

upon ourselves.

·T IN

FELLOW-CITIZENS OF THE SENATE AND HOUSE of REPRESENTATIVES :- Throughout the year since our last meeting, the country has been eminently prosperous in all its material inter-ests. The general health has been excellent, our have seen abundant, and plenty smiles throughout the land. Our commerce our introduction in the land. Our commerce and manufactures have been prosecuted with energy and industry, and have yielded fair and ample returns. In short, no nation in the tide of time has ever presented a spectacle of greater material prosperity than we have done until within a very recent period. The territoric descente the veto of the governor, declaring that slavery "is and shall be, forever prohibited in this Territory." Such an act, however, plainly violating the rights of property secured by the Constitution, will surely be declared void by the judiciary whenever it shall be presented in a legal form.

tensively prevails, and the Union of the States, which is the source of all these blessings, is threatened with destruction? The long-continned and intemperate interference of the Northern people with the question of slavery in the Southern States has at length produced its natural effects. The different sections of the Union are now arrayed against each other. and the time has arrived, so much dreaded by the Father of his Country, when hostile geographical parties have been formed. I have long foreseen and often forewarned my countrytional tribunal to popular assemblies would, if they could, invest a ierritorial legislature men of the now impending danger. This does not proceed solely from the claim on the part not proceed solely from the claim on the part of Congress or the territorial legislatures to ex-clude slavery from the Territories, nor from the efforts of different States to defeat the execu-tion of the Fugitive Slave law. All or any of tion of the Fugitive Slave law. All or any of these evils might have been endured by the to exercise it. It cannot be exercised in South without danger to the Union, (as others est sovereign capacity when framing or amendhave been,) in the hope that time and reflection might apply the remedy. The immediate peril have been,) in the hope that time and remetion might apply the remedy. The immediate peril arises not so much from these causes as from it can only be exercised by the people of a ter-ritory represented in a convention of delegates for the purpose of framing a constitution pre-for the purpose of framing a State into the Union. tion of the slavery question throughout the North for the last quarter of a century, has at length produced its malign influence upon the slaves, and inspired them with vague notions of freedom. Hence a zense of security no longer exists around the family altar. This feeling of peace at home has given place to ap prehensions of zervile insurrection. Many a matron throughout the South retires at night prehensions of servile insurrection. Many a prehensions of servile insurrection. Many a in dread of what may befail herself and her children before the morning. Should this ap-children before the morning. matter through the self and ner would depend to the shifting majorities of an irresponsible territorial legislature. Such a doctrine, from its intrinsic unsoundness, can-not long influence any considerable portion of our people, much less can it afford a good rea-son for a dissolution of the Union. implanted in the heart of man by his Creator for the wisest purpose; and no political union, however fraught with blessings and benefits in all other respects, can long continue, if the ne-cessary come queue, be to render the hormon can be to render the however fraught with blessings and benefits in however fraught with blessings and benefits in all other respects, can long continue, if the ne-cessary consequence be to render the homes and firesides of nearly half the parties to it habitu-ally and hopelessly insecure. Sooner or later the bonds of such a Union must be severed.— It is my conviction that this fatal period has But let us take warning in time, and remove the cause of danger. It cannot be denied that, for five and twenty years, the agitation at the North against slavery in the South, has been incessant. In 1835 pictorial handbills, and inflammatory appeals, were circulated extensively throughout the South, of a character to excite the passions of the slaves; and, in the language of General Jackson, "to stimulate them to insurrection, and produce all the horrors of a servile war." This agitation has ever since been continued by the public press, by the proceedings of State and county conventions, and by abolition sermons and lectures. The time and of Congress has been occupied in violent speeches on this never-ending subject ; and appeals in pamphlet and other forms, endorsed by distin-guished names, have been sent forth from this central point, and spread broadcast over the

