Democratic Watchman.

PRINTED AND PUBLISHED BY
S. S. SEELY & J. S. BARNHART.

BELLEFONTE, CENTRE COUNTY, PENN'A., THURSDAY, DECEMBER 16, 1858.

TERMS: $1 50 IN ADVANCE.
VOLUME 3—NUMBER 51.

Terms of Publication.

TERMS —$1,50 cts if paid within three months —$2,00 if dlayed six months, and $2,50 if not paid within the year. These terms will be rigidly adhered to

ADVERTISEMENTS and Business Notices inserted at the usual rates and every description of

JOB PRINTING

EXECUTED in the neatest manner, at the lowest prices, and with the utmost despatch. Having purchased a large collection of type, we are prepared to satisfy the orders of our friends

Business Directory.

CHARLES H. HALE,
ATTORNEY AT LAW,
BELLEFONTE, PA.
Office with the Hon James T Hale
Nov 25, 1858-tf

DR. G. L. POTTER,
PHYSICIAN & SURGEON,
BELLEFONTE, CENTRE CO., PA.
Office on High Street (old office.) Will attend to professional calls as heretofore, and respectfully offers his services to his friends and the public
Oct 28-'58-tf

DR. J. H. MITCHELL,
PHYSICIAN & SURGEON,
BELLEFONTE, CENTRE CO., PA.
Will attend to professional calls as heretofore, and respectfully offers his services to his friends and the public Office next door to his residence on Spring street. Oct 28-58-tf

E. J. CRANE,
ATTORNEY AT LAW AND REAL ESTATE AGENT
CLEARFIELD, CLEARFIELD CO., PA
Sep 30-'58-tf.

E. J. HOCKMAN,
SURVEYOR AND CONVEYANCER
BELLEFONTE, PENN'A

JAMES H. HANKIN,
ATTORNEY AT LAW,
BELLEFONTE PENN'A
Office on High Street, opposite the residence of Judge Burnside

WILLIAM H. BLAIR,
ATTORNEY AT LAW,
BELLEFONTE, PA
Office with Hon James T Hale

SAMUEL LINN WILLIAM F. WILSON
LINN & WILSON,
ATTORNEYS AT LAW
Office on Allegany street, in the building formerly occupied by Humes, McAllister Hale & Co., Bankers
August 19 55 1year

DR. JAMES P. HUTCHISON,
PHYSICIAN & SURGEON,
Successor to Dr Wm J McKee respectfully tenders his professional services to the citizens of POTTER'S MILLS and vicinity Office at the Rutaw House

AMBROTYPES,
CRYSTALLOGRAPHS & DAGUERREOTYPES
Taken daily (except sundays) from 8 A M to 5 P M
BY J. S. BARNHART.
In his splendid Saloon, in the Arcade Building, Bellefonte, Penn'a

J. D. WINGATE,
RESIDENT DENTIST
Office and residence on the North East Corner of the Diamond, near the Court House
☞ Will be found at his office except two weeks in each month, commencing on the first Monday of the month when he will be away filling professional duties

GEORGE W. SWARTZ
WATCHMAKER & JEWELER,
BELLEFONTE PENN'A
Rooms one door East of E. C. Humes & Bro Store, on Allegheny street Clocks Watches and Jewelry neatly repaired and warranted
Aug 12-'58-tf

EAGLE HOTEL,
OPPOSITE THE WEST BRANCH BANK,
WILLIAMSPORT, PA
WILLIAM H. HAY, PROPRIETOR.
N. B —An Omnibus will run to and from the Depot and Packet Landings, to this Hotel, free of charge
Sept 3-57-tf

ADAM HOY,
ATTORNEY AT LAW,
BELLEFONTE, PENN'A
Will attend promptly to all legal business intrusted to him Special attention will be given to the Orphans Court Practice and Scrivening. His office is with the Hon James T Hale, where he can always be consulted in the English and German languages

J. H. STOVER,
ATTORNEY AND COUNSELLOR AT LAW
BELLEFONTE, PENN'A
Will practice his profession in the several Courts of Centre County. All business intrusted to him will be faithfully attended to Particular attention paid to collections, and all monies promptly remitted Can be consulted in the German as well as in the English language
Office on High st., formerly occupied by Judge Burnside and D. C. Boal, Esq.

