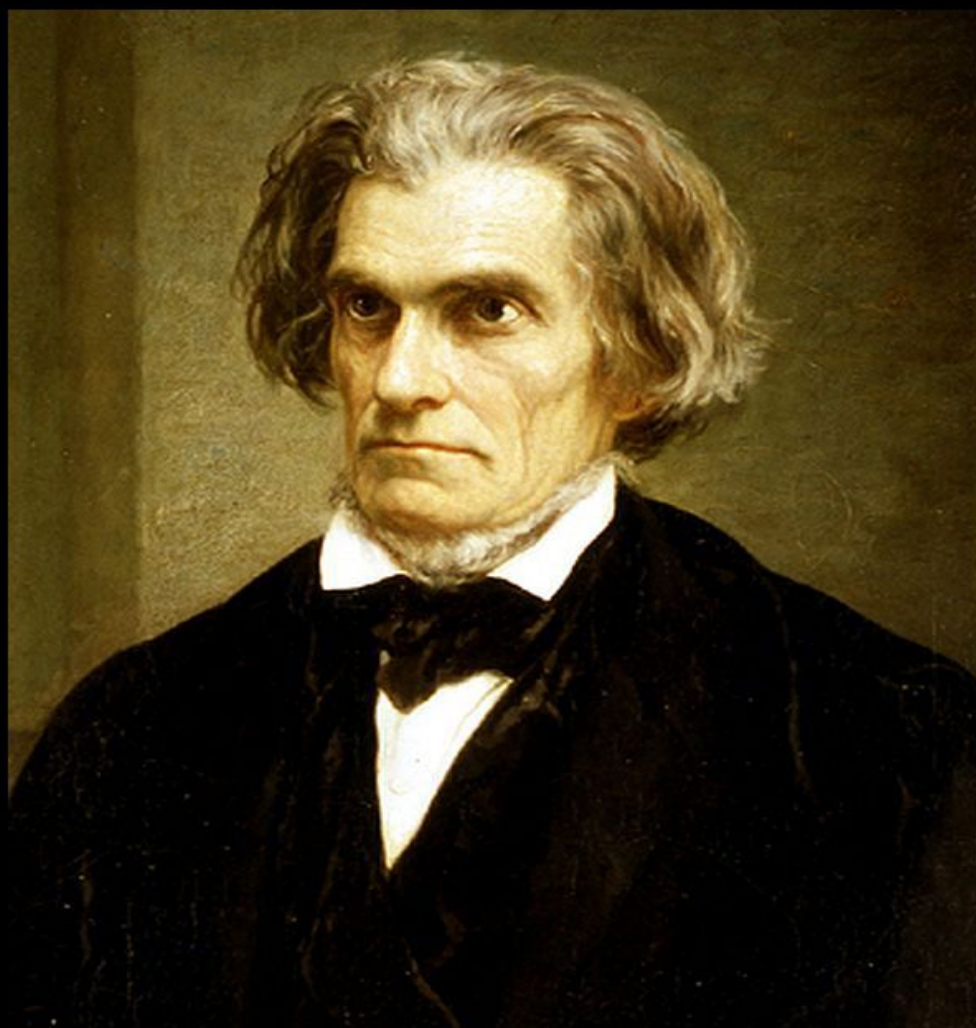




THE WORKS OF
JOHN C.
CALHOUN
VOLUME 3

The Works of John C.
Calhoun

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REMARKS On the Letter of General Jackson, made in the Senate, while the Bill to limit the sales of the Public Lands was under discussion, July 9th, 1837.

MR. CALHOUN said:—I have received, within the last forty-eight hours, a communication from the Chief Magistrate, connected with the bill now before the Senate, of such a nature, that duty to myself, as well as to this body, renders it necessary that I should lay it before the Senate.

[Here Mr. C. sent to the Secretary the letter, which was read as follows:] "WASHINGTON, February 7th, 1837.

"SIR:—In the Globe of the 6th inst. I find the report of a speech made by you on the 4th, upon the Land Bill, which contains the following passages, viz.: "Was it not notorious that the President of the United States himself had been connected with the purchase of the public lands? Yes, the "experiment" (Mr. Calhoun delighted in the word) was the cause of speculation in public lands; and if this bill should not be passed, speculations could not go on, and the price of the public lands must consequently be reduced. He contended that every man could not but see that it would be utter ruin to those who had borrowed money, to speculate in lands, if the system was not to go on." In a former part of your speech, as reported, you say: 'The speculation which a particular state of things had given rise to, had been produced by those in power. They had profited by that state of things; and should this bill be passed, it would only consummate their wishes,' &c., &c., &c.

