

Andrew Jackson (1767-1845)

Sixth Annual Message to Congress

given on December 1, 1834

Fellow Citizens of the Senate and of the House of Representatives:

In performing my duty at the opening of your present session it gives me pleasure to congratulate you again upon the prosperous condition of our beloved country. Divine Providence has favored us with general health, with rich rewards
5 in the fields of agriculture and in every branch of labor, and with peace to cultivate and extend the various resources which employ the virtue and enterprise of our citizens. Let us trust that in surveying a scene so flattering to our free institutions our joint deliberations to preserve them may be crowned with success.

Our foreign relations continue, with but few exceptions, to maintain the favorable aspect which they bore in my last
10 annual message, and promise to extend those advantages which the principles that regulate our intercourse with other nations are so well calculated to secure.

The question of our North East boundary is still pending with Great Britain, and the proposition made in accordance with the resolution of the Senate for the establishment of a line according to the treaty of 1783 has not been accepted
15 by that Government. Believing that every disposition is felt on both sides to adjust this perplexing question to the satisfaction of all the parties interested in it, the hope is yet indulged that it may be effected on the basis of that proposition.

With the Governments of Austria, Russia, Prussia, Holland, Sweden, and Denmark the best understanding exists.
20 Commerce with all is fostered and protected by reciprocal good will under the sanction of liberal conventional or legal provisions.

In the midst of her internal difficulties the Queen of Spain has ratified the convention for the payment of the claims of our citizens arising since 1819. It is in the course of execution on her part, and a copy of it is now laid before you for
25 such legislation as may be found necessary to enable those interested to derive the benefits of it.

Yielding to the force of circumstances and to the wise counsels of time and experience, that power has finally resolved no longer to occupy the unnatural position in which she stood to the new Governments established in this hemisphere. I have the great satisfaction of stating to you that in preparing the way for the restoration of harmony between those
30 who have sprung from the same ancestors, who are allied by common interests, profess the same religion, and speak the same language the United States have been actively instrumental. Our efforts to effect this good work will be persevered in while they are deemed useful to the parties and our entire disinterestedness continues to be felt and understood. The act of Congress to countervail the discriminating duties to the prejudice of our navigation levied in Cuba and Puerto Rico has been transmitted to the minister of the United States at Madrid, to be communicated to the
35 Government of the Queen. No intelligence of its receipt has yet reached the Department of State. If the present condition of the country permits the Government to make a careful and enlarged examination of the true interests of these important portions of its dominions, no doubt is entertained that their future intercourse with the United States will be placed upon a more just and liberal basis.

40 The Florida archives have not yet been selected and delivered. Recent orders have been sent to the agent of the United States at Havana to return with all that he can obtain, so that they may be in Washington before the session of the Supreme Court, to be used in the legal questions there pending to which the Government is a party.

Internal tranquillity is happily restored to Portugal. The distracted state of the country rendered unavoidable the
45 postponement of a final payment of the just claims of our citizens. Our diplomatic relations will be soon resumed, and the long-subsisting friendship with that power affords the strongest guaranty that the balance due will receive prompt attention.

The first installment due under the convention of indemnity with the King of the Two Sicilies has been duly received, and an offer has been made to extinguish the whole by a prompt payment -- an offer I did not consider myself authorized to accept, as the indemnification provided is the exclusive property of individual citizens of the United States. The original adjustment of our claims and the anxiety displayed to fulfill at once the stipulations made for the payment of them are highly honorable to the Government of the Two Sicilies. When it is recollected that they were the result of the injustice of an intrusive power temporarily dominant in its territory, a repugnance to acknowledge and to pay which would have been neither unnatural nor unexpected, the circumstances can not fail to exalt its character for justice and good faith in the eyes of all nations.