justice, a regard for the Constitution, all re-diangerous act on the part of the President elect before resorting to such a remedy. It is said, however, that the antecedents of the President elect have been sufficient to justify secession as a constitution tify the fears of the South that he will attempt to invade their constitution of the nollest system of government is a mere voluntary aso-dation of States, to be dissolved at pleasure by the of this office, and its high responsibilities. He must necessarly be conservative. The stem and dissolved by the first adverse ture of his office, and its high responsibilities. penetrated and dissolved by the first adverse wave of public opinion in any of the States.— In this manner our thirty-three States may re-solve themselves into as many petty, jarring, and hostile republics, each one retiring from the Union, without responsibility, whenever such a course. By this process a Union might be entirely broken into fragments in a few the source the people of each of the several table vertices into as many petty, jarring, and hostile republics, each one retiring from the Union, without responsibility, whenever such a course. By this process a Union might be entirely broken into fragments in a few the source table vertices in a few the source table vertices is a much and deriving its authority from the source table vertices in the several table vertices is a much and table vertices is a much and table vertices is a much he must necessarly be conservative. The stern duty of administering the vast and complicated concerns of this Government affords in itself a guarantee that he will not attempt any violaguarantee that he will not attempt any viola-tion of a clear constitutional right. After all, such a course. By this process a Union might be entirely broken into fragments in a few weeks, which cost our forefathers many years he is no more than the chief cx cu ive officer of the Government. His province is not to make, but to execute, the laws; and it is a remarkable fact in our history, that, notwith-standing the repeated efforts of the anti slavery of toil, privation, and blood to establish

Such a principle is wholly inconsistent with party, no single act has ever passed Congress, the history as well as the character of the Fed unless we may possibly except the Missouri Compromise, impairing in the slightest degree, the rights of the South to their property in eral Constitution. After it was framed, with the greatest deliberation and care, it was subslaves. And it may also be observed, judging from press. It indications, that no possibility exists of the passage of such an act, by a ma-jority of both Houses, either in the present or the next Congress Surely, under these cir-cumstances, we ought to be restrained from mersent action by the present of Him who enclose ponents contended that it conferred powers at its creation guilty of the absurdity of provid-upon the Federal Government dangerous to the ing for its own dissolution. It was not intended rights of the States, whilst its advocates main-tained that under a fair construction of the instrument there was no foundation for such would vanish into thin air, but a substantial present action by the precept of Him who spake as never man spoke, that "sufficient unto the day is the evil thereof." The day of evil may never come, unless we shall rashly bring it It is alleged as one cause for immediate se cession that the Southern States are denied equal rights with the other States in the com-mon Territories. But by what authority are these denied? Not by Congress, which has never passed, and I believe never will pass, any act to exclude slavery from these Territories: and certainly not by the Supreme Court, which has solemnly decided that slaves are property, and, like all other property, their owners have a right to take them into the common Terri-tories, and hold them there under the protecsuch a proposition was first advanced. It was then met and refuted by the conclusive argu-It may be asked, then, are the people of the then met and reluted by the conclusive argu-ments of Gene.al Jackson, who in his message of 16th January, 1833, transmitting the nulli-fying ordinance of South Carolina to Congress, employs the following language : "The right of the people of a single State to absolve them-selves at will, and without the consent of the other States from their most solemen obliga-over side at all periods of the world's bistory. tion of the Constitution. So far, then, as Congress is concerned, the objection is not to anything they have already done, but to what they may do hereafter. It will surely be admitted that this apprehension of future danger is no good reason for an imme-diate dissolution of the Union. It is true that serves at with, and without the consent of the other States, from their most solern obliga-tions, and hazard the liberty and happiness of the millions composing this Union, cannot be acknowledged. Such authority is believed to be utterly repugnant both to the principles upon which the General Government is consti-tuted and to the objects which it was expressly cormed to attain " formed to attain.

the Constitution gives countenance to such a theory. It is altogether founded upon infer-Only three days after my inauguration the theory. It is altogether founded upon infer-ence, not from any language contained in the instrument itself, but from the sovereign char-acter of the several States by which it was ratified. But is it beyond the power of a State, like au individual, to yield a portion of its sovereign right to secure the remainder? In the language of Mr. Madison, who has been called the father of the Constitution : "It was formed by the States—that is, by the people in each of the States, acting in their highest sov-ercign capacity; and formed consequently by the same authority, which formed the State "Nor is the Government of the United Supreme Court of the United States solemnly adjudged that this power did not exist in a ter-ritorial legislature. Yet such has been the factious temper of the times that the correct-ness of this decision has been extensively impugned before the people, and the question has given rise to angry political conflicts through-out the country. Those who have appealed from this judgment of our highest constitu-