“Knowing the liabilities of reporters to err in taking down and writing out the speeches of members of Congress, I have made inquiry in relation to the accuracy of this report, and have been furnished with certificates of gentlemen who heard you, affirming that it is substantially correct.

“You cannot but be aware, sir, that the imputations which your language conveys are calculated, if believed, to destroy my character as a man, and that the charge is one which, if true, ought to produce my impeachment and punishment as a public officer. If I caused the removal of the deposits for the base purpose of enriching myself or my friends by any of the results which might grow out of that measure, there is no term of reproach which I do not deserve, and no punishment known to the laws which ought not to be inflicted upon me. On the contrary, if the whole imputation, both as to motive and fact, be a fabrication and a calumny, the punishment which belongs to me, if guilty, is too mild for him who willfully makes it.

“I am aware, sir, of the constitutional privilege under which this imputation is cast forth, and the immunity which it secures. That privilege it is in no degree my purpose to violate, however gross and wicked may have been the abuse of it. But I exercise only the common right of every citizen, when I inform you, that the imputations you have cast upon me are false in every particular, not having for the last ten years purchased any public land, or had any interest in such purchase. The whole charge, unless explained, must be considered the offspring of a morbid imagination, or of sleepless malice.

“I ask you, sir, as an act due to justice, honor, and truth, to retract this charge on the floor of the Senate, in as public a manner as it has been uttered—it being the most appropriate mode by which you can repair the injury which might otherwise flow from it.

“But in the event that you fail to do so, I then demand that you place your charge before the House of Representatives, that they may institute the necessary

proceeding to ascertain the truth or falsehood of your imputation, with a view to such further measures as justice may require.

"If you will neither do justice yourself, nor place the matter in a position where justice may be done me by the representatives of the people, I shall be compelled to resort to the only remedy left me, and before I leave the city, give publicity to this letter, by which you will stand stigmatized as one who, protected by his constitutional privilege, is ready to stab the reputation of others, without the magnanimity to do them justice, or the honor to place them in a situation to receive it from others.

"Yours, &c., "ANDREW JACKSON.

"The Hon. J. C. CALHOUN, United States Senate.

"P. S. I herewith inclose you the copies of two notes, verifying the correctness of the report of your speech in the Globe of the 6th inst.

i: "February 7th, 1837." A. J.

(No. 1.) "WASHINGTON CITY, February 6, 1837.

"At the request of the President of the United States, I hereby certify that I was present in the gallery of the Senate of the United States on Saturday, the 4th instant, during a discussion upon the Land Bill, and heard some of the remarks of Mr. Calhoun upon that subject, in which the President was charged with being a speculator in public lands.

"On coming out of the Capitol the subject was mentioned to me by a friend of the President's. And my recollection of the words used accorded with what he understood had been said, and which is substantially the same as reported in the Globe of the 6th instant. . .

"(Signed) ARTHUR CAMPBELL."

(No. 2.) "WASHINGTON, February 7, 1837.

"SIR: In answer to your inquiry of me whether Mr. Calhoun, in his remarks on the Land Bill, on Saturday last, used the words attributed to him by me in the report, which appeared in the Globe of yesterday, viz.: "Was it not

notorious that the President of the United States himself had been connected with the purchase of public lands?' I would state that I have referred to my short-hand notes, and find that such was the language he used according to the best of my knowledge and belief.

"Yours, very respectfully, "(Signed) W. E. DRAKE."

"I certify, that No. 1 and No. 2 are true copies of the originals.

"Test: A. JACKSON, JR."

I do not intend, said Mr. C., in what I propose to say, to comment on the character or the language of this extraordinary letter. It has excited in my bosom but one feeling, that of pity for the weakness of its author, contempt for his menace, and humiliation that one occupying the office which he does, should place himself in a situation so unworthy of his exalted station. Nor do I intend to invoke the interposition of the Senate to protect the privilege attached to a Senator from one of the sovereign States of this confederacy, which has been outraged in my person. I seek no aid to defend my own privileges; and, so far from being intimidated, I shall be emboldened to express myself with greater freedom, if possible, to denounce the corruption of the administration, or the violation of the laws and of the constitution, in consequence of this attempt to restrain the free exercise of the right of expressing my opinions upon all subjects concerning the public interests, secured to me by the constitution. I leave the Senate to determine what measures the preservation of their own privileges demands.

