as though they rights which secure the people against any had drawn their first breath in this country.abuse of power by the Federal Government, We can recognize no distinction between our such were the apprehensions justly entertained native and naturalized citizens

> Between the great Empire of Russia and the United States, the mutual friendship and regard which has so long existed, still continues to prevail, and, if possible, to increase, that we could desire.

This amendment was rendered necessary prevent a re-occurrence of the ers which had seriously threat-Our relations with Spain are now of a more ened the existence of the Government complicated, though less dangerous character, during the pendency of that election. The than they have been for many years. Our citarticle for its own amendment was intended to | izens have long held, and continue to hold, nusecure the amicable adjustment of conflicting merous claims against the Spanish Government, Constitutional questions like the present which | These have been ably urged for a series of might arise between the Government of the States and that of the United States. This appears from contemporaneous history. In this connection, I shall merely call attention to a stitute a joint commission for the adjustment of few sentences in Mr. Madison's justly celebrat- these claims, and on the 5th day of March, ed report in 1799 to the Legislature of Virgin- 1860, concluded a convention for that purpose ia. In this he ably and conclusively defended with our present Minister at Madrid. Under the resolutions of the preceding. Legislature this Convention, what have been denominated against the strictures of several other State the Cuban claims, amounting to \$128,635, 54, Legislatures. These were mainly founded upon the protest of the Virginia Legislature ettizens are interested, were recognized, and against the Alien and Sedition acts, as palpa- the Spanish Government agreed to pay one ble and alarming infraction of the Constitu- hundred thousand dollars of this amount withtion. In pointing out the peaceful and Consti- in three months following the exchange of rattutional remedies, and he referred to none lifications. The payment of the remaining other, to which the States were authorized to \$28,635 54 was to await the decision of the resort, on such occasions, he concluded by commissioners for or against the Amistead saving that the Legislatures of the States claim, but in any event, the balance was to be might have made a direct representation to Con- paid to the claimants, either by Spain or the gress with a view to obtain a rescinding of the United States. Those terms, I have every two offensive acts, or they might have reason to know, are highly satisfactory to the represented to their respective Senators holders of the Cuban claims. Indeed, they Congress, their wish that two-thirds have made a formal offer, authorizing the proves how inadequate they are, without fur- thereof would have proposed an explanatory State Department to settle their claims, and to amendment to the Constitution or two-thirds deduct the amount of the Amistead claims tion in a single State, not to speak of other of themselves, if such had been their option, from the sums which they are entitled to re-

attitude. Congress alone has power to decide | tained a convention for the same object. This | This offer, of course, can not be accepted. whether the present laws cannot be amended is the very course which I earnestly recom- All other claims of the citizens of the United so as to carry out more effectually the objects | mend in order to obtain an explanatory amend- | States against Spain, or of subjects of the of the Constitution. The same insuperable ob | ment of the Constitution on the subject of sla- Queen of Spain against the United States, instacks do not lie in the way of executing the very. This might originate with congress or cluding the Amistead claim, were by this Conlaws for the collection of the customs. The the State Legislatures, as may be deemed most vention referred to a Board of Commissioners revenue still continues to be collected as here- advisable to attain the object. The explana- in the usual form. Neither the validity of tofore at the Custom House in Charleston, and 'tory amendment might be confined to the final the Amistead claim, nor any other claim should the Collector aufortunately resign, a settlement of the true construction of the against either party, with the single exception successor may be appointed to perform this Constitution or three special points: First, of the Cuban claims, was recognized by the Then, in regard to the property of the | an express recognition of the rights of proper- Convention. Indeed, the Spanish Government United States in South Carolina, this has been ty in slaves in the States where it now exists or did not insist that the validity of the Amistead purchased for a fair equivalent, by the consent | may hereafter exist. Second, the duty of pro- claim should be thus recognized, notwithstandf the Legislature of the State, for the erecting this right in all the common Territories ing its payment had been recommended to throughout their Territorial existence, and until | Congress by two of my predecessors, as well as they shall be admitted as States into the myself, and an appropriation for that purpose egislation has been expressly granted by the | Union, with or without slavery as their Consti- laid passed the Senate of the United States. Court to Congress. It is not believed that tutions may prescribe. Third, a like recogni- They were content that it should be submitted any attempt will be made to expel the United tion of the right of the master to his to the Board for examination and decision like States from this property by force; but if in slave who has escaped from one State to the other claims. Both Governments were this I should prove to be mitsaken, the officer another, to be restored and delivered up to him, bound respectfully to pay the amounts awardin the command of the forts has received or- and the validity of the fugitive slave law, to the several claimants, at such times and ders to act strictly on the defensive. In such caacted for this purpose, together with a dec-places as may be fixed by and according to the laration that all State laws impairing or defeat- tenor of said awards, and transmitted by this ing this right are violations of the Constitution | Convention to the Senate for their constituof the assailants. Apart from the execution and are consequently null and void. It may be tional action on 3d May, 1860, and on the 27th objected that this construction of the Constitu- of the succeeding June, they determined that tion has already been settled by the Supreme they would not advise and consent to its ratifishall be the relations between the Federal Go- Court of the United States, and what more cation. These proceedings place our relations vernment and South Carolina. He has been | ought to be required. The answer is that a | with Spain in an awkward and embarrassing very large proportion of the people of the Unit- position. It is more than probable that the ed States still controvert the correctness of this | final adjustment | of these claims will devolve decision and never will cease from agitation and upon my successor. I reiterate the recomedge the independence of that State. This admit its being in force until clearly established mendation contained in my annual message of would be to invest a mere Executive officer by the people of the several States in their December, 1858, and repeat that of Dewith the power of recognizing the dissolution sovereign character. Such an explanatory cember, 1859, in favor of the acquisition of of the confederacy among our thirty-three amountment would, it is believed, forever term- Cuba from Spain by fair purchase. I firmly sovereign States. It has no resemblance to the | inate the existing dissensions and restore peace | believe that such an acquisition would contri-The Preamble to the Constitution of the recognization of a foreign de-facto government and harmony among the States. It ought not to bute essentially to the well-being and prosp rity it ought to be tried in a spirit of con- tion upon the present occasion, if I believed The course of events is so rapidly hastening ciliation before any of these States shall that the transfer of Cuba to the United States, upon conditions highly favorable to Spain, When I entered upon the duties of the Pres- could justly tarnish the national honor of the opinion on this important subject. The ques- in a state of revolution against our Government. for a fair equivalent, both in money and com-

