

tion of Mr. John Quincy Adams. Mr. Clay unanswerably demonstrated the natural right of the citizens of the United States to the navigation of this river, claiming that the act of Congress of Vienna, in opening the Rhine and other rivers to all nations, showed the judgment of European jurists and statesmen that the inhabitants of a country thro' which a navigable river passes have a natural right to enjoy the navigation of that river to and from the sea, even though passing through territories of another power.

This right does not exclude the equal right of the sovereign possessing the territory through which the river debouches into the sea to make such regulations relative to the police of the navigation as may be reasonably necessary, but those regulations should be framed in a liberal spirit of equality, and should not impose needless burdens upon the commerce which has the right of transit. It has been found in practice more advantageous to arrange these regulations by mutual agreement.

The United States is ready to make any reasonable arrangement as to the police of the St. Lawrence which may be suggested by Great Britain. If the claim made by Mr. Clay was just when the population of the States bordering on the shores of the lakes was only 3,400,000, it now derives greater force and equity from the increased population, wealth, production, and tonnage of the States on the Canadian frontier. Since Mr. Clay advanced his argument in behalf of our right, the principle for which he contended has been frequently and by various nations recognized by law or by treaty, and has been extended to several other great rivers. By the treaty, concluded by Mayence in 1851 the Rhine was declared free from the point where it was first navigable into the sea. By the convention between Spain and Portugal concluded in 1855 the navigation of the Douro, throughout its whole extent, was made free for the subjects of both crowns. In 1853 the Argentine Confederation, by treaty, threw open the free navigation of the Paraná and Uruguay to the merchant vessels of all nations.

In 1855 the Cilennus was released by a treaty which provided for the free navigation of the Danube. In 1855 Bolivia, by treaty, declared that it regarded the rivers Amazons and La Plata, in accordance with fixed principles of national law, as highways or channels opened by nature of the commerce of all nations. In 1856 the Paraguay was made free by treaty, and in December, 1856, the Emperor of Brazil, by imperial decree, declared the Amazon to be open to the frontier of Brazil, to the merchant ships of all nations.

The greatest living British authority on this subject, while acknowledging the abstract right of the British claim, says: "It seems difficult to decide that Great Britain may ground her refusal upon strict law. But it is equally difficult to deny, first, that in so doing she exercises harshness or extreme and hard law. Secondly, that her conduct with respect to the navigation of the St. Lawrence is in glaring and discreditable inconsistency with her conduct with respect to the navigation of the Mississippi. On the ground that she possessed a small domain in which the Mississippi took its rise, she insisted on the right to navigate the entire volume of its waters. On the ground that she possessed both banks of the St. Lawrence where it debouches itself into the sea, she denies to the United States the right of navigation, through about one half of the waters of Lakes Ontario, Erie, Huron, and Superior, and the whole of Lake Michigan, through which the rivers flow, are the property of the United States. The whole nation is interested in securing cheap transportation from the agricultural States of the West to the Atlantic seaboard. To the citizens of the United States it secures a greater return than to any other nation. The cost of building iron vessels is about all the carrying trade now conducted in American vessels. We would recommend a liberal policy toward that line of American commerce—one that will insure its success and even increase its value."

It is hoped that the government of Great Britain will see the justice of abandoning the narrow and inconsistent claim to which the Canadian provinces have urged their adherence.

Our depressed commerce is a subject to which I called your special attention at the last session, and suggested that we will in the future have to look more to the countries south of us, and to China and Japan, for its revival.

Our own representatives to all these governments have exerted their influence to encourage trade between the United States and the countries to which they are accredited. But the fact exists that the carrying is done almost entirely in foreign bottoms, and while this state of affairs exists we cannot control our own share of the commerce of the world.

That between the Pacific States and China and Japan is about all the carrying trade now conducted in American vessels. We would recommend a liberal policy toward that line of American commerce—one that will insure its success and even increase its value.

The cost of building iron vessels—the only ones that can compete with foreign ships in the carrying trades—is much greater in the United States than in foreign countries, that without some assistance from the Government they cannot be successfully built here. There will be several propositions laid before Congress in the course of the present session looking to a remedy to this evil. Even if it should be at some cost to the national treasury, I hope such an arrangement will be given as will secure American shipping on the high seas and American ship building at home.

The condition of the services of the Department of State calls for the early action of Congress. The building constructed by that department is a frail structure, at an inconvenient distance from the Executive Mansion and from other departments. It is ill adapted to the purpose for which it is used, and

tion, and the absence of a supply of water in the neighborhood, leave but little hope of safety for either the building and the contents in case of the accident of fire. Its destruction would involve the loss of the rolls containing the original acts and resolutions of Congress, of the historic records of the Revolution and Confederation, of the whole series of diplomatic and consular archives since the adoption of the Constitution, and of the many valuable records and papers left with that department when it was the principal depository of the government archives.

I recommend an appropriation for the construction of a building for the Department of State.

I recommend to your consideration the propriety of transferring to the Department of the interior, to which they seem more appropriately to belong, all powers and duties in relation to the Territories with which the Department of State is now charged by law or usage; and from the Interior Department to the War Department.

The Postmaster General, as far as it relates, the payment of soldiers' pensions.

I would further recommend that the payment of naval pensions be transferred to one of the bureaus of the Navy Department. The estimates for the expenses of the Government for the next fiscal year are \$18,241,349.01 less than for the current year, but exceed the appropriations for the present year, for the same items, \$8,971,127.00. In this estimate, however, included \$22,318,278.37 for public works hereinafter begun under Congressional provisions, and of which only so much is asked as Congress may choose to give. The appropriation for the same works for the present fiscal year was \$11,934,518.00.

The average value of gold as compared with national currency for the whole of the year 1855 was about 134 to 140 for eleven months of 1859 the same relative value has been about 115. The approach to a specific basis is gratifying, but the fact cannot be denied that the possibility of the value of our currency is proportional to our prosperity and tends to keep prices to the detriment of trade. The low in all the departments of the Government, except those of the Post Office and of Justice, authorizes each to gratify a specific basis.

At present these commissions, where appointments are Presidential, are issued by the State Department. The low in all the departments of the Government, except those relating to the franking privilege, and the adoption of the correspondence cards, a self-sustaining postal system may speedily be brought in, and at no distant day a further reduction of the rate of postage be attained. I recommend authorization by Congress to the Postmaster General and Attorney General to issue all commissions to officials appointed through their respective departments.

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