Much less do I intend to comply with the request, or demand, made of me; demand has no place between equals, and I hold myself within my constitutional privilege, at least equal to the Chief Magistrate himself I, as legislator, have a right to investigate and pronounce upon his conduct, and condemn his acts freely, whenever I consider them to be in violation of the laws and of the

constitution. I, as a Senator, may judge him; he can never judge me.

My object is to avail myself of the occasion to reiterate what I said, as broadly and fully as I uttered them on a former occasion, here in my place, where alone I am responsible, and where the friends of the President will have an opportunity to correct my statement, if erroneous, or to refute my conclusions, if not fairly drawn. I spoke without notes, and it may be that I may omit something which I said on the former occasion that may be deemed material, or express myself less fully and strongly than I then did. If so, I will thank any Senator to remind me, so that my statement now may be as strong and as full as then.

If my memory serves me, I opened my remarks, when I spoke formerly, by stating that so many and so subtle were the devices by which those who were in power could, in these times, fleece the people, without their knowing it, that it was almost enough to make a lover of his country despair of its liberty. I then stated that I knew of no measure which could better illustrate the truth of this remark, than the one now before us. Its professed object is to restrict the sales of public land, in order, as is avowed, to prevent speculation; and, by consequence, the accumulation of a surplus revenue in the treasury. The measure is understood to be an administration measure. I then stated that, so far from preventing speculation, it would, in fact, but consummate the greatest speculation which this country has ever witnessed— a speculation originating in a state of things of which those in power were the authors; by which they had profited; and which this measure, should it become a law, would but complete. I then asked what had caused such an extraordinary demand for public land, that the sales should have more than quintupled within the last three years?—and said that, to answer this question, we must look to the state of the currency. That it was owing to the extraordinary increase of

bank paper, which had filled to repletion all the channels of circulation. The Secretary had estimated this increase, within that period, from six dollars and fifty cents per individual, to ten dollars. I believed the increase to be much greater—the effects of which have been to double the price of every article, which had not been kept down by some particular cause. In the meantime the price of public lands had remained unaltered, at one dollar and twenty-five cents the acre; and the natural consequence was, that this excessive currency overflowed upon the public land, and had caused those extraordinary speculations which it was the professed object of this bill to prevent.

I then asked what had caused this inundation of paper?

The answer was, the “experiment” (I love to remind the gentleman of the word—) which had removed the only restrictions that existed against the issue of bank paper. The consequence was predicted at the time; it was foretold that banks would multiply almost without number, and pour forth their issues without restriction or limitation. These predictions were, at the time, unheeded; their truth now begins to be realized.

The experiment commenced by a transfer of the public funds from where they were placed by law, and where they were under its safeguard and protection, to banks which were under the sole and unlimited control of the Executive. The effect was a vast increase of Executive patronage, and the opening a field of speculation, in describing which, in anticipation, I pronounced it to be so ample, that Rothschild himself might envy the opportunity which it afforded. Such it has proved to be.

The administration has profited by this vast patronage, and the prejudice which it has excited against the bank, as the means of sustaining itself in power. It is unnecessary to repeat the remarks, in illustration of this. The truth of the statement is known to all the Senators, who have daily witnessed the party topics which have been drawn from this fruitful source. I then remarked that, if rumor were to

be trusted, it was not only in a political point of view that those in power had profited by the vast means put in the hands of the Executive by the experiment, -they had profited in a pecuniary, as well as in a political point of view. It has been frequently stated, and not contradicted, that many, in high places, are among the speculators in the public lands; and that even an individual connected with the President himself, one of his nephews, was an extensive adventurer in this field of speculation. I did not name him, but I now feel myself called upon to do so. I mean Mr. McLemore.

Having established these points, I next undertook to show that this bill would consummate those speculations, and establish the political ascendancy which the experiment had given to the Administration. In proof of the former, I availed myself of the declaration of the Chairman of the Committee on Public Lands, who had stated that the speculators had already purchased and held a vast amount of public land—not less, as I understood him, than twenty-five or thirty millions of acres; and that if this bill did not pass, the scenes of the last two years would be repeated in this and the coming year. I then undertook to show, from the statement of the Chairman himself, that these speculations would prove ruinous without the aid of this bill. He had stated that the annual demand for public land, resulting from our increased population, could not exceed five millions of acres.

Now, assuming that the quantity on hand is thirty millions of acres, there would be six years' supply in the hands of speculators, even if the land-offices of the United States be closed; and, if the bill did not pass, according to his showing, it would take double or treble the time to dispose of the lands, which, in that case, will be in the hands of speculators. All must see the certain ruin, in that event, of those who have borrowed money to speculate in land; particularly if the sales of public land should be free and open to everyone, as it now is, to purchase to the extent of

his means. I next showed that the contest was between the Government, as a dealer in public land, and the speculators; that they held in market at least an equal quantity in value to that which the Government now has offered for sale, and that every restriction imposed upon the sales of Government land, must, of necessity, increase the advantages of its rival dealers.