> With the Empire of Austria and the remaining continental powers of Europe, including

CHINA. The friendly and peaceful policy pursued by on that no such power has been delegated to ties we experienced a revulsion in monetary the Government of the United States towards ongress, or to any other department of the affairs, soon after my advent, proving of unex- the Empire of China, has produced the most sig the specific and enumerative powers what was then our condition, and contrast this served by the Chinese authorities. The Conaparent that its exercise is not necessary late Presidential election, we have abundant mentary to this treaty for the adjustment and d proper for carrying into execution any reason to return our grateful thanks to that satisfaction of the claims of our citizens in of these powers. So far from this power merciful Providence, which has never forsaken. China, referred to in my last annual message, has already been carried into effect, so far as this was practicable.

OUR POSSION RELATIONS-GREAT BESTAIN.

Under this convention, the sun of 500,000 n Constitution to exercise it. It can not be recised in any State, except by the people in highest sovereign capacity, when framing emending their State Constitution. In like

this amount, to wit: 300,000 taels for Canton, 100,000 for Shanghai, and 100,000 for Fachou, were delivered according to the terms of the convention, by the respective Chinese collectors of the customs of these ports, to the agent cordingly concluded by our late able and excelselected by our Minister to receive the same. lent Minister to Mexico, and on the fourth of Since that time the claims of our citizens have January last were submitted to the Senate for been adjusted by the Board of Commissioners ratification. As they have not received the appointed for that purpose, under the act of final action of that body, it would be improper blarch 3d, 1859; and their awards, which for me to present a detailed statement of their proved satisfactory to the claimants, have been provisions. Still I may be permitted to express approved by our Minister; in the aggregate, the opinion, in advance, that they are calcula they amount to the sum of \$498,694 78. The ted to promote the agricultural, manufacturing claimants have already received a large prothe fund provided, and it is confidently expect- Republic, as to whose fortunes and fate we can ed that the remainder will, ere long, be entirely never feel indifferent; whilst at the same time paid. After the awards shall have been satisfi- hey provide for the payment of a consideraed, there will remain a surplus of more than ble amount towards the satisfaction of the \$200,000, at the disposition of Congress. As claims of our injured fellow-citizens. this will in equity belong to the Chinese Gov-KANSAS AND UTAIL ernment, would not justice require its appropriation to some benevolent object, in which

the Chinese may be specially interested? Our Minister to China, in obedience to his instructions, has remained perfectly neutral in tween the parties. It is but an act of simple justice, both to our present Minister and his predecessor, to state, they have both proved fully equal to the delicate, trying and responsible positions in which they have on different occasions been placed.