MITCHELL & BUSH
ATTORNEYS AT LAW,
BELLEFONTE, PENN'A
Ira C Mitchell and D. G Bush have entered into copartnership in the practice of the Law, under the name of Mitchell & Bush, and will give prompt and proper attention to all business entrusted to them.
Office in Reynolds' Arcade, near the Court House.
Bellefonte, November 26-48 tf

F. P. GREEN,
DRUGGIST,
BELLEFONTE, PA
WHOLESALE AND RETAIL DEALER IN
Drugs, Medicines, Perfumery, Paints, Oils, Varnishes, Dye-Stuffs, Toilet Soaps, Brushes, Hair and Tooth Brushes, Fancy and Toilet Articles, Trussels and Shoulder Braces Garden Seeds.
Customers will find my stock complete and fresh, and all sold at moderate prices.
☞ Farmers and Physicians from the country are invited to examine my stock.

DENTAL CARD.
H. B. Parry.—SURGEON DENTIST.
(LATE OF LANCASTER, PA.)
HAS located permanently in Bellefonte, Centre County, where he proposes practising all the various branches of his profession in the most approved manner, and at moderate charges.
Office and residence in the house occupied by Mrs. E. Benner, directly opposite the residence of the late Hon. Thomas Burnside.
CARD.
We take pleasure in recommending Dr H. B. Parry to our friends as a thorough and accomplished Dentist.
C. H. BRESSLER, M. D.,
JAMES LOCKE, M. D.
Bellefonte, March 25-13-'58

FARE REDUCED.
STATES UNION HOTEL,
606 & 608 Market Street, above sixth,
PHILADELPHIA, PA.
G. W. HINKLE, Proprietor.
TERMS:—$1 25 PER DAY.

Carpets, Rugs, Travelling baskets, Umbrellas, Hand Trunks, &c., &c., at the cheap store of
Bellefonte, Oct, 14-'58 TONNER & STEEL

President's Message.

Fellow-citizen of the Senate and House of Representative:

When we compare the condition of the country at the present day with what it was one year ago, at the meeting of Congress, we have much reason for gratitude to that Almighty Providence which has never failed to interpose for our relief, at the most critical periods of our history. One year ago the sectional strife between the North and the South on the dangerous subject of slavery, had again become so intense as to threaten the peace and perpetuity of the confederacy. The application for the admission of Kansas as a State into the Union, fostered this unhappy agitation, and—brought the whole subject once more before Congress. It was the desire of every patriot that such measures of legislation might be adopted as would remove the excitement from the States and confine it to the Territory, where it legitimately belonged Much has been done, I am happy to say, towards the accomplishment of this object, during the last session of Congress.

The Supreme Court of the United States had previously decided that all American citizens have an equal right to take into the Territories whatever is held as property under the laws of any of the States, and hold such property there under the guardianship of the federal constitution, so long as the territorial condition shall remain

This is now a well established position, and the proceedings of the last session were alone wanting to give it practical effect The principle has been recognized, in some form or other, by an almost unanimous vote of Congress, that a Territory has a right to come into the Union either as a free or slave State, according to the will of a majority of people The just equity of all the States has thus been vindicated, and a fruitful source of dangerous dissension among them has been removed.

Whilst such has been the beneficial tendency of your legislative proceedings outside of Kansas, their influence has nowhere been so happy as within that Territory itself—Left to manage and control its own affair in its own way, without the pressure of external influence, the revolutionary Topeka organization and all resistance to territorial government established by Congress have been finally abandoned As a natural consequence that the fine Territory now appears to be tranquil and prosperous, and is attracting increasing thousands of immigrants to make it their happy home.

The past unfortunate experience of Kansas has enforced the lesson so often already taught, that resistance to lawful authority under our form of government, cannot fail in the end to prove disastrous to its authors Had the people of the Territory yielded obedience to the laws enacted by their legislature, it would at the present moment have contained a large additional population of industrious and enterprising citizens, who have been deterred from entering its borders by the existence of civil strife and organized rebellion.

It was the resistance to rightful authority and the persevering attempts to establish a revolutionary government under the Topeka constitution, which caused the people of Kansas to commit the grave error of refusing to vote for delegates to the convention to frame a constitution, under a law not denied to be fair and just in its provisions.—This refusal to vote has been the prolific source of all the evils which have followed In their hostility to the territorial government, they disregarded the principle, absolutely essential to the working of our form of government, that a majority of those who vote—not the majority of those who may remain at home, from whatever cause must decide the result of an election For this reason, seeking to take advantage of their own error, they denied the authority of the convention thus elected to frame a constitution.