States, created by the Constitution, less a Gov-ernment in the strict sense of the term, within the sphere of its powers, than the governments created by the constitutions of the States are, within their several spheres. It is, like them, organized into legislative, executive, and judiciary departments. It operates, like them, directly on persons and things; and, like them it has at command a physical force for execu-ting the powers committed to it. It was intended to be perpetuated, and not

to be annulled at the pleasure of any one of the contracting parties. The old articles of con-federation were entitled "Articles of Confeder-ation and Perpetual Union between the States;" and by the 13th article it is expressly declared that "the articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual." The preamble to the Constitution of the United States, having express reference to the articles of Confedera-tion, recites that it was established "in order to form a more perfect Union." And yet it is contended that this "more perfect Union" does abodes, within a limited time "This duty not include the essential attribute of perpetuity

But that the Union was designed to be perpetual appears conclusively from the nature and extent of the powers conferred by the Constitu-tion on the Federal Government. These pow-ers embrace the very highest attributes of na-The bare enumeration of these provisions They are to be and up prayer to fold is that the question has arisen, have from the question has arisen, have from the union throughout all generations. Here to the fugitive slave have from the beginning declared the fugitive slave law vested with the power to coin money, and to make peace, here to posed to the states with posed by two-thirds of both Houses of Congress and have been "ratified by the Legislatures to the posed by two-thirds of both Houses of Congress alone has power to coin money, and to make peace, here to posed to the states with posed by two-thirds of both Houses of Congress alone has power to coin money, and to the posed by two-thirds of both Houses of Congress alone has power to coin money, and to the posed by two-thirds of both Houses of Congress alone has power to coin money, and to the posed by two-thirds of both Houses of Congress alone has power to coin money, and to the posed the fugitive slave law vested with the power to coin money, and to the posed by two-thirds of both Houses of the several States," and the posed to the fugitive slave law to the posed by two-thirds of both Houses of Congress alone has power to coin money, and to the posed to the posed by two-thirds of both Houses of the several States," and the posed to the posed by two-thirds of both Houses of the several States, "and the posed to the posed to the posed by two-thirds of the several States," and the posed to the posed by two-thirds of the posed to the po regulate the value thereof, and to regulate as to carry out more effectually the objects of commerce with foreign nations, and among the several States. It is not necessary to enumer-ate the other high powers which have been con-ferred upon the Federal Government. In order to carry the enumerated powers into effect, Con-to carry the enumerated powers into effect, Con-to be collected, as heretofore, at the custom-gress possesses the exclusive right to lay and collect duties on imports, and in common with the States to lay and collect all other taxes. But the Constitution has not only conferred these high powers upon Congress, but it has adopted effectual means to restrain the States from interfering with their exercise. For that purpose it has, in strong prohibitory language, expressly declared that "no State shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal ; coin money ; emit bills of credit ; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder *ex post facto* law, or law impairing the obligation of contracts."— Moreover, "without the consent of Congress, no State shall lay any imposts or duties on any imports or exports, except what may be absolutely necessary for executing its inspection laws;" and, if they exceed this amount, the excess shall belong to the United States. And "no State shall, without the consent of Congress, lay any duty of tonnage; keep troops, or ships of war, in time of peace; enter into any agreement or compact with another with a foreign power; or engage in State, or war, unless actually invaded, or in such imminent danger as will not admit of delay." In order still further to secure the uninterrupted exercise of these high powers against State interposition, it is provided "that this Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land ; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding." The solemn sanction of religion has been superadded to the obligations of official duty, and all senators and representatives of the United States, all members of State legislatures. willfully violated by one portion of them in a provision essential to the domestic security and happiness of the remainder. In that event the injured States, after having first used all peace-ful and constitutional means to obtain redress, In order to carry into effect these powers, the Constitution has established a perfect Gov-ernment in all its forms, Legislative, Execu-tive, and Judicial; and this Government, to it must be on the principle that the power has been the constitution on the the confederacy? If answered in the affirmative, it must be on the principle that the power has been the constitution on the the subject slavery. This might originate with Con-subject slavery. This might originate with Con-tine commend in order to obtain an "explanatory amendment" of the constitution on the the subject slavery. This might originate with Conthe extent of its powers, acts directly upon the been conferred upon Congress to declare and to gress or the State Legislatures, as may be deem ment must be guilty of "a deliberate, palpa-ble, and dangerous exercise" of powers not granted by the Constitution. The late presi-dential election, however, has been held in strict conformity with its express provisions. How, then, can the result justify a revolution to destroy this very Constitution? Reason,

Constitution of the United States is as much a postponed, and was never again I believe pre

It is not pretended that any clause in in the by virtue of an inherent constitutional right.