The ratification of the treaty with Japan, concluded at Yeddo on the 29th of July, 1858, were exchanged at Washington on the 22d of itself, that there shall henceforward be perpet-ual peace and friendship between the United government established by Congress. States of America and his Majesty the Tycoon

With the wise, conservative and liberal government of the Empire of Brazil, our relations NEW GRENADA.

ember, 1857, has been long delayed from acperiod of my inauguration as to require me, o demand his passports and return to the tions of duty. United States. Under this condition, the Govnment of New Grenada has specially acriot at Panama on the 15th of April, 1856. missioners, I submit a copy of the Convention stitution according to their will and pleasure. necessary to carry it into effect.

COSTA RICA AND NICARAGEA. of their awards. This Convention will be subsubmission. mitted to the Senate for their Constitutional action. The claims of our citizens upon the to review the proceedings of Congress apon the Lecompton Constitution. It is sufficient to ob-Republic of Nicaragua, have not yet been provided for by treaty, although diligent efforts for this purpose have been made by our minis-

Indeed, our relations with that Empire are all | unsatisfactory condition. In my two last an imagine, whilst recalling the position of the patiently borne from any nation. For these impunity. Thus wrote our Minister in 1856, and expressed the opinion that nothing but a only cause for regret is the heavy expenditure nanifestation of the powers of the Govern- required to march a large detachm ment and of its purpose to punish these wrongs will avail.

Afterwards, in 1857, came the adoption of a new Constitution for Mexico, the election of a keep the Indians in check, and to protect the President and a Congress under its provisions, emigrant trains on their way to our Pacific posand the inauguration of a President within one short month. However, this President was ex-Constitution, and his authority derived from it, that the civil war commenced and still conthat the civil war commenced and still con-tinues to be prosecuted. Throughout the year curred in the Utah expedition, and the very large 1858 the Constitutional party grew stronger and stronger. In the previous history of Mexico a successul military revolution at the Capi-

tal had most universally been the signal for submission throughout the Republic. Not so in the present A majority of the citi- amounted to \$850,003 66, the Government. When this was recommended large majority of the Mexican States and people, including Vera Cruz, and all the important ple, including Vera Cruz, and all the important seaports on the Republic. From that period the Treasury, in the year ending on the 30th June, our unfortunate countrymen were at the moment engaged in the holy cause of offering relief to

wounded in the battle, without making any distinction between them. The time had arrived, in my opinion, when this Government was bound to exert its power to average and redress the wrongs of our citizens, and to afford them protection in Mexico.

The interposing obstacle was, that the country of the interposing obstacle was, that the country of the reduction, and for other causes, it may be considered that the arm of \$250,000 for this reduction, and for other causes, it may be considered that the arm of \$250,000 for this reduction, and for other causes, it may be considered that the arm of \$250,000 for this reduction, and for other causes, it may be considered that the arm of \$250,000 for this reduction, and for other causes, it may be considered that the arm of \$250,000 for this reduction. under the sway of Miramon could not be reached without passing over territory under the jurisdiction of the Constitutional Govern-Under these circumstances I deemed it my duty to recommend to Congress in my siderable degree by the care exercised by the appropriate Departments in entering into public contracts. Thave myself never interfered with ficient military force to penetrate into the interior where the government of Miramon was to be found, with, or if need be, without the consent of the Juarez government, though it was not doubted that his consent could be obwas not doubted that his consent could be obtained. Never have I had a clearer conviction and best bidder; it has ever been so given. It is on any subject than I have of the justice, as well as wisdom, of such a policy. No other alternative was left, except the entire abandonment of our fellow-citizens who had gone ernment as a prudent individual would act for to Mexico under the faith of treaties, to the himself. systematic injustice, cruelty and oppression of

Miramon's Government. Besides it is certain that a simple authority to employ this force would of itself have accomplished all our objects without striking a single blow. The Cont tutional Government would is founded upon a thorough examination and investigation of the subject. Indeed the spirit blow. The Cont tutional Government would then have been established at the city of Mexico, and would have been ready and willing, to the extent of its ability, to do us justice. In addition, and I deem this a most important concideration, Foreign Governments would have been deprived of all pretext to interfere in the local deprived of all pretext to interfere in the local deprived of all pretext to interfere in the local deprived of all pretext to interfere in the local deprived of all pretext to interfere in the local deprived of all pretext to interfere in the local deprived of all pretext to interfere in the local deprived of all pretext to interfere in the local deprived of all pretext to interfere in the local deprived of the subject. Indeed the spirit which prevailed some time since among a portion of our fellow citizens in favor of this trade, seems to have entirely subsided. I also congratulately appear to the proposed from the subject. Indeed the spirit which prevailed some time since among a portion of our fellow citizens in favor of this trade, seems to have entirely subsided. I also congratulate years against the crime of setting on foot military expeditions within the limits of the United States, to proceed from there are all the prevailed some time since among a portion of our fellow citizens in favor of this trade, seems to have entirely subsided. I also congratulate years are all the prevailed some time since among a portion of our fellow citizens in favor of this trade, seems to have entirely subsided. I also congratulate years are all the prevailed some time since among a portion of our fellow citizens in favor of the subject. Indeed the subject among a portion of our fellow citizens in favor of this trade, seems to have entirely subject. Indeed the subject. territorial and domestic concern of Mexico. We should thus have been relieved from the obligation of resting even by force, should this been affected since the commencement of my become necessary, any attempt by these Govorevertistian and patriot, that such expeditions of every christian and patriot, that such expeditions are considered to the properties of the properti become necessary, any attempt by these Govcraments to deprive our neighboring Republic of portions of her territory, a duty from which It would be a useless repetition to do more than