The convention, notwithstanding, proceed to adopt a constitution, unexceptionable in its general features, and providing for the submission of the slavery question to a vote of the people, which, in my opinion, they were bound to do, under the Kansas and Nebraska act This was the all important question which had alone convulsed the Territory; and yet the opponents of the lawful government, persisting in their first error, refrained from exercising their right to vote and preferred that slavery should continue, rather than surrender their revolutionary Topeka organization.

A wiser and better spirit seemed to prevail before the first Monday in January last, when an election was held under the constitution. A majority of the people then voted for a Governor and other State officers for a member of Congress, and a member of the State Legislature. This election was warmly contested by the two political parties in Kansas, and a greater vote was polled than at any previous election A large majority of the members of the Legislature elect belonged to that party which had previously refused to vote. The anti-slavery party were thus placed in the ascendent, and the political power of the State placed in their hands. Had Congress admitted Kansas under the Lecompton constitution, the Legislature might, at its very first session, have submitted the question to a vote of the people, whether they would or would not have a convention to amend their constitution, either on the slavery or any other question, and have adopted all necessary means for giving speedy effect to the will of the majority. Thus the Kansas question would have been immediately and finally settled.

Under these circumstances, I submitted to Congress the constitution thus framed, with all the officers already elected necessary to put the State Government into operation, accompanied by a strong recommendation in favor of the admission of Kansas as a State. In the course of my long public life I never performed any official act which, in the retrospect, afforded me more heartfelt satisfaction. Its admission could have inflicted no possible injury on any human being, whilst it would, within a brief period, have restored peace to Kansas and harmony to the Union. In that event, the slavery question would ere this have been finally settled, according to the legally expressed will of a majority of the voters, and popular sovereignty would thus have been vindicated in a constitutional manner.

With my deep conviction of duty, I could have pursued no other course. It is true that, as an individual, I had expressed an opinion, both before and during the session of the convention, in favor of submitting the remaining clauses of the constitution, as well as that concerning slavery, to the people. But, acting in an official character, neither myself nor any human authority had the power to rejudge the proceedings of the convention, and declare the constitution it had framed to be a nulity. To have done this would have been a violation of the Kansas Nebraska policy act, which left the people "perfectly free to form and regulate their domestic institutions in their own way, subject only to the constitution of the United States."

It would equally have violated the great principle of popular sovereignty, at the foundation of our institutions, to deprive the people of the power, if they thought proper to execute it, of confiding to delegates elected by themselves the trust of framing a constitution, without requiring of them to subject their constitution to the trouble, expense and delay of a second election. It would have been in opposition to many precedents in our history, commencing in the very best age of the republic, of the admission of Territories as States into the Union, without a previous vote of the people approving their constitution.

It is to be lamented that a question so insignificant when viewed in its practical effects on the people of Kansas, whether decided one way or the other, should have kindled such a flame of excitement throughout the country. This reflection may prove to be a lesson of wisdom and of warning for our future guidance. Practically considered the question is simply whether the people of that Territory should first come into the Union and then change any provision in their constitution not agreeable to themselves, or accomplish the very same object by remaining out of the Union and framing another constitution in accordance with their will? In either case, the result would be precisely the same. The only difference in point of fact is, that the object would have been much sooner attained, and the pacification of Kansas more speedily effected, had it been admitted as a State during the last session of Congress.

My recommendation, however, for the admission of Kansas, failed to meet the approbation of Congress. They deemed it wiser to adopt a different measure for the settlement of the question For my own part I should have been willing to yield my assent to almost any constitutional measure to accomplish this object. I, therefore, cordially acquiesed in what was called the English compromise, and approved the "act for the admission of Kansas into the Union," upon the terms therein prescribed

Under the ordinance which accompanied the Lecompton constitution, the people of Kansas claimed double the quantity of public lands for the support of common schools, which had ever been granted to any State upon entering the Union and also the alternate sections of land for twelve miles on each side of two railroads, proposed to be constructed from the northern to the southern boundary, one from the eastern to the western boundary of the State. Congress deeming these claims unreasonable, provided, by the act of May 4 1858 to which I have just referred, for the admission of the State, but "upon the fundamental condition" that a majority of the people thereof, at an election to be held for that purpose should, in place of the very large grants of public lands which they had demanded under the ordinance, accept such grants as had been made to Minnesota and other new States

