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American Volunteer.

BY GEO. SANDERSON.

OUR COUNTRY—RIGHT OR WRONG.

[AT TWO DOLLARS PER ANNUM.

Whole No. 1429.

Carlisle, Pa. Thursday December 16, 1841.

New Series—Vol. 6, No. 27.

AGENTS.

JOHN MOORE, Esq. Newville
JOSEPH M. MEANS, Esq. Hopewelltownship.
THOMAS H. BAZZETT, Shippensburg.

PROCLAMATION.

WHEREAS the Hon. SAMUEL HERRICK, President Judge of the Court of Common Pleas in the county of Cumberland, Juniata, and Perry, and the Hon. John Stuart and John Lefevre, Judges of the said Court of Common Pleas of the county of Cumberland, have issued their precept bearing...

NOTICE IS HEREBY GIVEN

to the Coroners, Justices of the Peace, and Constables of the said county of Cumberland, that they be then and there in their proper person...

TANNERY FOR RENT.

The subscriber offers for rent the Tanning establishment recently the property of David S. Forney, deceased—situated on the corner of East and Louth streets, in the borough of Carlisle.

Estate of George Coffey, dec'd.

LETTERS of Administration on the estate of George Coffey, late of Southampton township, Cumberland county, dec'd., have been issued to the subscriber residing in said township.

NEW ESTABLISHMENT.

Wholesale & Retail Confectionery & Fruit Store, Main Street, a few doors west of Becket's Hotel, and next door to T. H. Skiles' Merchant Tailor Store, Carlisle, Pa.

GILLELAND & MONYER,

DEB leave to acquaint the public that they have commenced the above business in all its various branches. The Candies are manufactured by themselves and warranted to be of the best quality.

Miner's Notice.

WHEREAS George Logue, by his last will and testament, dated the 7th March, 1811, did devise three tracts of land to be divided among his widow Jane Logue, to be sold upon the death of his said wife, and the proceeds thereof, after the payment of certain specific legacies, to be divided among his brothers and sisters' children as tenants in common share and alike.

Trustees' Notice.

WHEREAS the Hon. SAMUEL HERRICK, President Judge of the Court of Common Pleas in the county of Cumberland, Juniata, and Perry, and the Hon. John Stuart and John Lefevre, Judges of the said Court of Common Pleas of the county of Cumberland, have issued their precept bearing...

MILITARY NOTICE.

ALL persons having claims in the Commonwealth, through any hands as Brigades, Inspectors, are hereby notified and requested to make known the same to the undersigned, by letter or otherwise, on or before the 31st of December next, in order that the same may be properly adjusted for payment, otherwise payment may not be had for another year.

LETTERS of Administration on the estate of Margaret Long, dec'd., late of Allen township, Cumberland county, have been issued to the subscriber residing in the same township.

Persons indebted to said estate will make payment immediately, and those having claims will present them for settlement to JOHN RICHELBERGER, Adm'r. November 11, 1841.

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MESSAGE.

FROM THE PRESIDENT OF THE U. STATES, TO THE TWO HOUSES OF CONGRESS, AT THE COMMENCEMENT OF THE SECOND SESSION OF THE TWENTY-SEVENTH CONGRESS.—WASHINGTON; December 7, 1841.

To the Senate and House of Representatives, of the United States:

In coming together, fellow-citizens, to enter again upon the discharge of the duties which the people have charged us, severally, we find great occasion to rejoice in the general prosperity of the country. We are in the enjoyment of all the blessings of civil and religious liberty, with unexampled means of education, knowledge and improvement.

Great Britain having made known to this Government that the expedition which was fitted out from Canada for the destruction of the steamboat Caroline, in the winter of 1837, and which resulted in the destruction of said boat, and in the death of an American citizen, was undertaken by orders emanating from the authorities of the British Government in Canada, and demanding the discharge of McLeod upon the ground that, if engaged in that expedition, he did but fulfill the orders of his Government, has thus been answered in the only way in which she could be answered by a Government, the powers of which are distributed among its several departments by the fundamental law.

If in Great Britain a power exists in the Crown to cause to be entered a nolle prosequi, which is not the case with the Executive power in the United States upon a prosecution pending in a State court; yet there, no more than here, can the chief Executive power rescue a prisoner from custody, without an order of the proper tribunal directing his discharge. The precise stage of the proceedings at which such order may be made is a matter of municipal regulation, exclusively, and not to be complained of by any other Government.

