

UNITED STATES.

WASHINGTON, Dec. 4

MESSAGE of the President of the United States, communicated to both Houses of Congress at the commencement of the First Session of the Twelfth Congress.

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

Fellow-Citizens of the Senate, and of the House of Representatives.

A revolution of the seasons has nearly been completed since the Representatives of the People and States of this Union were last assembled at this place, to deliberate and to act upon the common important interests of their constituents. In that interval the never slumbering eye of a wise and beneficent Providence has continued its guardian care over the welfare of our beloved country. The blessing of health has continued generally to prevail throughout the land. The blessing of peace with our brethren of the humane race has been enjoyed without interruption: internal quiet has left our fellow-citizens in the full enjoyment of all their rights and the free exercise of all their faculties to pursue the impulse of their nature, and the obligation of their duty in the improvement of their own condition. The productions of the soil, the exchanges of commerce, the vivifying labours of human industry, have combined to mingle in our cup a portion of enjoyment as large and liberal as the indulgence of Heaven has perhaps ever granted to the imperfect state of man upon earth; and as the purest of human felicity consists in its participation with others, it is no small addition to the sum of our national happiness, at this time, that peace and prosperity prevail to a degree seldom experienced over the whole habitable globe; presenting, though as yet with painful exceptions, a foretaste of that blessed period of promise, when the lion shall lie down with the lamb, and wars shall be no more. To preserve, to improve, and to perpetuate the sources, and to direct in their most effective channels, the streams which contribute to the public weal, is the purpose for which government was instituted. Objects of deep importance to the welfare of the Union are constantly recurring to demand the attention of the Federal Legislature; and they call with accumulated interest, at the first meeting of the two Houses, after their periodical renovation. To present to their consideration from time to time, subjects in which the interests of the nation are most deeply involved, and for the regulation of which the legislative will is alone competent, is a duty prescribed by the Constitution, to the performance of which the first meeting of the new Congress is a period eminently appropriated, and which it is now my purpose to discharge.

Our relations of friendship with the other nations of the earth, political and commercial, have been preserved unimpaired; and the opportunities to improve them have been cultivated with an anxious and unremitting attention. A negotiation upon subjects of high and delicate interest with the government of Great Britain has terminated in the adjustment of some of the questions at issue, upon satisfactory terms, and the postponement of others for future discussion, and agreement. The purposes of the Convention concluded at St. Petersburg, on the 12th day of July, 1822, under the mediation of the late Emperor Alexander, have been carried into effect, by a subsequent Convention concluded at London, on the 13th of November, 1826, the ratifications of which were exchanged at

that place on the 6th day of February last. A copy of the Proclamation issued on the nineteenth day of March last, publishing this Convention, is herewith communicated to Congress. The sum of twelve hundred and four thousand nine hundred and sixty dollars, therein stipulated to be paid to the claimants of indemnity under the first Article of the Treaty of Ghent, has been duly received, and the commission instituted conformably to the Act of Congress of the second of March last, for the distribution of the indemnity to the persons entitled to receive it, are now in session, and approaching the consummation of their labours. This final disposal of one of the most painful topics of collision between the United States and Great Britain, not only affords an occasion of gratulation to ourselves, but has had the happiest effect in promoting a friendly disposition, and in softening asperities upon other objects of discussion. Nor ought it to pass without the tribute of a frank and cordial acknowledgement of the magnanimity with which an honorable nation, by the reparation of their own wrongs, achieves a triumph more glorious than any field of blood can ever bestow.

The Conventions of 3d of July, 1815, and of 20th October, 1818, will expire by their own limitation on the 20th of October, 1828. These have regulated the direct commercial intercourse between the United States and Great Britain, upon terms of the most perfect reciprocity; and they effected a temporary compromise of the respective rights and claims to territory westward of the Rocky Mountains. These arrangements have been continued for an indefinite period of time, after the expiration of the above mentioned Conventions; leaving each party the liberty of terminating them, by giving twelve months notice to the other. The radical principle of all commercial intercourse between independent nations, is the mutual interest of both parties. It is the vital spirit of trade itself; nor can it be reconciled to the nature of man, or to the primary laws of human society, that any traffic should long be willingly pursued, of which all the advantages are on the one side, and all the burdens on the other. Treaties of Commerce have been found, by experience, to be among the most effective instruments for promoting peace and harmony between nations whose interests, exclusively considered on either side, are brought into frequent collisions by competition. In framing such treaties, it is the duty of each party, not simply to urge with unyielding pertinacity that which suits its own interest, but to concede liberally to that which is adapted to the interest of the other. To accomplish this, little more is generally required than a simple observance of the rule of reciprocity, and were it possible for the statesmen of one nation, by stratagem and management, to obtain from the weakness or ignorance of another, an over-reaching treaty, such a compact would prove an incentive to war rather than a bond of peace. Our conventions with Great Britain are founded upon the principles of reciprocity. The commercial intercourse between the two countries is greater in magnitude and amount than between any two other nations on the globe. It is, for all purposes of benefit or advantage to both, as precious, and in all probability, far more extensive than if the parties were still constituent parts of one and the same nation. Treaties between such states, regulating the intercourse of peace between them, and adjusting interests of such transcendent importance to both, which have been found, in a long experience of years, mutually advantageous, should not be lightly cancelled or discontinued. Two conventions for

continuing in force those above mentioned, have been concluded between the Plenipotentiaries of the two Governments, on the 6th August last, and will be forthwith laid before the Senate for the exercise of their constitutional authority concerning them.