Under this act, should a majority reject the proposition offered them, it shall be deemed and held that the people of Kansas do not desire admission into the Union with said constitution under the conditions set forth in said proposition In that event the act authorizes the people of the Territory to elect delegates to form a constitution and State Government for themselves "whenever, and not before it is ascertained by a census, duly and legally taken, that the population of said Territory equal or exceeds the ratio of representation required for a member of the House of Representatives of the Congress of the United States." The delegates thus assembled "shall first determine by a vote whether it is the wish of the people of the proposed State to be admitted into the Union at that time, and, if so, shall proceed to form a constitution, and take all necessary steps for the establishment of a State government in conformity with the federal constitution." After this constitution shall have been formed, Congress, carrying out the principles of popular sovereignty and non-intervention, have left "the mode and manner of its approval or ratification by the people of the proposed States" to be "prescribed by law" and they "then shall be admitted into the Union as a State under such constitution thus fairly and legally made, with or or without slavery, as said constitution may prescribe."

An election was held throughout Kansas, in pursuance of the provisions of this act, on the second day of August last, and it resulted in the rejection, by a large majority, of the proposition submitted to the people by Congress. This being the case, they are now authorized to form another constitution preparatory to admission into the Union, but not until their number, as ascertained by a census, shall equal or exceed the ratio required to elect a member to the House of Representatives.

It is not probable, in the present state of the case, that a third constitution can be lawfully framed and presented to Congress by Kansas, before the population shall have reached the designated number. Nor is to be presumed that, after the sad experience in resisting the territorial laws, they will attempt to adopt a constitution in express violation of the provisions of an act of Congress. During the session of 1856, much of the time of Congress was occupied on the question of admitting Kansas under the Topeka constitution. Surely it is not unreasonable to require the people of Kansas to wait, before making a third attempt, until the number of their inhabitants shall amount to 93,420. During this brief period the harmony of the States, as well as the great business interests of the country, demand that the people of the Union shall not for a third time be convulsed by another agitation on the Kansas question. By waiting for a short time, and act in obedience to law, Kansas will glide into the Union without the slightest impediment.

This excellent provision, which Congress has applied to Kansas, ought to be extended and rendered applicable to all Territories which may hereafter seek admission into the Union.

Whilst Congress possesses the undoubted power of admitting a new State into the Union, however small may be the number of its inhabitants, yet this power ought not, in my opinion, to be exercised before the population shall amount to the ratio required by the act for the admission of Kansas. Had this been previously the rule, the country would have escaped all the evils and misfortunes to which it has been exposed by the Kansas question.

But justice to the people of the several States requires that this rule should be established by Congress. Each State is entitled to two Senators and at least one Representative in Congress. Should the people of the States fail to elect a Vice President, the power devolves upon the Senate to elect this officer from the two highest candidates on the list In case of the death of the President, the Vice President thus elected by the Senate, becomes President of the United States. On all questions of legislation, the Senators from the smallest States of the Union have an equal vote with those from the largest The same may be said in regard to the ratification of treaties, and of Executive appointments. All this has worked admirably in practice, whilst it conforms in principle with the character of a government instituted by sovereign States. I presume no American citizen would desire the slightest change in the arrangement. Still is it not unjust and unequal to the smallest State to invest some forty or fifty thousand people collected in a Territory with the attributes of sovereignty, and place them on an equal footing with Virginia and New York in the Senate of the United States?

For these reasons, I earnestly recommend the passage of a general act, which shall provide that upon the application of a territorial legislature, declaring their belief that the Territory contains a number of inhabitants which, if in a State, would entitle them to elect a member of Congress, it shall be the duty of the President to cause a census of the inhabitants to be taken, and if found sufficient, then, by the terms of this act, to authorize them to proceed, "in their own way" to frame a State constitution preparitory to admission into the Union I also recommend that an appropriation may be made, to enable the President to take a census of the people of Kansas.