At the period of my inauguration I was confronted in Kansas by a revolutionary Government, existing under what was called the Topeka Constitution. The avowed object was to ubdue the Territorial Government by force, and to inaugurate what was called the Topeka lovernment in its stead. To accomplish this bject, an extensive military organization was rmed and its command entrusted to the most violent revolutionary leaders. Under these reumstances it became my imperative duty to exert the whole Constitutional power of the Executive, to prevent the flames of civil war from raging in Kansas, which the excited state of the public mind both North and South might have extended into the neighbo States. The hostile parties in Kansas had been inflamed against each other by emissaries both from the North and South, to a degree of nalignty without parallel in our history. To prevent eventual collision, and to resist

in the election, held the first Monday of Janand State officers, under the Lecompton Concontinue to be of the most amicable character. anti-Slavery party at the polls. This decision The exchange of the ratifications of the were in the majority, and removed the danger onvention with the Republic of New Gre. of civil war. From that time we have hear ada, signed at Washington, on the 10th Sep- nothing of the Topeka government, and all idental causes, for which neither party is cen- Kansas was then at an, end. The Lecompton surable. These ratifications were duly ex- Constitution which had been thus recognized at changed in this city on the 5th of November this State election, by the votes of both politi Thus, has a controversy been amicably cal parties in Kansas, was transmitted with the terminated, which had become so serious at the request that I should present it to Congress. on the 17th April, 1857, to direct our Minister | violation of my clearest and strongest convic-

The laws, and all the proceedings which proceeded and followed its formation, were mowledged itself to be responsible to our citi- fair, and regular on their face, and what I then zens for damages which were caused by the believed and expressed, has proven true, the interests of the people of Kansas would have These claims, together with other claims of our been best consulted by its admission as a State citizens which had been long urged in vain, into the Union, especially as the majority within are referred for adjustment to a board of Com- a brief period, could have amended the conto Congress, and recommend the legislation If fraud existed in any or all of these proceedings, it was not for the President but for Congress to investigate and determine the question of fraud, and what ought to be the conse-Persevering efforts have been mode for the quenees. If at the two first elections the maprevailed; a Convention was signed at the city under lawful authority even if they had not of San Jose, on the 2d of July last, between subsequently voted at the third election. It is the Minister resident of the United States, in | true that the whole Constitution had not been Costa Rica, and the Plenipotentiaries of that submitted to the people as I always desired, Republic, referring these claims to a board of but the precedents are numerous of the ad-

serve that their final action has rem ter resident in that Republic. These are still continued, with a fair prospect of success.

**Trick on the Southern portion of the Territory to resist the execution of the laws and to plunder peaceable citizens, will, I doubt not, be speedily brought to justice. Had I treated the Our relations with Mexico remain in a most to transmit it to Congress, it is not difficult to nual messages I discussed extensively the subject of these relations, and do not now propose the disastrons consequences both in and out of the Territory, from such derilection of duty on

patiently borne from any nation. For these our successive ministers, invoking the faith of treaties, had, in the name of their country, persistently demanded redress and indemnification, but without the slightest effect. Indeed, so confident had the Mexican authorities been, be-cause of our patient endurance, that they universally believed they might commit their out-rages upon American citizens with absolute strong to convince the people that resistance would be hopeless, and at the same time to offer them a pardon for past offenses, on condition of to that remote region, and to furnish its sub-sistence. Utah is now comparatively peaceful and quiet, and the military force has been with-

