## President's Message.

Fellow-Citizens of the Senate and House of Representatives.

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 Con-

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 to 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 printiple has been recognised, in some form or other, by an almost unanimous vote of both houses of Congress, that a Territory has a right to come into the Union either as a free or a slave State, according to the will of a majority of its people. The just equality 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 affairs in its own way, without the pressure of exter-nal influence, the revolutionary Topeka organization and all resistance to the territorial government established by Congress, have been finally abandoned. As a natural consequence, that 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 failin 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

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 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 consti-

The convention, notwithstanding, proceeded 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

A wiser and better spirit seemed to prevail before the first Monday of 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 members 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 and take all necessary steps for the estabprevious election. A large majority of the members of the legislature elect belonged to ty with the federal constitution." After this that party which had previously refused to vote. The anti-slavery party were thus placed in the ascendant, and the political power of the State was in their own hands. Had Congress admitted Kansas into the Union 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 imme-

diately and finally settled. Under these circumstances, I submitted to Congress the constitution thus framed, with authorized to form another constitution, preall the officers already elected necessary to paratory to admission into the Union, but 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 have never performed any official act which, in the retrospect, has 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 consti-

tutional manner. With my deep convictions 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.— their inhabitants shall amount to ninety- sonal safety, had found it necessary to withas that concerning slavery, to the people.-But, acting in an official character, neither myself nor any human authority had the the Kansas and Nebraska act, which left the question. By waiting for a short time, and strated.

WILLIAM LEWIS,

-PERSEVERE.

Editor and Proprietor.

VOL. XIV.

HUNTINGDON, PA., DECEMBER 15, 1858.

NO. 25.

people of the Territory "perfectly free to acting in obedience to law, Kansas will glide in their own way, subject only to the constitution of the United States." It would equaly have violated the great principle of popuar sovereignty, at the foundation of our institutions, to deprive the people of the power, if they thought proper to exercise it, of conto many precedents in our history, commenthe Union, without a previous vote of the peo-

ple 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 be a lesson of wisdom and of warning for our future guidance. Practically considered, Union. 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 Con-

My recommendation, however, for the immediate 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 the Union" upon the terms therein prescribed.

Under the ordinance which accompanied the Lecompton consitution, the people of Kansas had claimed double the quantity of public lands for the support of common chools, which had ever been previously granted to any State upon entering the Union; twelves miles on each side of two railroads, proposed to be constructed from the northern to the southern boundary, and from the eastern to the western boundary of the State.— Congress, deeming these claims unreasonapeople 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 equals 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, lishment of a State government in conformiconstitution shall have been formed, Congress, carrying out the principles of populeft "the mode and manner of its approval or ratification by the people of the proposed State," to be "prescribed by law," and they "shall then be admitted into the Union as a State under such consitution thus fairly and

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 not until their number, as ascertained by a census, shall equal or exceed the ratio re- of the inhabitants to be taken, and if found quired to elect a member to the House of

legally made, or without slavery, as said

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 its population shall have reached the designated number. Nor is it to be presumed that, after their 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. Again, nearly the whole of the last session was devoted to the question of its admission under the Lecompton con-

orm and regulate their domestic institutions into the Union without the slightest impe-

This excellent provision, which Congress have applied to Kansas, ought to be exten-ded and rendered applicable to all Territories which may hereafter seek admission into

the Union. fiding to delegates elected by themselves the trust of framing a constitution, without requiring them to subject their constituents to the trouble, expense, and delay of a second election. It would have been in opposition election, it would have been in opposition to many presentation or proposition to the control of the control.

Whilst Congress possess 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 a population of the control. lation shall amount to the ratio required by cing in the very best age of the republic, of the act for the admission of Kansas. Had the admission of Territories as States into 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.