The present condition of the Territory of Utah, when contrasted with what it was one year ago, is a sad object for congratulation. It was then in a state of open rebellion, and, cost what it might, the character of the government required that this rebellion should be suppressed and the Mormons compelled to yield obedience to the constitution and the laws In order to accomplish this object, as I informed you in my last annual message, I appointed a new Governor instead of Brigham Young and other federal officers to take the place of those who, consulting their personal safety, had found it necessary to withdraw from the Territory To protect these civil officers, and to aid them, as a posse comitatus, in the execution of the laws in case of need I ordered a detachment of the army to accompany them to Utah. The necessity of these measures are now demonstrated.

Of course it would be unjust to give this rule a retrospective application and exclude a State which acting upon the past practice of the government, has already formed its constitution, elected its legislature and other officers, and is now prepared to enter the Union

The rule ought to be applied, whether we consider its bearing on the people of the existing States: Many of the serious dissensions which have prevailed in Congress and throughout the country, would have been avoided, had this rule been established at an earlier period of the government.

Immediately upon the formation of a new Territory, people from different States and from foreign countries rush into it, for the laudable purpose of improving their condition. Their first duty to themselves is to open and cultivate farms, to construct roads, to establish schools, to erect places of religious worship, and to devote their energies generally to reclaim the wilderness and to lay the foundations of a flourishing and prosperous commonwealth. If, in this incipient condition, with a population of a few thousand, they should prematurely enter into the Union, they are oppressed by the burden of State taxation, and the means necessary for the improvement of the Territory and the advancement of their own interests, are thus diverted to very different purposes.

The federal government has ever been a liberal parent to the Territories, and a generous contributor to the useful enterprises of the early settlers. It has paid the expenses of their governments and legislative assemblies out of the common treasury, and thus relieved them from a heavy charge. Under these circumstances, nothing can be better calculated to retard their material progress, than to divert them from their useful employments, by prematurely exciting angry political contests among themselves, for the benefit of aspiring leaders.—It is surely no hardship for embryo, governors, senators, and members of Congress, to wait until the number of inhabitants shall equal those of a single congressional district. They surely ought not to be permitted to rush into the Union, with a population less than one half of several of the large counties in the interior of some of the States. This was the condition of Kansas when it made application to be admitted under the Topeka constitution. Besides, it requires sometime to render the mass of population collected in a new Territory, at all homogeneous, and to unite them on anything like a fixed policy. Establish the rule, and all will look forward to it and govern themselves accordingly.

On the 15th of September, 1857, Governor Young issued his proclamation, in the style of an independent sovereign, announcing his purpose to resist by force of arms the entry of the United States troops into our own Territory of Utah. By this he required all the forces in the Territory, to "hold themselves in readiness to march at a moment's notice to repel any and all such invasions," and establish martial law from its date throughout the Territory. These proved to be no idle threats. Forts Bridger and Supply were vacated and burnt down by the Mormons, to deprive our troops of a shelter after their long and fatiguing march. Orders were issued by Daniel H. Wells, styling himself "Lieutenant General, Nauvoo Legion," to stampede the animals of the United States on their march, to set fire to their trains, to burn the grass and the whole country before them and on their flanks, to keep them from sleeping by night surprises, and to blockade the road by felling trees, and destroying the fords of rivers, &c., &c.

The Secretary of War employed all his energies to forward them the necessary supplies, and to muster and send such a military force to Utah as would render resistance on the part of the Mormons hopeless, and thus terminate the war without the effusion of blood. In his effort he was efficiently sustained by Congress. They granted appropriations sufficient to cover the deficiency thus necessarily created, and also provided for raising two regiments of volunteers, "for the purpose of quelling disturbances in the Territory of Utah, for the protection of supply and emigrant trains and the suppression of Indian hostilities on the frontiers" Happily there was no occasion to call these regiments into service If there had been, I should have felt serious embarrassments in selecting them, so great was the number of our brave and patriotic citizens anxious to serve their country in this distant and apparently dangerous expedition. Thus it has ever been, and thus may it ever be.

Those orders were promptly and effectually obeyed. On the 4th October, 1857, the Mormons captured and burned on Green River three of our supply trains, consisting of seventy-five wagons loaded with provisions and tents for the army, and carried away several hundred animals. This diminished the supply of provisions so materially that General Johnston was obliged to reduce the ration, and even with this precaution, there was only sufficient left to subsist the troops until the first of June.

Our little army behaved admirably in their encampment at Fort Bridger, under those trying privations In the midst of the mountains, in a dreary, unsettled, and inhospitable region, more than a thousand miles from home, they passed the severe and inclement winter without a murmur—They looked forward with confidence for relief from their country in due season, and in this they were not disappointed.