In my first annual message I promised to em-

our commerce with Mexico began to revive, and the Constitutional Government has afforded for the year ending 30th June, 1859, to \$66,346, it all the protection in their power. Meanwhile the government of Miramon still held sway at the Capital, and over the surrounding country, and continued its outrages against the few must be defucted from this amount the sum of seized in the hespital at that place, and shot without trial. This was done, notwithstanding which leaves a balance for the expenditures of which leaves a balance for the expenditures of that year of \$55,402,465 46. The in above sum of \$55,482,465 46, makes the aggregate of \$58,579,789 08. It ought in justice to be observed, that several of the estimates from all safely asserted that the sam of \$61,000,000, or, at partment, with the general instruction that these

AFRICAN SLAVE TRADE.

we could not surink without abandoning the traditional and established policy of the Amer-can people. refer with carnest commendation to my former recommendations in favor of the President to employ of the grant of power to the President to employ the may all force, or force in the vicinity, for the

In this respect, I desire to reiterate the recommendation contained in my last two annual
messages, in favor of imposing specific, instead
of ad valorem dutes, on all imported articles to
which these can paperly be applied. From long
observation and experience, I am convinced that
specific duties are becessary, both to protect the
revenue, and to seare to our manufacturing interests that amount of incidental encouragement
which unavoidably results from a revenue tariff.
As an abstract proposition, It may be admitted
that ad valorem dutes would, in theory, be the
most just and equal, but if the experience of this
and of all other commercial nations has demonstrated that such duties cannot be asked and collected without great frauds upon the revenue,
then it is the part of wisdom to resort to specific
duties. Indeed, from the very nature of an ad
colorem duty this must be the result under it.
The inevitable consequence is that foreign goods
will be entered at less than their true value. The
Treasury will therefore lose the duty on the difference between their real and fictitious value,
and to this exient ye are defrauded. The temptations which ad reforem duties present to a dis-

A better spirit, however seemed seon after

to prevail, and the two parties met face to face uary, 1858, for members of the Legislature stitution. The result was the triumph of the of the ballot-box proved clearly that this party serious danger of revolutionary troubles in This I could not have refused to do, without

It would not comport with my pr

to repeat at length the facts and arguments then presented. They proved conclusively that our citizens residing in Mexico, and our merchants trading thereto, had suffered a series of wrongs and outrages such as we have never nationally borne from any nation. For these

pelled from the Capital by a rebellion in the army, and the supreme powers of the Repub-I herewith transmit to Congress the reports of the Secretaries of War, of the Navy, of the Inte-rior, and the Postmasier General. The recom-mendations and suggestions which they contain are highly valuable, and deserve your careful at-tention. lie was assigned to Gen. Zualoaga. This usurper was in his turn soon compelled to retire from the place by General Miramon. Under the Constitution which had thus been adopted. Gen. Juarcz, as Chief Justice of the Supreme Court, became the lawful President of the Republic, and it was for the maintenance of the Constitution which and patience. I applied and was aided by the able and energetic efforts of the heads of the different Executive departments. The results of our labors in this good cause did not appear in the sum total of our expenditures amount of the contingent expenses of Con-during this period. These greatly exceede pay and mileage of the members. For the age amounted to \$1,490.214, the contingent ex-penses rose to \$2,093,309 79; and for the year ending June, 1859, whilst the pay and mileage zens persistently sustained the Constitutional penses amounted to \$1,431,565 is. I am happy, however, to be able to inform you that during the last fiscal year ending on the 30th June, 1866 in April, 1859, by the Government of the United States, its authority extended over a United States, its authority extended over a exclusive of the Various States and 1990. sum of \$55,492,465 46.

American citizens who still had the courage to remain within its power. To cap the climax, after the battle of Tacubaya, in April, 1859, Gen. Marques ordered three citizens of the United States, two of them physicians, to be seized in the hospital at that place, and shot engaged in the holy cause of offering relief to the soldiers of both parties who had been used in the battle, without making any amounted to \$3,177,314 62, which, added to the hereafter render extraordinary expenditures nec-essary. This result has been attained in a cononly once and without effect. The murderer was arrested, tried and committed to jail. answer the charge of assult and battery.

It is with great satisfaction I communicate the

conflication in the ports of Mexico and South Am rican Republics, when these may be in a dis-tured and revolutionary condition. It is my solical convection that without each a power, we cannot affurd that protection to those engaged in the commerce of the country which they have a right to demand.

Latest from Washington I again recommend to Congress the passage of a law, in pursuance of the provisions of the Constitution, appointing a certain day previous to the 4th of March, in each year of an odd number, for the election of Representatives throughout all the States. A similar power has already been exercised with general approbation, in the appointment of the same day throughout the Union for holding the election of electors for President and Vice President of the United States. My attention was carnestly directed to this subject from the fact that the 35th Congress terminated on the 3d of March, 1859, without making the necessary appropriation for the service of the Post Office Department, and I was then forced to consider the best remedy for this omission, and an immediate call of the present Congress was the usual resort. Upon inquiry, however, I ascertained that fifteen out of the thirty-five States, composing the confederacy were without Representatives, and that consequently fifteen States would be disfranchised by such a call. These fifteen States will be in the sane condition on the 4th of March next. Two of them cannot elect Representatives according to State lawa, matif different periods, extending from the beginning of August next usull the 9th of November; and you remember in my last Message I gave warning that in a time of ladden and alarming danger, the salvation of air institutions might depend upon the power of the President immediately to assemble a full Congress to meet the emergency.