In the execution of the Treaties of Peace of Nov. 1782 and Sept. 1783, between the United States and Great Britain, and which terminated the war of our Independence, a line of boundary was drawn as the demarcation of territory between the two countries, extending over nearly twenty degrees of latitude, and ranging over seas, lakes, and mountains, then very imperfectly explored, and scarcely opened to the geographical knowledge of the age. In the progress of discovery and settlement of both parties since that time, several questions of boundary between their respective Territories, have arisen, which have been found of exceedingly difficult adjustment. At the close of the last war with Great Britain four of these questions pressed themselves upon the consideration of the negotiators of the Treaty of Ghent, but without the means of concluding a definitive arrangement concerning them. They were referred to three separate Commissions, consisting of two Commissioners, one appointed by each party, to examine and decide upon their respective claims. In the event of disagreement between the Commissioners, it was provided that they should make reports to the several governments; and that the reports should finally be referred to the decision of a Sovereign, the common friend of both. Of these Commissions, two have already terminated their sessions and investigations, one by entire, and the other by partial agreement. The Commissioners of the fifth article of the Treaty of Ghent have finally disagreed, and made their conflicting reports to their own Governments. But from these reports a great difficulty has occurred in making up a question to be decided by the Arbitrator. This purpose has, however, been effected by a fourth Convention, concluded at London by the Plenipotentiaries of the two Governments on the 29th of September last. It will be submitted, together with the others, to the consideration of the Senate.

While these questions have been pending, incidents have occurred of conflicting pretensions, and of dangerous character upon the territory itself in dispute between the two nations. By a common understanding between the Governments it was agreed that no exercise of exclusive jurisdiction by either party, while the negotiation was pending, should change the state of the question of right to be definitively settled. Such collision has nevertheless recently taken place, by occurrences, the precise character of which has not yet been ascertained. A communication from the Governor of the State of Maine, with accompanying documents, and a correspondence between the Secretary of State and the Minister of Great Britain, on this subject, are now communicated. Measures have been taken to ascertain the state of the facts more correctly by the employment of a special agent to visit the spot where the alleged outrages have occurred, the result of those enquiries, when received, will be transmitted to Congress.

While so many of the subjects of high interests to the friendly relations between the two countries have been so far adjusted, it is matter of regret that their views respecting the commercial intercourse between the United States and the British Colonial possessions have not equally approximated to a friendly agreement.

At the commencement of the last Session of Congress, they were informed of

the sudden and unexpected exclusion by the British Government, of access in vessels of the United States, to all their Colonial ports, except those immediately bordering upon our own territories. In the amicable discussions which have succeeded the adoption of this measure, which, as it affected harshly the interests of the United States, became a subject of expostulation on our part, the principles upon which its justification has been placed, have been of a diversified character. It has been at once ascribed to a mere recurrence to the old long established principle of Colonial monopoly, and at the same time to a feeling of resentment, because the offers of an Act of Parliament, opening the Colonial ports upon certain conditions, had not been grasped at with the sufficient eagerness by an instantaneous conformity to them. At a subsequent period it has been intimated that the new exclusion was in resentment, because a prior Act of Parliament of 1822, opening certain Colonial ports under heavy and burdensome restrictions to vessels of the United States, had not been reciprocated by an admission of British vessels from the colonies, and their cargoes, without any restriction or discrimination whatever. But, be the motive for the interdiction what it may, the British Government have manifested no disposition, either by negotiation or by corresponding legislative enactments, to recede from it, and we have been given distinctly to understand, that neither of the bills which were under the consideration of Congress at their last Session would have been deemed sufficient in their concessions, to have been rewarded by any relaxation from the British interdiction. It is one of the inconveniences inseparably connected with the attempt to adjust by reciprocal legislation interests of this nature, that neither party can know what would be satisfactory to the other; and that after enacting a statute for the avowed and sincere purpose of conciliation, it will generally be found utterly inadequate to the expectations of the other party, and will terminate in mutual disappointment.

The session of Congress having terminated without any act upon the subject, a Proclamation was issued on the 17th of March last, conformably to the provisions of the 6th section of the Act of 1st March, 1823, declaring the fact that the trade and intercourse authorised by the British Act of Parliament of 24th June, 1822, between the United States and British enumerated colonial ports, had been by the subsequent Acts of Parliament of 5th July, 1825, and the Order of Council of 27th July, 1826, prohibited. The effect of this Proclamation, by the terms of the Act under which it was issued, has been, that each and every provision of the Act concerning Navigation, of the 18th April, 1818, and of the Act supplementary thereto of the 15th May, 1820, revived, and is in full force. Such, then, is the present condition of the trade, that useful as it is to both parties, it can, with a single momentary exception, be carried on directly by the vessels of neither. That exception itself is found in a Proclamation of the Governor of the Island of St. Christopher, and of the Virgin Islands, inviting, for three months, from the 28th of August last, the importation of the articles of the produce of the United States, which constitute their export portion of this trade, in the vessels of all nations. That period having already expired, the state of mutual interdiction has again taken place. The British Government have not only declined negotiation upon this subject, but, by the principle they have assumed, with reference to it, have precluded even the means of