I then showed that very onerous and oppressive restrictions, of an odious character, upon the sales of the public lands, would be imposed, if the bill should pass. No one thereafter could purchase land of the Government without license—a license, in my opinion, as offensive and odious as would be a license on the press. To obtain this license, the oath of the applicant was required; and then it could only be obtained on payment of one dollar and twenty-five cents per acre, for which the citizen may now receive a grant in fee simple. After he had made his purchase, under authority of his license, the purchaser had to comply with the condition of settlement and cultivation, and must, within the period of five years, prove to the satisfaction of the register and receiver, who are made high judicial officers, a compliance with these conditions, before he could receive his title; and if he failed to comply, by accident or otherwise, he forfeited both his money and the land. I stated that this was a virtual increase of the price of the public lands to the actual settler; so much so, that any sober-minded man would prefer to give the speculators two dollars per acre for land of the same quality, to giving the Government one dollar and twenty-five cents for a license, with these oppressive conditions.

Having established this point, I then undertook to show, that it would increase vastly the power of the Government in the new States, if they chose to exercise this patronage for political purposes. That they would so use it, we had ample proof in the past conduct of the administration, and in the principles which had been openly avowed by its friends. A former Senator from New-York, high in the

confidence of the party, and now Chief Magistrate of that State, had openly avowed, in his place on this floor, that to the victor belong the spoils, for which he was reprimanded, at the time, by the Senator from Massachusetts (Mr. Webster), in a manner worthy of his distinguished talents. Assuming, then, that the power would be exercised with a view to political influence, I showed that it would place a vast number of the citizens of the new States, probably not less than one hundred thousand, in a condition of complete dependence on the receivers, and of vassalage to the Government.

These are the sentiments which I delivered on a former occasion, and which I now reiterate to the full extent—omitting nothing that is material, as far as connected with the letter of the President; and, for the delivery of which, my privileges as a Senator, and those of this body, have been so grossly outraged.

[Mr. Grundy and Mr. Walker rose and stated that they had been attentive listeners during the debate alluded to in the President's letter, and corroborated the correctness of Mr. Calhoun's statement of what he had said on that occasion.] Mr. Calhoun then said that he was gratified at what had been said, and that all might now see, from their statement, and the acquiescence of others, what little cause the President had for the outrage upon his privilege, and that of the Senate, and for applying language to him which is never used in intercourse between gentlemen, and better suited to the purlieus of Billingsgate than to the mansion of the Chief Magistrate.

**REMARKS On the Correspondence of
our Government with that of Great
Britain, in relation to the Case of the
brigs Comet, Emporium, and
Enterprise, made in the Senate,
February 14th, 1837.**

MR. CALHOUN said, it would be remembered that, on his motion, a resolution was adopted some time since, requesting the President to communicate to the Senate the correspondence between this Government and that of Great Britain, in relation to the case of the brigs Emporium and Enterprise. He held in his hand the Message of the President in answer to the resolution, from which he found there was another case (that of the Comet), of a similar character, of which he was not aware when he made his motion, and which occurred as far back as 1832. He had read with care the correspondence; but, he must say, with very little satisfaction. It was all on one side. Our Executive has been knocking—no, that is too strong a term—tapping gently at the door of the British Secretary, to obtain justice, for these five years, without receiving an answer—and this, in the plainest case imaginable. It was not his intention to censure those who had been entrusted with the correspondence on our part. They had written enough, and more than enough; but truth compelled him to say, the tone was not high enough—considering the injustice to our citizens, and the outrage on the flag and honor of the Union. His remarks were intended to apply more especially to the latter part of the correspondence—after the long

delay without an answer from the British Government. At first, in so plain a case, little more could have been thought necessary than a plain statement of the facts—which was given in a very clear and satisfactory manner in the letter of the President elect, in the case of the Comet.

Without repeating what he said on the introduction of the resolution, he would remind the Senate of the facts of the case in the briefest manner possible.

The three brigs were engaged in the coasting trade; and, among other passengers, had slaves on board, belonging to our citizens, who were sending them to the southwestern States with a view to settlement. The Enterprise was forced, by stress of weather, into Port Hamilton, Bermuda; where the slaves on board were forcibly seized and detained by the local authorities. The other two were wrecked on the Keys belonging to the Bahama Islands, and the passengers and crew taken by wreckers, contrary to their wishes, into Nassau, New Providence, where the slaves shared the same fate as at Bermuda.