The wisdom and economy of sending sufficient reinforcements to Utah are established not only by the event, but in the opinion of those who, from their position and opportunities, are the most capable of forming a correct judgment General Johnston, the commander of the forces, in addressing the Secretary of War, from Fort Bridger, under date of October 13, 1857, expresses the opinion that "unless a large force is sent here, from the character of the country, a protracted war on their (the Mormons) part is inevitable."—This he considered necessary to terminate the war "speedily and more economically than if attempted by insufficient means."—In the opinion of my predecessor, it was apparent beyond a doubt that the Mormons should yield obedience to the constitution and the laws, without rendering it necessary to resort to military force. To aid in accomplishing this object, I deemed it advisable, in April last, to dispatch two distinguished citizens of the United States, Messrs Powell and McCulloch to Utah They bore with them a proclamation addressed by myself to the inhabitants of Utah, dated on the sixth day of that month, warning them of their true condition, and how hopeless it was on their part to persist in rebellion against the United States, and offering all those who should submit to the laws a full pardon for their past seditions and treasons. At the same time, I assured those who would persist in rebellion against the United States, that they must expect no further lenity, but look to be rigorously dealt with according to their deserts. The instructions to these agents, as well as a copy of the proclamation, and their reports, are herewith submitted It will be seen by their report of the 3d of July last, that they have fully confirmed the opinion expressed by General Johnston in the previous October, as to the necessity of sending reinforcements to Utah In this they state, that they "are firmly impressed with the belief that the presence of the army here and the large additional force that had been ordered to this Territory, were the chief inducements that caused the Mormons to abandon the idea of resisting the authority of the United States. A less decisive policy would probably have resulted in a long, bloody and expensive war."

These gentlemen conducted themselves to my entire satisfaction, and tendered useful services in executing the humane intentions of the Government.

It affords me great pleasure to state, that Governor Cumming has performed his duty in an able and conciliatory manner, and with the happiest effect. I cannot in this connexion, refrain from mentioning the valuable services of Col. Thomas L. Kane, who, from motives of pure benevolence, and without any official character or pecuniary compensation, visited Utah during the last inclement winter for the purpose of contributing to the pacification of the Territory.

I am happy to inform you that the Governor and other civil officers of Utah, are now performing their appropriate functions without resistance. The authority of the Constitution and the laws has been fully restored, and peace prevails throughout the Territory.

A portion of the troops sent to Utah are now encamped at Cedar valley, forty-four miles southwest of Salt Lake, and the remainder have been ordered to Oregon to suppress Indian hostilities.

The march of the army to Salt Lake City, through the Indian territory, has had a powerful effect in restraining the hostile feelings against the United States, which existed in that region, and in securing emigrants to the far West against their depredations.—This will also be the means of establishing military posts and promoting settlements along the route.

I recommend that the benefits of our land laws and pre emption system be extended to the poor of Utah, by the establishment of a land office in that Territory.

I have occasion, also, to congratulate you on the result of our negotiations with China.

You were informed by my last annual message, that our minister had been instructed to occupy a neutral position in the hostilities committed by Great Britain and France against Canton. He was, however, at the same time, directed to co-operate cordially with the English and French ministers, in all peaceful measures to secure by treaty those just concessions to foreign commerce, which the nations of the world had a right to demand. It was impossible for me to proceed further than this, on my own authority, without usurping the war-making power, which, under the constitution, belongs exclusively to Congress.

Besides, after a careful examination of the nature and extent of our grievances, I did not believe they were of such a pressing and aggravated character, as would have justified Congress in declaring war against the Chinese empire, without first making another earnest attempt to adjust them by peaceful negotiation. I was the more inclined to this opinion, because of the severe chastisement which had but recently been inflicted upon the Chinese by our squadron, in the capture and destruction of the Barrier forts, to avenge an alleged insult to our flag.

The event has proved the wisdom of our neutrality. Our minister has executed his instructions with eminent skill and ability In conjunction with the Russian plenipotentiary; and each of the four powers has concluded a separate treaty with China, of a highly satisfactory character. The treaty concluded by our own plenipotentiary will immediately be submitted to the Senate.