"Nor is the Government of the United of South Carolina, so far as the laws of the tates, created by the Constitution, less a Gov-United States to secure the administration of justice by means of the Federal Judiciary are concerned. All the Federal officers within its limits, through whose agency alone these laws can be carried into execution, have already re-signed. We no longer have a district judge, a district attorney, or a marshal, in South Caro lina. In fact, the whole machinery of the Federal Government, necessary for the distribution of remedial justice among the people, has been demolished; and it would be difficult, if not

impossible, to replace it. The only acts of Congress on the statutebook, bearing upon this subject, are those of the 28th February, 1795, and 3.1 March, 1807. These authorize the President, after he shall have ascertained that the marshal with his posse comitaius is unable to execute civil or criminal process in any particular case, to call forth the militia and employ the army and navy to aid him in performing this service, having first by Proclamation commanded the insurgents "to This duty cannot by possibility be performed in a State where no judicial authority exists to issue pro-

cess, and where there is no marshal to execute it, and where, even if there were such an offi-

single State, not to speak of other

Constitution of the Onited States is as much a postponed, and was never again 1 believe pre part of the constitution of each State, and is as binding upon its people, as though it had been textually inserted therein. This Government, therefore, is a great and powerful Government, invested with all the at-tributes of sovereignty over the special sub-ceedings of the States, would prove as visiona

mitted to conventions of the people of the several States for ratification. Its provisions were discussed at length in these bodies, com-posed of the first men of the country. Its op-the several states for ratification. Its provisions posed of the first men of the country. Its op-the several states for ratification in these bodies, com-posed of the first men of the country. Its op-

Without descending to particulars, it may be safely asserted, that the power to make war against a State is at variance with the whole spinit and intent of the Constitution. Suppose apprehensions. In that mighty struggle be-tween the first intellects of this or any other country, it never occurred to any individual, either among its opponents or advocates, to assert, or even to intimate, that their efforts were all vain labor, because the moment that any State falt herself accurring the states, and wisely did they adopt the rule of a strict construction of the states, and wisely did they adopt the rule of a strict construction of the states and wisely did they adopt the rule of a strict construction of the states and wisely did they adopt the rule of a strict construction of the states are well as the states and wisely did they adopt the rule of a strict construction of the states are shown as a state of the states are such a war should result in the conquest of a Shall we hold it as a province, and govern it by despotic power? In the nature of things we could not, by physical force, control the the reserved will of the people and compel them to elect id they adopt senators and representatives to Congress, and to perform all the other duties depending upon their own volition, and required from the free citizens of a free State as a constituent member of the Confederacy.

But, if possessed of this power, would it be wise to exercise it under existing circumstan-ces? The object would doubtless be to preerve the Union. War would not only pres the most effectual means of destroying it; but would banish all hope of its peaceable recon-struction. Besides, in the fraternal conflict a vest amount of blood and treasure would be expended, rendering future reconciliation be-tween the States impossible. In the mean time, who can foretell what would be the suffering and privation of the people during its existence 1

The fact is, that our Union rests upon public opinion, and can never be comented by the blood of its citizens shed in civil war. If it can not live in the affections of the people, it must one day perish. Congress possesses many means of preserving it by conciliation; but the sword was not placed in their hands to preserve it by force. But may I be permitted solemnly to invoke

my countrymen to pause and deliberate, be-fore they determine to destroy this, the grandest temple which has ever been dedicated to human freedom since the world began? It has been consecrated by the blood of our fathers, by the glories of the past, and by the hopes of the future. The Union has already made us the most prosperous, and, ere long, will, if preserved, render us the most powerfal nation on the face of the earth. In every foreign re-gion of the globe the title of American citizen is held in the highest respect, and when pro-nounced in a foreign land it causes the hearts of our countrymen to swell with honest pride. Surely when we reach the brink of the yawning atyss, we shall recoil with horror from the last fatal plunge. By such a dread catastro-phe the hopes of the friends of freedom throughout the world would be destroyed, and a long night of despotism would enshroud the nations. Our example for more than eighty years would not only be lost; but would be juoted as a conclusive proof that man is unfit for self government.