These are the essential facts of the case. He did not intend to argue the questions that grew out of them. There was, indeed, little or no ground for argument. No one, in the least conversant with the laws of nations, can doubt that those vessels were as much under the protection of our flag, while on their voyage, proceeding from one port of the Union to another, as if they were in port, lying at the wharves, within our acknowledged jurisdiction. Nor is it less clear that, forced as the Enterprise was, by stress of weather, and taken, under the circumstances, as the passengers and crews of the other two were, into the British dominions, they lost none of the rights which belonged to them while on their voyage on the ocean. So far otherwise—so far from losing the protection which our flag gave them while on the ocean, they had superadded, by their misfortunes, the additional rights which the laws of humanity extend to the unfortunate in their situation, and which are regarded by all civilized nations as sacred. It

follows as a necessary consequence, that the municipal laws of the place could not divest the owners of the property which, as citizens of the United States, they held in the slaves who were passengers in the vessels; —and yet, as clear as is this conclusion, they were forcibly seized and detained by the local authorities of the islands; and the Government of Great Britain, after five years' negotiation, has not only withheld redress, but has not even deigned to answer the oft-repeated applications of our Government in regard to it. We are thus left, by its silence, to conjecture the reasons for so extraordinary a course.

On casting his eyes over the whole subject, he could fix but on one that had the least plausibility—and that resting on a principle which it was scarcely credible that a government so intelligent could assume:—he meant the principle that there could not be property in persons. It was not for him to object that Great Britain, or any other country, should assume this, or any other principle, it might think proper, as applicable to its own subjects, but he must protest against the right to adopt it as applicable to our country or citizens. It would strike at the independence of our country, and be not less insulting than outrageous; while it would ill become a nation, that was the greatest slaveholder of any on the earth—notwithstanding all the cant about emancipation—to apply such a principle in her intercourse with others. It is true, to speak out boldly on this subject, and to expose freely the folly and hypocrisy of those who accuse others of that, in which, if there be guilt, they are most guilty themselves—ours is not the only mode in which man may have dominion over man. The principle which would abrogate the property of our citizens in their slaves, would equally abrogate the dominion of Great Britain over the subject nations under her control. If an individual can have no property in another, how can one nation, which is but an aggregate of individuals, have dominion, which involves the highest right of property, over another? If man has, by nature, the right of self-

government, have not nations, on the same principle, an equal right? And, if the former forbids one individual from having property in another individual, does not the other equally forbid one nation holding dominion over another? How inconsistent would it be in Great Britain to withhold redress for injustice and injury to our citizens, committed in the West Indies, on the ground that persons could not be property, while, in the East Indies, she exercises unlimited dominion over a hundred millions of human beings, whose labor she controls as effectually as our citizens do that of their slaves? It is not to be credited that she will venture to assume, in her relations with us, a principle so utterly indefensible, and which could not but expose her to imputations that would make her sincerity questionable. This she must see; and to the fact that she does see, he attributed her long and obstinate silence.

But, it may be asked, why does she not then make reparation at once in so clear a case? Why not restore the slaves, or make ample compensation to their owners? He could imagine but one motive. She had among her subjects many whose fanatical feelings on this subject she was unwilling to offend. But, while respecting the feelings of her own subjects, blind and misdirected as they are, she ought not to forget that our Government is also bound to respect the feelings and rights of its citizens. Let her remember that, if to respect the rights which our citizens have over their slaves, be offensive to any portion of her subjects, how much more so would it be to our citizens for our Government to acquiesce in her refusal to respect our rights to establish the relation which one portion of our population shall have to another— and how unreasonable it would be for her to expect that our Government should be more indifferent to the feelings of our citizens than hers to any portion of her subjects. He, with every lover of his country, on both sides, desired sincerely to see the peace and harmony of the two countries preserved; but he held that the only condition on which they could possibly be

preserved, was that of perfect equality, and a mutual respect for their respective institutions; and he could not but see that a perseverance in withholding redress in these cases, must, in the end, disturb the friendly relations which now so happily exist between the two countries.

He hoped, on resuming the correspondence, our Government would press the claim for redress in a manner far more earnest and better becoming the importance of the subject, than it has heretofore been done. It seemed to him that a vast deal more had been said about the decision of the courts and the acts of the British Government, than ought to have been said. They had little or nothing to do with the case,

and can have no force whatever against the grounds on which our claims for justice stand. However binding on her own subjects, or foreigners voluntarily entering her dominions, they can have no binding effect whatever, where misfortunes, as in these cases, placed our citizens within her jurisdiction.