Tanter.

It is now quite evident that the financial necessities of the Government will require a modification of ac Tariff during your present session, for the purpose of increasing SOUTHERN CONGRESSMEN REFERE TO The President's Message Condemned and The Commander of Fort Moultrie TERRIBLE SHIPWRECK-122 LIVES LOST! Interesting from Washington-The Secession Movement Discussed! Washington, Dec. 4.—Senate—Mr. Cling-man moved the publication of the President's message. He thought a number of the States

thing Congress could do is to divide the public property fairly, after paying the national debt. Mr. Crittenden said that the gentleman had better have stayed away than to come to make such propositions. Clingman replied that when the Union ceases to protect North Carolina, the THE REVENUE. In this respect, I desire to refterate the gelatter would give good bye.

Senate adjouned.

House discussed the question f printing the President's Message. Several Southern members refused to vote on the proposition or amendments, on account of their tates having called Conventions to consider Nothing was accomplished, and the House The President's Message is condemned by

LATENT BY TELEGRAPH

WHAT CLINGHAN THOUGHT.

INTERESTING FOREIGN NEWS.

Major Scott and Delazon Smith Dead.

From Washington,

uld secede within sixty days, and the best

extremists, both North and South. The conservative members, including those from the border slave States, approve mainly of the general principles ennumerated. Fort Maultrie. NEW YORK, Dec. 5 .- The Herald's Wash-

ington correspondent says that the Commander of Fort Moultrie, has asked the War Depart ons which ad reforem duties present to a dis-est importer, are irresistible. His object is ass his goods through the custom house at the ment for additional troops and munitions, is understood that the President and Secretary viowest valuation necessary to save them from fiscation. In this he too often succeeds, in we of the vigilince of the revenue officers, and the resort to false invoices, one for the of War, favor the demand, but the rest of t Cabinet differ. WASHINGTON, Dec. 5 .- SENATE .- Powell moved the reference, to a special committee, that portion of the President's Message relat-

ing to political affairs.

spite of the vigitines of the revenue omeers. Hence the resort to false invoices, one for the purchaser, another for the custom house; and to other expedients to defraud the Government. The honest importer produces his invoice to the collector, stating the actual price at which he purchased the articles abroad. Not so the dishonest importer, and the agent of the foreign manufacturer. And here it may be observed that a very large proportion of the foreign manufacturer imported from abroad, are consigned for sale to commission merchants, who are mere agents employed by the manufacturers. In such cases, where no actual sale has been made to fix their value, the foreign manufacturer, if he be dishonest, prepares an invoice of the goods, not at their actual value, but at the very lowest rate necessary to escape detection. In this manner the dishonest importer and the foreign manufacturer enjoy a decided advantage over the honest merchant. They are thus enabled to undersell the fair trader and drive him from the market. In fact, the operation of this system has already on Ways and Means, reported the bill of appropriations, for the payment of invalid and pensions, also, a bill for the support of the West Point Academy. Referred to the Committee of the Whole. Discussion of the Disunion Question. WASHINGTON, Dec. 5 .- SENATE .- Green of fered a resolution enquiring into the expediency of establishing an armed police, for the

House.-Mr. Sherman, from the Committee

border States, free and slave, to maintain peace and execute the Fugitive Slave Law. merchants, whose character throughout the world is the pride of our dountry.

The remedy for these evils is to be found in specific duties, so har as this may be practicable. They dispense with any inquiry at the Custom House into the actual cost or value of the article, and it pays the precise amount of duty previously fixed by law. They present no temptations to the appraisers of foreign goods, who receive but small sunaries, and might by undervaluation in a few cases, render themselves independent. Besides, specific duties best conform to the requisition in the Constitution, that no preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another. Under our ad valors a system such preferences are to chants, whose claracter throughout the world Hale attacked the President's Message, as

Sailsbury said that Delaware would not do anything to lead to a separation of the States.