THE GLOBE. MESSRS. Blair and Rives propose issuing a Congressional Globe during the approaching Session of Congress, containing a full Report of the Proceedings, with Sketches of Debates, and an Appendix containing the Speeches at length, together with the President's annual Message and principal Documents. Both will be indexed.

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nation with whom we are at peace, and which was not more due to the rights of the United States, than to its own regard for justice. The correspondence which passed between the Department of State and the British Envoy, Mr. Fox, and with the Governor of Vermont, as soon as the facts had been made known to this department, are herewith communicated.

I regret that it is not in my power to make known to you an equally satisfactory conclusion in the case of the Caroline steamer, with the circumstances connected with the destruction of which in December, 1837, by an armed force fitted out in the Province of Upper Canada, you are already made acquainted. No such statement as was due to the public wrong done to the United States by this invasion of her territory, so wholly irreconcilable with her rights as an independent power, has yet been made.

In the view taken by this Government, the inquiry whether the vessel was in the employment of those who were prosecuting an unauthorized war against that Province, or was engaged by the owner in the business of transporting passengers to and from Navy Island in hopes of private gain, (which was most probably, the case,) in no degree alters the real question at issue between the two Governments. This Government can never concede to any foreign Government the power, except in a case of the most urgent and extreme necessity, of invading its territory, either to arrest the persons or to destroy the property of those who may have violated the municipal laws of such foreign Government, or have disregarded their obligations arising under the law of nations.

The territory of the United States must be regarded as sacredly secure against all such invasions, until they shall voluntarily acknowledge their inability to acquit themselves of their duty to others. And in announcing this sentiment, I do but affirm a principle which no nation on earth would be more ready to vindicate, at all hazards, than the people and Government of Great Britain.

If, upon a full investigation of all the facts, it shall appear that the owner of the Caroline was governed by a hostile intent, or had made common cause with those who were in the occupancy of Navy Island, then, so far as he is concerned, there can be no claim to indemnity for the destruction of his boat, which this Government would feel itself bound to prosecute since he would have acted not only in derogation of the rights of Great Britain, but in clear violation of the laws of the United States. But that is a question which, however settled, in no manner involves the higher consideration of the violation of territorial sovereignty and jurisdiction. To recognize it as an admissible practice, that each Government, in its turn, upon any sudden and unauthorized outbreak on a frontier, the extent of which renders it impossible for either to have an efficient force on every mile of it, and which outbreak, therefore, neither may be able to suppress in a day, may take vengeance in its own hands, and without even a pressing or overruling necessity, may invade the territory of the other, would inevitably lead to results equally to be deplored by both.

When border collisions come to receive the sanction, or to be made on the authority of either Government, general war must be the inevitable result. While it is the ardent desire of the United States to cultivate the relations of peace with all nations, and to fulfill all the duties of good neighborhood towards those who possess territories adjoining their own, that very desire would lead them to deny the right of any foreign power to invade their boundary with an armed force.

The correspondence between the two Governments on this subject will, at a future day of your session, be submitted to your consideration; and in the mean time I cannot but indulge the hope that the British Government will see the propriety of renouncing, as a rule of future action, the precedent which has been set in the affair at Schlosser.

I herewith submit the correspondence which has recently taken place between the American Minister at the court of St. James, Mr. Stevenson, and the Minister of Foreign Affairs of that Government on the right claimed by that Government to visit and detain vessels sailing under the American flag and engaged in prosecuting lawful commerce in the African seas. Our commercial interests in that region have experienced considerable increase, and have become an object of much importance, and it is the duty of this Government to protect them against all improper and vexatious interference. However desirous the United States may be for the suppression of the slave trade, they cannot consent to interpolations into the maritime code, at the mere will and pleasure of other governments. We deny the right of any such interpolation: to any one, or all the nations of the earth, without our consent. We claim to have a voice in all amendments or alterations of that code, and when we are given to understand, as in this instance, by a foreign government, that its treaties with other nations cannot be executed without the establishment and enforcement of new principles of maritime police, to be applied without our consent, we must employ a language neither of equivocal import, or susceptible of mis-construction. American citizens prosecuting a lawful commerce in the African seas, under the flag of their country, are not responsible for other abuse or unlawful use of that flag by others; nor can they rightfully on account of any such alleged abuse, be interrupted, molested or detained while on the ocean, and if thus molested or detained, while pursuing honest voyages in the usual way, and violating no law themselves, they are unquestionably entitled to indemnity.

since, by its municipal laws, denounced the most condign punishment. Many of the states composing this Union, had made appeals to the civilized world, for its suppression; long before the moral sense of other nations had become shocked by the iniquities of the trade. Whether this Government should enter into treaties containing mutual stipulations upon this subject, is a question for its mature deliberation.