It is not every wrong-nay, it is not every grevious wrong-which can justify a resort to such a fearful alternative. This ought to be the last desperate remedy of a despairing peo-ple, after every other constitutional means of conciliation had been exhausted. We should reflect that under this free government there is an incessant ebb and flow in public opinion. The slavery question, like everything human, will have its day. I firmly believe that it has already reached and passed the culminating point. But if, in the midst of the existing excitement, the Union shall perish, the evil may then become irreparable. Congress can conthen become irreparable. Congress can con-tribute much to avert it by proposing and re-commending to the Legislatures of the several States the remedy for existing evils, which the Constitution has itself provided for its own pre-servation. This has been tried at different criti-The bare enumeration of these provisions cal periods of our history, and always with prove how inadequate they are without further eminent success. It is to be found in the fifth

tional sovereignty. They place both the sword and the purse under its control. Congress has legislation to overcome a united opposition in article providing for its own amendment. nts have been pro consequently become parts of the Constitution. To this process the country is indebted for the The same insuperable obstacles do not lie in the way of executing the laws for the collection law respecting the establishment of religion, or of the customs. The revenue still continues abridging the freedom of speech or of the to be collected, as heretofore, at the custom- press, or of the right of petition. To this we

or defeating this right are violations of the Constitution, and are consequently null and void.

It may be objected that this construction of the Constitution has already been settled by the Supreme Court of the United States, and what supreme court of the United States, and what more ought to be required. The answer is, that a very large proportion of the people of the United States still contest the correctness of this decision, and never will cease from agita tion and admit its binding force until clearly established by the people of the several States in their sovereign character. Such an explana-tory amendment would, it is believed, forever terminate the existing dissensions and restore peace and harmony among the States. It ought not to be doubted that such an ap-

peal to the arbitrayment established by the Constitution itself would be received with favor by all the States of the Confederacy. In any event it ought to be tried in a spirit of coacilliation before any of those States shall separate

themselves from the Union. When I entered upon the duties of the Presi-dential office, the aspect of neither our for-eign nor domestic affairs was at all satisfactory. We were involved in dangerous complications with several nations, and two of our Territories were in a state of revolution against the Govern ment.

A restoration of the African slave trade had numerous and powerful advocates. Unlawful military expeditions were countenanced by many of our citizens, and were suffered, in de-fiance of the efforts of the Government, to escape from our shores, for the purpose of making war upon the unoffending people of neigh boring republics with whom we were at peace In addition to these and other difficultie experienced a revulsion in monetary affairs soon after my advent to power, of unexampled severity and of ruinous consequences to all the great interests of the country. When we take a retrospect of what was then our condition, and contrast this with its material prosperity at the time of the late Presidential election, we have abundant reason to return our grateful thanks to that merciful Providence which has never forsaken us as a nation in all our past

OUR FOREIGN RELATION

GREAT BRITAIN.

Our relations with Great Britain are of the most friendly character. Since the commence-ment of my administration, the two dangerous questions, arising from the Clayton and Bulwer treaty and from the right of search claimed by the British government, hove been aimably

and honorably adjusted. The discordant construction of the C ayton and Bujwer treaty between the two govern-ments, which at different periods of the discussion, bore a threatening aspect, have resulted in a final settlement entirely satisfactory to this Government. In my annual message I inform-ed Congress that the British government with the republics of Honduras and Nicaragua, in pursuance of the understanding between the two governments. It is nevertheless confident-ly expected that this good work will ere be ac-complished." This confident expectation has sisce been fulfilled. Her Britanic Majesty concluded a treaty with Honduras on the 24th No-vember, 1859, and with Nicaragua on the 28th August, 1860, reliaquishing the Mosquito pro-tectorate. Besides, by the former, the Bay Islands are recognized as a part of the republic of Honduras. It may be observed that the stipulations of these treaties conform in every important particular to the amendments adopt-ed by the Senate of the United States to the treaty concluded at London on the 19th of October, 1856, between the two governments. It will be recollected that this treaty was rejected by the British government because of its obiction to the just and important amendment of the Senate to the article relating to Ruatan and the other islands in the Bay of Honduras. It must be a source of sincere satisfaction to all classes of our fellow-citizens, and especially