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, its legislature and other the country. This reflection may prove to constitution, elected its legislature and other officers, and is now prepared to enter the

> The rule ought to be adopted, whether we consider its bearing on the people of the Territories or upon the people of the existing States. Many of the serious dissensions which have prevailed in Congress and throughout the country, would have been supply of provisions so materially, that Gentalian country was abliged to reduce the reavoided, 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 condi-tion. 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 thouassent to almost any constitutional measure to accomplish this object. I, therefore, cordially acquiesced in what has been called the State taxation, and the means necessary for English Compromise, and approved the "Act the improvement of the Territory and the for the admission of the State of Kansas into 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 and also the alternate sections of land for these circumstances, nothing can be better calculated to retard their material progress, than to divert them from their useful employments, by prematurely exciting angry politi-cal contests among themselves, for the bene-fit of aspiring leaders. It is surely no hardble, provided, by the act of May 4, 1858, to which I have just referred, for the admission of the State on an equal footing with the original States, but "upon the fundamental condition precedent" that a majority of the not to be permitted to rush into the Union, with a population less than one-half of sevsome of the States. This was the condition of Kansas when it made application to be admitted under the Topeka constitution .-Besides, it requires some time to render the mass of a population collected in a new Ter-ritory, 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.

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 select 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 governlar sovereignty and non-intervention, have ment instituted by sovereign States. I pre-left "the mode and manner of its approval sume no American citizen would desire the slightest change in the arrangement. Still, is it not unjust and unequal to the existing States, 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 sufficient, then by the terms of this act to authorize them to proceed "in their own way" to frame a State constitution preparatory 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 subject 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, stitution. Surely it is not unreasonable to I appointed a new governor instead of Brigrequire the people of Kansas to wait, before ham Young, and other federal officers to take ty-three thousand four hundred and twenty. During this brief period the harmony of the civil officers, and to aid them, as a posse copower to rejudge the proceedings of the States, as well as the great business interests | mitatus, in the execution of the laws in case convention, and declare the constitution of the country, demand that the people of of need, I ordered a detachment of the army which it had framed to be a nullity. To the Union shall not for a third time be con- to accompany them to Utah. The necessity have done this would have been a violation of | vulsed by another agitation on the Kansas | for adopting these measures is now demon-

On the 15th September, 1857, Governor Press Indian hostilities. Young issued his proclamation, in the style of an independent sovereign, announcing his of the United States troops into our own Tertablished martial law from its date through- moting settlements along the route. out 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 "Live occasion also, to congratulate you on the result of our negotiations with China." "Lieutenant General, Nauvoo Legion," to stampede the animals of the United States troops on their march, to set fire to their them from sleeping by night surprises, and to blockade the road by felling trees, and de-

River, three of our supply trains, consisting of seventy-five wagons loaded with provisions

trying privations. In the midst of the mountains, in a dreary, unsettled, and inhospitable region, more than a thousand miles from winter without a murmur. They looked forward with confidence for relief from their to avenge an alleged insult to our flag. country in due season, and in this they were not disappointed.

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 efforts 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 some of the protection of the prot should have felt serious embarrassment in 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! The wisdom and economy of sending sufficient reinforcements to Utah are established eral of the large counties in the interior of not only by the event, but in the opinion of the revolution, to have been annoyed by a those who, from their position and opportunities, are the most capable of forming a cortions, threatening their friendly relations. nities, 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 18, 1857, expresses the opinion that "unless a large force is sent here, from the nature 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 mean time, it was my anxious desire 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 despatch 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 | sels in the Gulf of Mexico and the adjacent a full pardon for their past seditions and seas. These acts were the most injurious treasons. At the same time, I assured those and annoying, as these waters are traversed who should persist in rebellion against the by a large portion of the commerce and nav-United States, that they must expect no fur-igation of the United States, and their free United States, that they must expect no further lenity, but look to be rigorously dealt and unrestricted use is essential to the secur-with according to their deserts. The instrucity of the coast-wise trade between different tions 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 services in executing the humane intentions of the government.

It also affords me great satisfaction to state, that Governor Cumming has performed his duty in an able and conciliatory manner, and 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 in Cedar valley, forty-four United States to take the initiative, and pro-

The march of the army to Salt Lake City, through the Indian Territory, has had a powpurpose to resist by force of arms, the entry erful effect in restraining the hostile feelings against the United States, which existed ritory of Utah. By this he required all the among the Indians in that region, and in seforces in the Territory, "to hold themselves in readiness to march at a moment's notice to repel any and all such invasion," and establishing military posts and pro-

I recommend that the benefits of our land laws and pre-emption system be extended to

You were informed by my last annual mes sage, that our minister had been instructed to occupy a neutral position in the hostilities trains, to burn the grass and the whole coun- conducted by Great Britain and France try before them and on their flanks, to keep against Canton. He was, however, at the same time, directed to co-operate cordially with the British and French ministers, in all stroying the fords of rivers, &c., &c., &c.