I am happy to announce that, through the energetic yet conciliatory efforts of our consul general in Japan, a new treaty has been concluded with that empire, which may be expected materially to augment our trade and intercourse in that quarter, and remove from our countrymen the disabilities which have heretofore been imposed upon the exercise of their religion. The treaty shall be submitted to the Senate for approval without delay.

It is my earnest desire that every misunderstanding with the government of Great Britain, should be amicably and speedily adjusted. It has been the misfortune of both countries, almost ever since the period of revolution, to have been annoyed by a succession of irritating and dangerous questions, threatening their friendly relations. This has partially prevented the full development of those feelings of mutual friendship between the people of the two countries, so natural in themselves and so conducive to their common interests. Any serious interruption in the commerce between the United States and Great Britain, would be equally injurious to both. In fact, no two nations have ever existed on the face of the earth, which could do each other so much good or so much harm.

Entertaining these sentiments, I am gratified to inform you, that the long pending controversy between the two governments, in relation to the question of visitation and search, has been amicably adjusted The claim on the part of Great Britain, forcibly to visit American vessels on the high seas in time of peace, could not be sustained by the law of nations, and it has been overruled by her own most eminent jurists.—The question was recently brought to an issue, by the repeated acts of British cruisers, in boarding and searching our merchant vessels in the Gulf of Mexico and in the adjacent seas. These acts were the more injurious and annoying, as these waters are traversed by a large portion of the commerce and navigation of the United States, and then free and unrestricted use is essential to the security of the coastwise trade between different States in the Union.

Such vexatious interruptions could not fail to excite the feeling of the country, and to require the interposition of the government. Remonstrances were addressed to the British government against these violations of our rights of sovereignty, and a naval force was at the same time ordered to the Cuban waters, with directions "to protect all vessels of the United States on the high seas, from search or detention by the vessels of war of any other nation" These measures received the unqualified and even enthusiastic approbation of the American people. Most fortunately, however, no collision took place, and the British government promptly avowed its recognition of the principles of international law upon this subject as laid down by the government of the United States, in the note of the Secretary of State to the British minister at Washington, of April 10, 1858, which secure the vessels of the United States upon the high seas from visitation or search in time of peace, under any circumstances whatever. The claim has been abandoned in a manner reflecting honor on the British government, and evincing a just regard for the law of nations, and cannot fail to strengthen to amicable relations between the two countries.

The British government, at the same time, proposed to the United States that some mode should be adopted, by mutual arrangement between the two countries, of a character which may be found effective without being offensive for verifying the nationality of vessels suspected on good grounds of carrying false colors They have also invited the United States to take the initiative and propose measures for this purpose. Whilst declining to assume so grave a responsibility, the Secretary of State has informed the British government that we are ready to receive any proposals which they may feel disposed to offer, having this object in view, and to consider them in an amicable spirit. A strong opinion is, however, expressed, that the occasional abuse of the flag of any nation, is an evil far less to be deprecated, than would be the establishment of any regulations which might be incompatible with the freedom of the seas. This government has yet received no communication specifying the manner in which the British government would propose to carry out their suggestion; and I am inclined to believe that no plan which can be devised will be free from grave embarrassments. Still I shall form no decided opinion on the subject, until I shall have carefully and in the best spirit examined any proposals which they may think proper to make.

I am truly sorry I cannot also inform you that the complications between Great Britain and the United States, arising out of the Clayton and Bulwer treaty of April, 1850, have been finally adjusted.

At the commencement of your last session I had reason to hope, that emancipating themselves from further unavailing discussions, the two governments would proceed to settle the Central American questions in a practical manner, alike honorable and satisfactory to both; and this hope I have not abandoned. In my last annual message, I stated that overtures had been made by the British government for this purpose, in a friendly spirit, which I cordially reciprocated. Their proposal was, to withdraw these questions from direct negotiation between the two governments; but to accomplish the same object, by a negotiation between the British government and each of the Central American republics whose territorial interests are immediately involved. The settlement was to be made in accordance with the general tenor of the interpretation placed upon the Clayton and Bulwer treaty by the United States, with certain modifications. As negotiations are still pending upon this basis, it would not be proper for me now to communicate their present condition. A final settlement of these questions is greatly to be desired, as this would wipe out to the last remaining subject of dispute between the two countries.

Our relations with the great empires of France and Russia as well with all other governments on the continent of Europe, except that of Spain, continue to be of the most friendly character.