The treaty of amity and commerce between the United States and Belgium, brought to your notice in my last annual message as sanctioned by the Senate, but the ratifications of which had not been exchanged owing to a delay in its reception at Brussels and a subsequent absence of the Belgian minister of foreign affairs, has been, after mature deliberation, finally disavowed by that Government as inconsistent with the powers and instructions given to their minister who negotiated it. This disavowal was entirely unexpected, as the liberal principles embodied in the convention, and which form the ground-work of the objections to it, were perfectly satisfactory to the Belgian representative, and were supposed to be not only within the powers granted, but expressly conformable to the instructions given to him. An offer, not yet accepted, has been made by Belgium to renew negotiations for a treaty less liberal in its provisions on questions of general maritime law.

Our newly established relations with the Sublime Porte promise to be useful to our commerce and satisfactory in every respect to this Government. Our intercourse with the Barbary Powers continues without important change, except that the present political state of Algiers has induced me to terminate the residence there of a salaried consul and to substitute an ordinary consulate, to remain so long as the place continues in the possession of France. Our first treaty with one of these powers, the Emperor of Morocco, was formed in 1786, and was limited to fifty years. That period has almost expired. I shall take measures to renew it with the greater satisfaction as its stipulations are just and liberal and have been, with mutual fidelity and reciprocal advantage, scrupulously fulfilled.

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Intestine dissensions have too frequently occurred to mar the prosperity, interrupt the commerce, and distract the governments of most of the nations of this hemisphere which have separated themselves from Spain. When a firm and permanent understanding with the parent country shall have produced a formal acknowledgment of their independence, and the idea of danger from that quarter can be no longer entertained, the friends of freedom expect that those countries, so favored by nature, will be distinguished for their love of justice and their devotion to those peaceful arts the assiduous cultivation of which confers honor upon nations and gives value to human life.

In the mean time I confidently hope that the apprehensions entertained that some of the people of these luxuriant regions may be tempted, in a moment of unworthy distrust of their own capacity for the enjoyment of liberty, to commit the too common error of purchasing present repose by bestowing on some favorite leaders the fatal gift of irresponsible power will not be realized. With all these Governments and with that of Brazil no unexpected changes in our relations have occurred during the present year.

Frequent causes of just complaint have arisen upon the part of the citizens of the United States, some times from the irregular action of the constituted subordinate authorities of the maritime regions and some times from the leaders or partisans of those in arms against the established Governments. In all cases representations have been or will be made, and as soon as their political affairs are in a settled position it is expected that our friendly remonstrances will be followed by adequate redress.

The Government of Mexico made known in [1833] December last the appointment of commissioners and a surveyor on its part to run, in conjunction with ours, the boundary line between its territories and the United States, and excused the delay for the reasons anticipated -- the prevalence of civil war. The commissioners and surveyors not having met within the time stipulated by the treaty, a new arrangement became necessary, and our chargé d'affaires was instructed in [1833] January to negotiate in Mexico an article additional to the pre-existing treaty. This instruction was acknowledged, and no difficulty was apprehended in the accomplishment of that object. By information just received

that additional article to the treaty will be obtained and transmitted to this country as soon as it can receive the ratification of the Mexican Congress.

105 The reunion of the three States of New Grenada, Venezuela, and Equador, forming the Republic of Colombia, seems every day to become more improbable. The commissioners of the two first are understood to be now negotiating a just division of the obligations contracted by them when united under one government. The civil war in Equador, it is believed, has prevented even the appointment of a commissioner on its part.

110 I propose at an early day to submit, in the proper form, the appointment of a diplomatic agent to Venezuela, the importance of the commerce of that country to the United States and the large claims of our citizens upon the Government arising before and since the division of Colombia rendering it, in my judgment, improper longer to delay this step.

Our representatives to Central America, Peru, and Brazil are either at or on their way to their respective posts.

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From the Argentine Republic, from which a minister was expected to this Government, nothing further has been heard. Occasion has been taken on the departure of a new consul to Buenos Ayres to remind that Government that its long delayed minister, whose appointment had been made known to us, had not arrived.