These orders were promptly and effectually obeyed. On the 4th October, 1857, the Mormons captured and burned on Green mand. 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 Besides, after a careful examination of the

only sufficient left to subsist the troops until the first of June.

Our little army behaved admirably in their encampment at Fort Bridger, under these trying privations. In the midst of the many opinion, because of the severe chastisement which had then but recently been inflicted home, they passed the severe and inclement upon the Chinese by our squadron, in the capture and destruction of the Barrier forts,

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, he has peacefully, but effectually, co-operated with the English and French plenipotentiaries; 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 concilitory efforts of our consul general in Japan, a new treaty has been con-cluded with that empire, which may be expected materially to augment our trade and intercourse in that quarter, and remove from ments into service. If there had been, I our countrymen the disabilities which have heretofore been imposed upon the exercise of selecting them, so great was the number 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 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 interest. Any serious interruption of the commerce between the United States and Great Britian, would be equally injurious to both. In fact no two nations have ever existed on the face of the earth, dred of our citizens are directly interested, which could do each other so much good or

so much harm. Entertaining these sentiments, I am gratitroversy between the two governments, in 1844. The principles upon which they rest relation to the question of visitation and are so manifestly equitable and just, that search, has been amicably adjusted. The after a period of nearly ten years, in 1854, to visit American vessels on the high seas in time of peace, could not be sustained under the law of nations, and it had been overruled by her own most eminent jurists .--This question was recently brought to an issue, by the repeated acts of British cruisers, in boarding and searching our merchant ves-States of the Union. Such vexatious interruptions could not fail to excite the feelings 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 na-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 re-cognition of the principles of international 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 with the happiest effect. I cannot, in this in time of peace, under any circumstances whatever. The claim has been abandoned in a manner reflecting honor on the British govenment, and evincing a just regard for the law of nations, and cannot fail to strengthen the amicable relations between the two

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 verrifying the nationality of miles southwest of Salt Lake City; and the pose measures for this purpose. Whilst de- habit of daily and extended personal inter-remainder have been ordered to Oregon to sup- clining to assume so grave a responsibility, course with every part of the island. It is,

the Sccretary 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 amicably 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 free-dom of seas. This government has yet received no communication specifying the man-ner in which the British government would propose to carry out their suggestions; 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

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, 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 yet 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 ipon 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 the last remaining subject of dispute between the two countries.

Our relations with the great empires of France and Russia, as well as 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 plenipoten-tiary 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 intrusted to a distinguished citizen of Kentucky, who will proceed to Madrid without delay, and make another and final attempt to obtain justice from that government.

Spanish officials, under the direct control ef the captain general of Cuba, have insulf-ed our national flag, and, in repeated in-stances, 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 successive diplo-matic 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 tified 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 for 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 hunhave furnished no exception. These claims were for the refunding of duties unjustly exacted from American vessels at different cusfied to inform you, that the long-pending con- tom-houses in Cuba, so long ago as the year claim on the part of Great Britain, forcibly they were recognised by the Spanish government. Proceedings were afterwards instituted to ascertain their amount, and this was finally fixed according to their own statement (with which we were satisfied) at the sum of one hundred and twenty-eight thousand six hundred and thirty-five dollars and fifty-four cents. 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, (forty-two thousand eight hundred and seventy-eight dollars and forty-one cents,) 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 is the duty of the Spanish government to re-move. Whilst the captain-general of Cubais 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 .my entire satisfaction, and rendered useful law upon this subject, as laid down by the These are then referred back to the captaingeneral for information; much time is thus consumed in preliminary investigations and correspondence between Madrid and Cuba, before the Spanish government will consent to proceed to negotiation. 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 authority to settle questions of easy solution on the spot, where all the facts are fresh, and could be promptly and satisfacto-rily ascertained. We have hitherto in vain urged 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 habit of daily and extended personal inter-