If they be properly presented, and pressed on the attention of the British Government, he could not doubt but that speedy and ample justice would be done. It could not be withheld but by an open refusal to do justice, which he could not anticipate. As to himself, he should feel bound, as one of the representatives from the slaveholding States, which had a peculiar and deep interest in the question, to bring this case annually before Congress so long as he held a seat on this floor, if redress shall be so long withheld.

**SPEECH On the Motion to refer the
Message of the President concerning
the Relations of the United States
with France, to the Committee on
Foreign Relations; delivered in the
Senate, February 14, 1837.**

I RISE with feelings entirely different from those of the Senator from Pennsylvania, Mr. Buchanan. He said he never listened to any message with greater satisfaction than the present. That which has excited such agreeable sensations in his breast, I have heard with the most profound regret. Never did I listen to a document with more melancholy feelings, with a single exception—the war-message from the same quarter, a few years since, against one of the sovereign members of this Confederacy.

I arrived here, said Mr. C., at the beginning of the session, with a strong conviction that there would be no war.

I saw, indeed, many unfavorable and hostile indications; but I thought the cause of difference between the two countries was too trivial to terminate so disastrously. I could not believe that two great and enlightened nations, blessed with constitutional governments, and between whom so many endearing recollections existed to bind them together in mutual sympathy and kindness, would, at this advanced stage of civilization, plunge into war for a cause so frivolous. With this impression, notwithstanding all I saw and heard, I still believed peace would be preserved; but the Message and the speech of the Senator

from Pennsylvania have dispelled the delusion. I will not undertake to pronounce with certainty that war is intended, but I will say, that, if the recommendations of the President be adopted, it will be almost inevitable.

I fear that the condition in which the country is now placed has been the result of a deliberate and systematic policy. I am bound to speak my sentiments freely; it is due to my constituents and the country, to act with perfect candor and truth on a question in which their interest is so deeply involved. I will not assert that the Executive has deliberately aimed at war from the commencement; but I will say that, from the beginning of the controversy to the present moment, the course which the President has pursued is precisely the one calculated to terminate in a conflict between the two nations. It has been in his power, at every period, to give the controversy a direction by which the peace of the country might be preserved without the least sacrifice of reputation or honor, but he has preferred the opposite. I feel, said Mr. C., how painful it is to make these declarations; how unpleasant it is to occupy a position which might, by any possibility, be construed into opposition to our country's cause; but in my conception, the honor and the interests of the country can only be maintained by pursuing the course that truth and justice may dictate. Acting under this impression, I do not hesitate to assert, after a careful examination of the documents connected with this unhappy controversy, that, if war must come, we are the authors— we are the responsible party. Standing, as I fear we do, on the eve of a conflict, it would have been to me a source of pride and pleasure to make an opposite declaration; but that sacred regard to truth and justice, which, I trust, will ever be my guide under the most difficult circumstances, will not permit.

I cannot but call back to my recollection the position which I occupied, twenty-four years since, as a member of the other House. We were then, as I fear we are now, on the eve of a war with a great and powerful nation. My voice

then was raised for war, because I then believed that justice, honor, and necessity demanded it. It is now raised for peace, because I am under the most solemn conviction that by going to war, we would sacrifice justice, honor and interest.

The same motive which then impelled to war, now impels to peace.

I have not, said Mr. C., made this assertion lightly. It is the result of mature and deliberate reflection. It is not my intention to enter into a minute examination of that unhappy train of events which has brought the country to its present situation; but I will briefly touch on a few prominent points, beginning with that most unfortunate negotiation, which seems destined to terminate so disastrously for the country. From the accession of the present king, his Ministry avowed itself favorable to the settlement of our claims. It could scarcely be otherwise. The king had just been raised to the throne, under a revolution originating in popular impulses, which could not but dispose him favorably towards us, Lafayette, at the time, possessed much power and influence, and had greatly contributed to elevate Louis Philippe to his present station. His feelings were known to be decidedly favorable to us. But, with all this favorable inclination, the Ministry were fearful of concluding a treaty. They dreaded the Chambers; they knew how odious all treaties of indemnity were to the entire French nation, and how difficult it would be to bring the Chambers to agree to make an appropriation to carry a treaty of indemnity into effect, even with our country. With these impressions, they frankly stated to Mr. Rives, our Minister, that the difficulty was not with them, but with the Chambers; that if a treaty were made, it could not be carried into effect without a vote of appropriation from the Chambers; and it was very doubtful whether such a vote could be obtained. These declarations were not made once, or twice; they were repeated again and again, throughout every stage of the negotiation, and never more

emphatically than in the very last, just before the conclusion of the treaty. The President of the Council, M. Perrier, in a conversation with Mr. Rives, at that late period, stated that there would be no difficulty in arranging the question, were it not that he feared opposition on the part of the Chambers, which might place the relation between the two countries in a more dangerous state, by refusing to make the appropriation.