to those engaged in foreign commerce, that the claim on the part of Great Britain, forcibly to visit and search American merchant vessels on the high seas in time of peace, has been abandoned. This was by far the most dangerous question to the peace of the two countries which has existed since the war of 1812. Whilst it remained open, they might at any moment have been precipitated into a war. This was rendered manifest by the exasperated state of public feeling throughout our entire country, produced by the forcible search of American merchant vessels by British cruisers on the coast of Cuba, in the spring of 1858. The Ame-rican people hailed with general acclaim the orders of the Secretary of the Navy to our naval force in the Gulf of Mexico, "to protect all research of the United States on the high all vessels of the United States on the high seas from search or detention by the vessels of war of any other nation." These orders might have produced an immediate collision between the naval forces of the two countries. This was most fortunately prevented by an appeal to the justice of Great Britain and to the law of nations as expounded by her own most eminent jurists. The only question of any importance which still remains open is the disputed title between the two governments to the island of San Juan, in the vicinity of Washington Territory. As this question is still under negotiation, it is not deemed advisable at the present moment to make any other allusion to the subject. The recent visit of the Prince of Wales, in private character, to the people of this country, has proved to be a most auspicious event. In its consequences, it cannot fail to increase the kindred and kindly feelings which I trust may ever actuate the government and people of both countries in their political and social intercourse with each other.

How easy would it be for the American people to settle the slavery question forever, and to restore peace and harmony to this distracted country.

They, and they alone, can do it. All that is necessary to accomplish the object, and all for which the slave States have ever contended, is to be let alone, and permitted to manage their domestic institutions in their own way. As sovereign States, they, and they alone, are re-sponsible before God and the world for the slavery existing among them. For this, the people of the North are not more responsible, and have no more right to interfere, than with similar institutions in Russia or in Brazil.— Upon their good sense and patriotic forbear-ance I confess I still greatly rely. Without their aid, it is beyond the power of any Presi-dent, no matter what may be his own political producting to rather processing the sense of the sense proclivities, to restore peace and harmony among the States. Wisely limited and restrained as is his power, under our Constitution and laws, he alone can accomplish but little, for good or for evil, on such a momentous question

And this brings me to observe that the election of any one of our fellow-citizens to the of fice of President does not of itself afford just cause for dissolving the Union. This is more especially true if his election has been effected by a mere plurality, and not a majority, of the people, and has resulted from transient and temporary causes, which may probably never again occur. In order to justify a resort to revolutionary resistance, the Federal Govern-ment must be guilty of "a deliberate, palpa-ble, and damernes everyies?" of the Union. I have purposely confined my revolutionary resistance, because claimed within the back

with power to annul the scred rights of prop-

to be constitutional. The single exception is that of a State court in Wisconsin; and this has not only been reversed by the proper appellate tribunal, but has met with such universal reprobation that there can be no danger from it as a precedent. The validi-ty of this law has been established over and over again by the Supreme Court of the United States with perfect unanimity. It is founded upon an express provision of the Constitution, requiring that fugitive slaves who escape from service in one Stats to another shall be "delivered up" to their masters. Without this pro-vision it is a well-known historical fact that the Constitution itself could never have been adopted by the Convention. In one form or other under the acts of 1793 and 1850, both being substantially the same, the fugitive-slave law has been the law of the land from the days of Washington until the present moment. Here. then, a clear case is presented, in which it will be the duty of the next President, as it has

been my own, to act with vigor in executing this supreme law against the conflicting enact-

ments of State legislatures. Should he fail in the performance of this high duty, he will then have manifested a disregard of the Constitution and laws, to the great injury of the people of nearly one-half of the States of the Union. But are we to presume in advance that he will thus violate his duty? This would be at war with every principle of justice and of Christian charity. Let us wait for the overt act. The fugitive-slave law has beeen carried into execution in every contested case since the commencement of the present administration : though often, it is to be regretted, with great loss and inconvenience to the master, and with considerable expense to the government. Let us trust that the State lsgislatures will repeal their unconstitutional and obnoxious enactments. Unless this shall be done without unnecessary delay, it is impossible for any human power to save the Union. The Southern States, standing on the basis of

the Constitution, have a right to demand this act of justice from the States of the North.-

Should it be refused, then the Constitution, to which all the States are parties, will have been would be justified in revolutionary resistance

I have purposely confined my remarks to revolutionary resistance, because it has been claimed within the last two years that any

the Constitution.