the ports of one State over those of another. Under our ad valorem system such preferences are to some extent, incritable, and complaints have often been made, that the spirit of this provision has been violated by a lower appraisement of the same articles at one port than at another. An impression strangely exough prevails to some extent, that specific duties are necessarily protective duties. Nothing can be more fallacious. Great Britain glories in free trade, and yet her whole revenue from imports, is at the present moment collected under a system of specific duties. It is a striking fact, in this connection, that in the commercial treaty of 33d January, 1960, between France and Engiand, one of the articles provides that the advalorem articles which it imposes shall be converted into specific duties within six months from its date, and these are to be ascer-House,-The Homestead Bill passed by a vote of 132 to 76. WASHINGTON, Dec. 5,-House,-The House passed the Military Academy and Pension bills,

Arrival of the Canadlan-Later from Europe. NEW YORK, Dec. 5 .- The steamer Canadian has arrived at Portland, with Liverpool dates control into specific dates within six onths from its date, and these are to be ascerdined by making an average of the prices for six onths previous to that time. The reverse of the proposition would be nearer the truth, because much larger amount of revenue would be colcied by merely converting the ad valorem duties a tariff into versely converting the received within a tariff into versely converting the received. of Friday, Nov. 23, via Queenstown. The steamers Asia, Borussia, Fulton and Vigo arrived out.

LIVERPOOL, Nov. 23,-Cotton sales of five days 33,000 bales, of which speculators and exporters took 4,000 bales each. The market ened very dull, and all qualities declined 4, and even more for inferior qualities. On Thursday there was an improved tone but no advance. Sales Friday 8,000 bales, of which speculators and exporters took 2,000 bales, closing firm. Orleans Fair 62; Orleans Middling 63; Upland Fair 74; Upland Middling

lected by merely converting the ad valorem duties of a tariff into general equivalent specific duties. To this extent the nevenue would be increased, and in the same proportion the specific duty might be diministed. Specific duties would secure to the American manufacturer the incidental protection to which he is fairly entitled under a revenue tariff, and to this, surely no person would object. The framers of the existing tariff have gone further, and in a liberal spirit, have discriminated in favor of large and useful branches of our manufactures—not by raising the rate of duties upon the importation of similar articles from abroad, but what is the same in effect, by admitting articles free of duty which enter into the composition of their fabrics. 64. Stock at Liverpool 575,000 bales, o which 437,000 bales are American. Breadcles free of duty which enter into the composition of their fabries.

Under the present system it has been often truly remarked that this incidental protection decreases when the manufacturer needs it most, and increases when he needs it least, and constitutes a sliding scale which always operates against him. The revenues of the country are subject to similar fluctuation, instead of approaching a steady standard as would be the case under a system of specific duties. They sink and rise with the sinking and rising prices of the articles in foreign countries. It would not be difficult for Congress to arrange a system of specific duties which would afford additional stability both to our revenue and our manufactures, and without

and money easier. The "Times" hopes for an our revenue and our manufactures, and without injury or injustice to any interest of the country. This might be accomplished by ascertaining the early reduction in the bank rate of discount. FRANCE.—Count Morny is going to Rome

This might be accomplished by ascertaining the average value of any given article for a series of years at the place of exportation, and by simply converting the state of advalorem duty upon it which might be deemed necessary for revenue purposes into the form of a specific duty. Such an arrangement could not injure the consumer if he should pay a greater amount of duty one year this would be counterbalanced by a lesser amount the next, and in the end the aggregate would be the same. I desire to call your immediate attention to the present condition of the Treasury, so ably and clearly presented by the Secretary in his report to Congress, and to recommend that measures be promptly adopted to enable it to discharge its pressing obligations.—The other recommendations of the report are well worthy of your favorable consideration.

I herewith transmit to Congress the reports of on a special mission with an autograph letter from the Emperor. It is stated that Walewski will succeed Persigny in the London Embassy. Rents 70f 15c. There is no new movement in Italy. The Clergy of the Neapolitan Provinces are paying homage to Victor Emanuel. The Arch Bishop of Naples returns to his

The rumors of a new Sardinian loan are con-The Dowager Queen of Naples with the Young Princess arrived at Rome. The French are about to occupy Terracina The Queen of Spain presented a rich sword

It is reported that Guyon said he would not The report of the Postmaster-General details deliver the material belonging to the Bourbon the circumstances unter which Cornelius Van-derbilt, on my request agreed, in the month of July last, to carry the (ocean mails between our Atlantic and Pacific costs. Had he not thus acttroops who entered the Roman States, either to to Emmanuel or Francis. Vienna letters speak of a guarantee from the German Confederation and Russia for seed, this important ther-communication must have been suspended, it least for a season. The P. M. General had no power to make him any other compensation than the postages on mail matter, which he might carry. It was known at the time, these postages would fall far short of an advantage convention. curing Venetia to Austria as necessary for the

o Guyon.

ing title under them, at least an equal amount.

several portions of Kanses have been redu

DISTRICT OF COLUMBIA.