How prophetic as if he had foreseen what has since come to pass. I do not profess to give his words; I did not anticipate the discussion, and have not come prepared with documents; but what I state is substantially what he said.

With this apprehension, he asked our Minister to wait the short period of two months, for the meeting of the Chambers, that they might be consulted before the conclusion of the treaty, in order to avoid the possibility of the embarrassment which has since occurred, and which has so dangerously embroiled the relations of the two countries. Mr. Rives objected, and the treaty was concluded."

Now, I submit, said Mr. C., to every man of integrity and honor, whether we, in accepting the treaty after these repeated declarations, did not accept it subject to the condition which they implied; that is, whether, in point of fact, the stipulation of the French Executive ought not to be fairly construed, with these declarations made at the formation of the treaty, to amount simply to an engagement to use his best endeavors to obtain the assent of the Chambers to the appropriation. Such would certainly be the understanding, in a similar case, between honorable and conscientious individuals; and such, I apprehend, will be the opinion hereafter, when passions shall have subsided, of every impartial inquirer after truth.

The question is now presented, Has the French Executive complied with his promise? Has he honorably, faithfully, and earnestly endeavored to obtain the assent of the Chambers? To these questions I shall not reply. I leave the

answer to our Executive and to our Ministers. They have explicitly and honorably acquitted the French Executive on this important point.

But, said Mr. C., let us turn to the conduct of our own Executive in relation to this important part of the controversy. If the implied obligation on the part of the French Executive was such as I suppose, there was a corresponding one, on the part of ours, to interpose no obstacle in obtaining the assent of the Chambers. How stands the fact? Mr. Rives, in communicating to our Executive the result of the negotiation, boasted of his skill, and the advantage which he had acquired over the French negotiators. I pass him by.

It was, perhaps, natural for him to boast. What does the Executive do? With a full knowledge of all the facts, forewarned of the difficulty which the French Ministry would have to encounter in the Chambers, he publishes to the world this boastful communication, which produced a sensation in France, such as might have been expected, which increased in the same proportion the difficulty of obtaining the assent of the Chambers to the appropriation. The next step increased the difficulty. Knowing, as he did, that the appropriations depended upon the Chambers, the then Secretary of the Treasury, without waiting for its action, drew a bill for the payment of the first instalment, before the appropriation was made, and before, of course, it could possibly be paid. A protest necessarily followed, accompanied with much irritation on both sides.

With these obstacles, created by our own acts, the treaty was submitted to the Chambers. Every effort was made to obtain the appropriation. The Minister displayed uncommon zeal and abilities in defense of the treaty; but in vain, under these multiplied difficulties. The bill was rejected by a majority of eight votes—a number so small, in so large a body, that it may be fairly presumed, without any violence, that, had not Mr. Rives's letter been published, and the draft drawn before the appropriation was made,

the majority would have been on the other side, and all the unhappy train of consequences which have since followed would have been prevented. So earnest were the French Ministry in their efforts to carry the bill, that their defeat dissolved the administration.

With these facts before us, who can doubt where the responsibility rests? We had thrown the impediments in the way;—we who had been so urgent to obtain the treaty, and who were to profit by its execution. It matters not, in the view in which I am considering the question, to what motives the acts of our Executive may be attributed—whether to design or thoughtlessness—it cannot shift the responsibility.

Let us now proceed to the next stage of this most unfortunate affair.

I pass over the intervening period; I come to the opening of the next session of Congress. In what manner does the President, in his message at the opening of the session, notice the failure of the French Chambers to make the appropriation? Knowing, as he must, how much the acts to which I have referred had contributed to the defeat of the bill, and that his administration was responsible for those acts, it was natural to expect that he would have noticed the fate of the bill in the calmest and most gentle manner; that he would have done full justice to the zeal and fidelity of the French Executive in its endeavor to obtain its passage, and would have thrown himself, with confidence, on the justice and honor of the French nation for the fulfilment of the treaty;—in a word, that he would have done all in his power to strengthen the Executive Government in France, in their future efforts to obtain the appropriation, and have carefully avoided everything that might interpose additional obstacles. Instead of taking this calm and considerate course, so well calculated to secure the fulfilment of the treaty, and so befitting the dignity and justice of our Government, he sends a message to Congress, couched in the strongest terms, and

recommending that he should be invested with authority to issue letters of marque and reprisal in the event of the appropriation not being made—a measure, if not tantamount to war, leading to it by almost a necessary consequence. The message was received in France with the deep feeling of irritation which might have been expected; and under this feeling, with all the impediments which it was calculated to create, the bill to carry the treaty into effect had, the second time, to make its appearance in the Chambers. They were surmounted. The bill passed, but not without a condition—a condition which causes the present difficulty.