Certain it is, that the right to detain American ships on the high seas can be justified on the plea of necessity for such detention, arising out of the existence of treaties between other nations, the same plea may be extended and enlarged by the new stipulations of new treaties, to which the United States may not be a party. This Government will not cease to urge upon that of Great Britain, full and ample remuneration for all losses, whether arising from detention or otherwise, to which American citizens have heretofore been, or may hereafter be subjected, by the exercise of rights, which this Government cannot recognize as legitimate and proper. Nor will I indulge a doubt that the sense of justice of Great Britain will constrain her to make a retribution for any wrong, or loss, which any American citizen, engaged in the prosecution of lawful commerce, may have experienced at the hand of her cruisers, or other public authorities. This Government at the same time, will relax no effort to prevent her citizens, if there be any so disposed, from prosecuting a traffic so revolting to the feelings of humanity. It seeks to do no more than to protect the fair and honest trader, from molestation and injury; but while the enterprising mariner, engaged in the pursuit of an honorable trade, is entitled to its protection, it will visit with condign punishment, others of an opposite character.

I invite your attention to existing laws for the suppression of the African slave trade, and recommend all such alterations, as may give to them greater force and efficacy. That the American flag is grossly abused by the abandoned and profligate of other nations, is but too probable. Congress has, not long since, had this subject under consideration, and its importance demands renewed and anxious attention.

I also communicate herewith the copy of a correspondence between Mr. Stevenson and Lord Palmerston upon the subject so interesting to several of the States of the Union, the duties, which resulted honorably to the United States, and advantageously to the United States.

At the opening of the last annual session, the President informed Congress of the progress which had been made in negotiating a convention between this Government and that of England, with a view to the final settlement of the question of the boundary between the territorial limits of the two countries. I regret to say, that little advancement of the object has been accomplished since last year; but this is owing to circumstances no way indicative of any abatement of the desire of both parties to hasten the negotiation to its conclusion, and to settle the question in dispute as early as possible. In the course of the session, it is my hope to be able to announce some further degree of progress towards the accomplishment of this highly desirable end.

The commission appointed by this Government for the exploration and survey of the line of boundary separating the States of Maine and New Hampshire from the continuous British Province is, it is believed, about to close its field labors, and is expected soon to report the results of its examinations to the Department of State. The report, when received, will be laid before Congress.

The failure on the part of Spain to pay, punctually, the interest due under the Convention of 1834, for the settlement of claims between the two countries, has made it the duty of the Executive to call the particular attention of that Government to the subject. A disposition has been manifested by it, which is believed to be entirely sincere, to fulfill its obligations, in this respect, so soon as its internal condition and the state of its finances will permit. An arrangement is in progress, from the result of which, it is trusted that those of our citizens who have claims under the Convention, will, at no distant day, receive the stipulated payments.

A Treaty of Commerce and Navigation with Belgium was concluded and signed at Washington on the 29th of March, 1840, and was duly sanctioned by the Senate of the U. States. The Treaty was ratified by His Belgian Majesty, but did not receive the approbation of the Belgian Chambers within the time limited by its terms, and has, therefore, become void.

The failure of the Congress of Ecuador to hold a session, at the time appointed for that purpose, in January last, will probably render abortive a treaty of commerce with that Republic, which was signed at Quito on the 15th of June, 1839, and had been duly ratified on our part, but which required the approbation of that body, prior to its ratification by the Ecuadorian Executive.

A Convention which has been concluded with the Republic of Peru, provided for the settlement of certain claims of citizens of the United States, upon the Government of that Republic, will be duly submitted to the Senate.

The claims of our citizens against the Brazilian Government, originating from captures, and other causes, are still unsatisfied. The United States have however, so uniformly shown a disposition to cultivate relations of amity with that Empire, that it is hoped, the unequivocal tokens of the same spirit towards us, which an adjustment of the affairs referred to would afford, will be given without further available delay.