The same insuperable obstacles do not lie in

Then in regard to the property of the United States in South Carolina. This has been pur-chased for a fair equivalent, "by the consent of the legislature of the State," "for the erection of forts, magazines, arsenals," &c., and over these the authority "to exercise exclusive legisiation" has been expressly granted by the Con-stitution to Congress. It is not believed that gency, the responsibility for consequences would rightfully rest upon the heads of the assailants

Apart from the execution of the laws, so far as this may be practicable, the Executive has no authority to decide what shall be the rela-tions between the Federal Government and In this connection, I shall merely call attentions between the Federal Government and South Carolina. He has been invested with no tion to a few sentences in Mr. Madison's justly

by force of arms, to compel a State to remain

my duty were I not to express an opinion on The question fairly stated is: Has the Consti tution delegated toCongress the power to coerce | for the same object."

apprehensions justly entertained by the friends of States rights at that period as to have rendered it extremely doubtful whether the Con-stitution could have long survived without these amendments.

Again, the Constitution was amended by the same process after the election of President Jefferson by the House of Representatives, in this I should prove to be mistaken, the officer in command of the forts has received orders to act strictly on the defensive. In such a cent amendment was intended to secure the amicable adjustment of conflicting constitutional questions like the present, which might arise be-tween the governments of the States and that

South Carolina. He has been invested with no such discretion. He possesses no power to change the relations heretofore existing between them, much less to acknowledge the independ-ence of that State. This would be to invest a mere Executive officer with the power of re-cognising the dissolution of the Confederacy among our thirty-three sovereign States. It heremen recombined to resource and the resolutions of the Virginia legis-lature against the "Allen and Sedition Acts," are recombined to here account of the resolutions of the State legislatures. These were mainly founded upon the protest of the Virginia legis-lature against the "Allen and Sedition Acts," among our thirty-three sovereign States. It bears no resemblance to the recognition of a foreign de facto government, involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question in all its bearings. The course of events is so rapidly hastening for-ured that the amorgeneous many sources with a view to obtain the responding that the amorgeneous sources and herefore and the referred to and constitution." In pointing out the peaceful and constitution which the States were authori-to resort, on such occasions, he concludes by saying, "that the legislatures of the States ward, that the emergency may soon arise, when you may be called upon to decide the momen of the two offensive acts, or they might have represented to their respective Senator in Congress their wish that two-thirds thereof would in the Union. I should feel myself recreant to propose an explanatory amendment to the Constitution, or two thirds of themselves, if such had been their option, might, by an application to Congress, have obtained a convention

FRANCE.

With France, our ancient and powerful ally, our relations continue to be of the most friendly character. A decision has recently made by a French judicial tribunal, with the approbation of the Imperial Government, which cannot fail to foster the sentiments of mutual regard that have so long existed be-tween the two countries. Under the French law no person can serve in the armics of France

unless he be a French citizen The law of France recognizing the natural right of expatriation, it follows as a necessary consequence that a Frenchman, by the fact of having become a citizen of the United States, has changed his allegiance and has lost his na-tive character. He cannot, therefore, be compelled to serve in the French armies in case he pelled to serve in the French armies in case he should return to his native country. These principles were announced in 1852 by the French Minister of War, and in two late cases have been confirmed by the French judiciary. In these, two natives of France have been discharged from the French army, because they had become American citizens. To employ the language of our present Minister to France, who has rendered good service on this occasio "I do not think our French naturalized fellow citizens will hereafter experience much annoyance on this subject." I venture to predict that the time is not for distant when the other continental powers will adopt the same wise and just policy which has done so much honor to the enlightened government of the Emperor. In any event, our Government is bound to pro-

tect the rights of our naturalized citizens every-