Official Vote of Serth Carolina.-We

Breckinridge and Lane. 48,559

JAMES BUCHANAN.

PAMENT IN KANHAS.

security of Germany. The Bombay mail had reached England. adequate compensation as well as of the sum which the same service had previously cost the Government. Mr. Vanderbilt, in a commendable and yarns. The result of our Presidential con-ENGLAND.-There were vague rumors of a

pirit, was willing to rely upon the justice of ongress to make up the deficiency, and I thereore recommended, that an appropriation be land. test is commented on with satisfaction in Enggranted for this purpos.

I should do great injustice to the Attorney General were I to omit the mention of his distin-Terrible Shipwreck. The Brazilion Corvertte Donna Isabel was shipwrecked on the Coast of Barbary and 100 uished services in the measures adopted and rosecuted by him for the defence of the Governseamen and 23 officers lost. The seige of Gaeta at against numerous and unfounded claims to in California, purporting to have been made continues. Colonel Pianelli surrendered his

battallion of chaseuers to the Piedmontese y the Mexican Government, previous to the treaty of cession.

The successful opposition to these claims has saved to the United States, public property worth many millions of dollars, and to individuals hold The insubordination among the chiefs of the Bourbon troops indicate that the complete evacution of Gaeta is resolved upon. A castle n ar Munich is prepared for Francis 2d. France asks the Piedmontese whether Garibaldi pro-It has been represented to me from sources which I deem reliable, that the inhabitants in poses to attack Venetia in the spring with her sanction. It is rumored that five Neapolitan provinces are in a state of siege on account of the movements of the anti-annexationists ests in every other por ou of the country have | The province of Alvirri has partly risin en in surrection. The Peidmontese had occupied Terracina

tion appears to be so general that it cannot be re-lieved by private contrictions, and they are in such indigent circumstance as to be unable to purchase the necessities of life for themselves. I but Antoncili protested and Guyon told, then to evacuate. A Naples dispatch says Francis 2d burst a refer the subject to Congess. If any constitu-tional measure for their elief can be devised, I would recommend its adoption. blood vessel on the 22d. FRANCE.—The prohibition against the orportation of iron has been abolished. I cordially commend to your favorable regard the interests of the people of this district. They are eminently entitled it your consideration, es-

Arrival of California Express. are eminently entitled to your consideration, especially as unlike the people of the States, they FORT KEARNEY, Dec. 5,-The California express of the 24th has arrived. Trade was dull. Attempts to force sales of Cuba sugars at au tion were unfavorably met, and the marke Nurder in Sparta. A. Mr. Wm. Morgan, declined 1½ cents. The Eastern secession demonstrations are regretted. Major Scott and Delazon Smith are dead. \$113,000 gold from of Sparta, was killed by a man named Wm. M. Green, in that place Saturday week. The murdered man was stabled in seventeen differsince November 4. ect places. Morgan fired at his antagonists

Negro Riot. A riot occurred at the Victoria theatre. The negroes, who had been assigned separate seats demurred and drove out the whites. The ri-From Missouri.

W. P. Green, Jas. H. Bryan and C. Davis oters were arrested. were also tried as accessories to the murder. The first named was held to bail in a bond or INDEPENDENCE, Mo., Dec. 3 .- The New Mex-\$5,000; Bryan and Davis were bound over to ican mail of the 12th has arrived. Business at Santa Fe was very dull. News unimport-

From Georgia. are indebted to the Raleigh Register for the of- MILLEDGEVILLE, Dec. 3. - The Retaliatory ficial vote of the State of North Carolina in the Bill passed the House after the rejection of late Presidential election. The following is the Sprayberry's amendment.

The Secession Movement. WASHINGTON, Dec. 3, Evening .- A consul-Breckinridge's majority 3,543 of the border States in the Secession move

The Electors on the Douglas and Johnson ments. The Union meeting of Representatives and ticket received only 2701 votes in the whole Senators was postponed at the request of Mr. State. On account of informality in the re- Crittenden. turns made by the Sheriffs of Bladin and Madi-

Boston, Dec. 3 .- After the dissolution of the son, the vote of each of those counties was thrown out, and the Sheriff of Alleghany failed to make any resurn of the vote of that county. turbance was apprehended, and a batta The Atlanta (Ga.,) Daily National infantry was held in readiness, but the police Americam has been discontinued for the present on account of the failure of its proprietors to make collections. The Weekly will make the failure of its proprietors to make collections. The Weekly will make the former meeting, the summary dissolution whereof was viewed with general satisfaction.