With Spain our relations remain in an unsatisfactory condition... In my message of December last, I informed you that our envoy extraordinary and minister plenipotentiary to Madrid had asked for his recall, and it was my purpose to send out a new minister to that court, with special instructions on all questions pending between the two governments, and with a determination to have them speedily and amicably adjusted, if that were possible This purpose has been hitherto defeated by causes which I need not enumerate

The mission to Spain has been entrusted to a distinguished citizen of Kentucky, who will proceed to Madrid without delay and [illegible] justice from the government.

Spanish officials, under the direct control of the captain-general of Cuba have insulted our national flag, and in repeated instances have, from time to time, inflicted injuries on the persons and property of our citizens. These have given birth to numerous claims against the Spanish government, the merits of which have been ably discussed for a series of years by our successful diplomatic representatives Notwithstanding this, we have not arrived at a practical result in any single instance unless we may except the case of the Black Warrior under the late administration; and that presented an outrage of such a character as would have justified an immediate resort to war All our attempts to obtain redress have been baffled and defeated. The frequent and oft recurring changes in the Spanish ministry, have been employed as reasons of delay. We have been compelled to wait, again and again, until the new minister shall have had time to investigate the justice of our demands.

Even what have been denominated the "Cuban claims" in which more than a hundred of our citizens are directly interested, have furnished no exception. These claims were for the refunding of duties unjustly exacted from American vessels at different custom houses in Cuba, so long ago as the year 1844 The principles upon which they rest have a parallel in every one of our claims in 1854, they were recognized by the Spanish government Proceedings were afterwards instituted to ascertain they amount, and this was finally fixed according to their own statement, (with which we were satisfied,) at the sum of $128,635 54 Just at the moment, after a delay of fourteen years, when we had reason to expect that this sum would be repaid with interest, we have received a proposal offering to refund one-third of that amount ($42 878 41) but without interest, if we would accept this in full satisfaction. The offer is also accompanied by a declaration that this indemnification is not founded on any reason of strict justice; but is made as a special favor.

One alleged cause for procrastination in the examination and adjustment of our claims, arises from an obstacle which it was the duty of the Spanish government to remove Whilst the captain general of Cuba is invested with general despotic authority in the government of that island, the power is withheld from him to examine and redress wrongs committed by officials under his control, on citizens of the United States.—Instead of making our complaints directly to him at Havana we are obliged to present them through our Minister at Madrid—These are then referred back to the captain general for information; and much time is thus consumed in preliminary investigations and correspondence between Madrid and Cuba, before the Spanish government will consent to proceed to negotiate. Many of the difficulties between the two governments would be obviated, and a long train of negotiation avoided, if the captain general were invested with the authority to settle questions of easy solution on the spot, where all the facts are fresh, and could be promptly and satisfactorily ascertained. We have hitherto insisted upon the Spanish government, to confer this power upon the captain general and our minister to Spain will again be instructed to urge this subject on their notice. In this respect, we occupy a different position from the powers of Europe.—Cuba is almost within sight of our shores: our commerce with it is far greater than that of any other nation, including Spain itself, and our citizens are in the habit of daily and extended personal intercourse with every part of the island. It is, therefore, a great grievance that when any difficulty occurs, no matter how unimportant, which might readily be settled at the moment, we should be obliged to resort to Madrid, especially when the very first step to be taken there is to refer it back to Cuba.

The truth is that Cuba, in its existing colonial condition, is a constant source of injury and annoyance to the American people. It is the only spot in the civilized world where the African slave trade is tolerated; and we are bound by treaty with Great Britain, to maintain a naval force on the coast of Africa, at much expense, both of life and treasure, solely for the purpose of arresting slavers bound to that island.—The late serious difficulties between the United States and Great Britain respecting the right of search, now so happily terminated, could never have arisen if Cuba had not afforded a market for slaves. As long as this market shall remain open, there can be no hope for the civilization of benighted Africa. Whilst the demand for slaves continues in Cuba, wars will be waged among the petty and barbarous chiefs of Africa, for the purpose of seizing subjects to supply the trade. In such a condition of affairs it is impossible that the light of civilization and religion can ever penetrate those dark abodes.

It has been made known to the world by my predecessors, that the United States have, on several occasions, endeavored to acquire Cuba from Spain by honorable negotiation. If this were accomplished, the last relic of the African slave trade would instantly disappear. We would not, if we could, acquire Cuba in any other manner.—