The war with the Indian tribes on the Peninsula of Florida, has, during the last summer and fall, been prosecuted with untiring activity and zeal. A summer campaign was resolved upon as the best mode of bringing the war to a speedy and successful termination. Numbers have been captured, and still greater numbers have surrendered, and have been transported to join their brethren on the lands elsewhere allotted to them by the Government, and a strong hope is entertained, that under the conduct of our gallant officers at the head of the troops in Florida, that troublesome and extensive war will be speedily terminated. With all the other Indian tribes we are enjoying the blessings of peace. Our duty, as well as our best interests, prompt us to observe, in all our intercourse with them, fidelity in fulfilling the engagements, the practice of strict justice, as well as the constant exercise of acts of benevolence and kindness. These are the great instruments of civilization, and through the use of them alone can the untutored child of the forest be induced to listen to its teachings.

The Secretary of State, on whom the acts of Congress have devolved the duty of directing the proceedings for the Sixth Census, or enumeration of the inhabitants of the U. States, will report to the two Houses the progress of that work. The enumeration of persons has been completed, and exhibits a grand total of 17,089,452—making an increase over the Census of 1830, of 4,202,646 inhabitants, and showing a gain in a ratio exceeding 32 1/2 per cent. for the last ten years.

From the report of the Secretary of the Treasury, you will be informed of the condition of the finances. The balance in the Treasury on the first of January last, as stated in the report of the Secretary of the Treasury, submitted to Congress at the Extra Session, was \$987,345 03. The receipts into the Treasury during the first three quarters of this year, from all sources, amount to \$23,467,072 52. The estimated receipts for the fourth quarter, amount to \$5,943,055 25, amounting to \$30,410,127 74, and making with the balance in the Treasury on the 1st of January last, \$31,397,512 80. The expenditures for the first three quarters of this year amount to \$24,734,346 07. The expenditures for the fourth quarter, as estimated, will amount to \$7,207,723 73—making a deficit to be provided for, on the 1st of January next, of about \$627,557 90.

Of the loan of \$12,000,000, which was authorized by Congress at its late session, only \$5,452,726 00 have been negotiated. The shortness of time which it had to run, has presented no inconsiderable impediment in the way of its being taken by capitalists at home, while the same cause would have operated with much greater force in the foreign market. For that reason the foreign market has not been resorted to; and it is now submitted, whether it would not be advisable to amend the law by making what remains undisposed of, payable at a more distant day.

Should it be necessary, in any view that Congress may take of the subject, to revise existing tariff of duties, I beg leave to say, that, in the performance of that most delicate operation, moderate counsels would seem to be the wisest. The Government, under which it is our happiness to live, owes its existence to the spirit of compromise which prevailed among its framers—jarring and discordant opinions could only have been reconciled by that noble spirit of patriotism, which prompted conciliation, and resulted in harmony. In the same spirit the compromise bill, as it is commonly called, was adopted at the session of 1833. While the people of no portion of the Union will ever hesitate to pay all necessary taxes for the support of Government, yet an innate repugnance exists, to the imposition of burthens not really necessary for that object. In imposing duties, however, for the purposes of revenue, a right to discriminate as to the articles on which the duty shall be laid, as well as the amount, necessarily and most properly exists. Otherwise the Government would be placed in the condition of having to levy the same duties upon all articles, the productive, as well as the unproductive. The slightest duty upon some, might have the effect of causing their importation to cease, whereas others entering extensively into the consumption of the country, might bear the heaviest, without any sensible diminution in the amount imported. So also our Government may be justified in so discriminating by reference to other considerations of domestic policy connected with our manufactures.

So long as the duties shall be laid, with distinct reference to the wants of the Treasury, no well founded objection can be applicable to them. It might be esteemed desirable that no such augmentation of the tax should take place as would have the effect of annulling the proceeds distribution act of the last session, which act is declared to be inoperative the moment the duties are increased beyond 20 per cent. the maximum rate established by the Compromise act. Some of the provisions of the Compromise act, which will go into effect on the 30th day of June next, may, however, be found exceedingly inconvenient in practice, under any regulations that Congress may adopt. I refer more particularly to that relating to the home valuation. A difference in value of the same articles to some