I deeply regret, said Mr. C., the condition. In my opinion the honor of France did not require it, and the only vindication that can be offered for the Ministry in accepting it, is the necessity of the case—that it was indispensable to its passage. But surely, in the midst of the difficulties which it has caused, we ought not to forget that the acts of our own Executive were the cause of its insertion.

This, said Mr. C., brings us to the present stage of this unhappy controversy. I shall not offer an opinion on the message and documents which have just been read, till I have had time to read them at leisure, and more fully comprehend their character and bearing. The Senator from Pennsylvania has probably had the advantage of me in knowing their contents.

[Here Mr. Buchanan signified his dissent.]

I will not, said Mr. C., make the remarks that I intended, but I am not satisfied with much that I have heard in the reading of the message and the documents. I am, in particular, very far from being satisfied with the reasons assigned by the Secretary of State why he did not accept the copy of the letter from the Duke de Broglie to the French Chargé d'Affaires here, which the latter offered to put in his possession. I regret exceedingly that we have not that document. It might have shed much light on the

present state of this unhappy controversy. Much mystery hangs over the subject.

There is another point which requires explanation. There is certainly some hope that the message at the opening of the session may be favorably received in France. The President has in it expressly adopted the explanation offered by Mr. Livingston, which affords some hope, at least, that it may prove to be satisfactory to the French Government.

Why, then, send this message at this time? Why recommend preparations and non-intercourse, till we have heard how the message has been received in France? Suppose its reception should be favorable, in the absence of a representative of our Government at the French court, nothing could be done till the message which we have just received shall have passed the Atlantic and reached Paris. How unfortunate would be the consequence: What new entanglements and difficulties would be caused in the relations of the two countries! Why all this? Who can explain? Will any friend of the administration rise in his place and tell us what is intended?

I might ask, said Mr. C., for like explanation, why our Chargé was recalled from Paris at the time he was. Why not wait until the annual message was received? Whom have we there to represent us on its reception, to explain any difficulty which might remain to be explained? All these things may have a satisfactory explanation. I cannot, however, perceive it. There may be some deep mystery in the whole affair, which those only who are initiated can understand.

I fear that with the message which we have this day received, the last hope of preserving the peace of the country has vanished. This compels me to look forward. The first thing that strikes me, in casting my eyes to the future, is the utter impossibility that war, should there unfortunately be one, can have an honorable termination. We shall go into war to exact the payment of five millions of

dollars. The first cannon discharged on our part would be a receipt in full for the whole amount. To expect to obtain payment by a treaty of peace would be worse than idle. If our honor would be involved in such a termination of the contest, the honor of France would be equally involved in the opposite.

The struggle then would be, who should hold out longest in this unprofitable, and, were it not for the seriousness of the occasion, ridiculous contest. To determine this point, we must inquire which can inflict on the other the greater injury, and to which the war must be most expensive. To both a ready answer may be given. The capacity of France to inflict injury upon us is ten times greater than ours to inflict injuries on her; while the cost of the war, in proportion to her means, would be in nearly the same proportion less than ours. She has, relatively, a small commerce to be destroyed, while we have the largest in the world, in proportion to our capital and population. She may threaten and harass our coast, while her own is safe from assault. Looking over the whole ground, I do not, said Mr. C., hesitate to pronounce that a war with France will be among the greatest calamities— greater than a war with England herself. The power of the latter to annoy us may be greater than that of the former; but so is ours, in turn, greater to annoy England than France.

There is another view connected with this point, deserving the most serious consideration, particularly by the commercial and navigating portion of the Union. Nothing can be more destructive to our commerce and navigation, than for England to be neutral, while we are belligerent, in a contest with such a country as France. The whole of our commercial marine, with our entire shipping, would pass almost instantly into the hands of England. With the exception of our public armed vessels, there would be scarcely a flag of ours afloat on the ocean. We grew rich by being neutral while England was belligerent. It was that