120 It becomes my unpleasant duty to inform you that this pacific and highly gratifying picture of our foreign relations does not include those with France at this time. It is not possible that any Government and people could be more sincerely desirous of conciliating a just and friendly intercourse with another nation than are those of the United States with their ancient ally and friend. This disposition is founded as well on the most grateful and honorable recollections associated with our struggle for independence as upon a well grounded conviction that it is consonant with the true
125 policy of both. The people of the United States could not, therefore, see without the deepest regret even a temporary interruption of the friendly relations between the two countries -- a regret which would, I am sure, be greatly aggravated if there should turn out to be any reasonable ground for attributing such a result to any act of omission or commission on our part. I derive, therefore, the highest satisfaction from being able to assure you that the whole course of this Government has been characterized by a spirit so conciliatory and for bearing as to make it impossible
130 that our justice and moderation should be questioned, what ever may be the consequences of a longer perseverance on the part of the French Government in her omission to satisfy the conceded claims of our citizens.

The history of the accumulated and unprovoked aggressions upon our commerce committed by authority of the existing Governments of France between the years 1800 and 1817 has been rendered too painfully familiar to
135 Americans to make its repetition either necessary or desirable. It will be sufficient here to remark that there has for many years been scarcely a single administration of the French Government by whom the justice and legality of the claims of our citizens to indemnity were not to a very considerable extent admitted, and yet near a quarter of a century has been wasted in ineffectual negotiations to secure it.

140 Deeply sensible of the injurious effects resulting from this state of things upon the interests and character of both nations, I regarded it as among my first duties to cause one more effort to be made to satisfy France that a just and liberal settlement of our claims was as well due to her own honor as to their incontestable validity. The negotiation for this purpose was commenced with the late Government of France, and was prosecuted with such success as to leave no reasonable ground to doubt that a settlement of a character quite as liberal as that which was subsequently made
145 would have been effected had not the revolution by which the negotiation was cut off taken place. The discussions were resumed with the present Government, and the result showed that we were not wrong in supposing that an event by which the two Governments were made to approach each other so much nearer in their political principles, and by which the motives for the most liberal and friendly intercourse were so greatly multiplied, could exercise no other than a salutary influence upon the negotiation.

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After the most deliberate and thorough examination of the whole subject a treaty between the two Governments was concluded and signed at Paris on 1831-07-04, by which it was stipulated that "the French Government, in order to

liberate itself from all the reclamations preferred against it by citizens of the United States for unlawful seizures, captures, sequestrations, confiscations, or destruction of their vessels, cargoes, or other property, engages to pay a sum
155 of 25,000,000 francs to the United States, who shall distribute it among those entitled in the manner and according to the rules it shall determine" ; and it was also stipulated on the part of the French Government that this 25,000,000 francs should "be paid at Paris, in six annual installments of 4,166,666 francs and 66 centimes each, into the hands of such person or persons "as shall be authorized by the Government of the US to receive it" , the first installment to be paid "at the expiration of one year next following the exchange of the ratifications of this convention and the others at
160 successive intervals of a year, one after another, 'til the whole shall be paid. To the amount of each of the said installments shall be added interest at 4% thereupon, as upon the other installments then remaining unpaid, the said interest to be computed from the day of the exchange of the present convention".

It was also stipulated on the part of the United States, for the purpose of being completely liberated from all the
165 reclamations presented by France on behalf of its citizens, that the sum of 1,500,000 francs should be paid to the Government of France in six annual installments, to be deducted out of the annual sums which France had agreed to pay, interest thereupon being in like manner computed from the day of the exchange of the ratifications. In addition to this stipulation, important advantages were secured to France by the following article, viz:

170 The wines of France, from and after the exchange of the ratifications of the present conventions, shall be admitted to consumption in the States of the Union at duties which shall not exceed the following rates by the gallon (such as it is used at present for wines in the US), to wit: 6 cents for red wines in casks; 10 cents for white wines in casks, and 22 cents for wines of all sorts in bottles. The proportions existing between the duties on French wines thus reduced and the general rates of the tariff which went into operation 1829-01-01,
175 shall be maintained in case the Government of the United States should think proper to diminish those general rates in a new tariff.

In consideration of this stipulation, which shall be binding on the United States for 10 years, the French
180 Government abandons the reclamations which it had formed in relation to the 8th article of the treaty of cession of Louisiana. It engages, moreover, to establish on the long-staple cottons of the United States which after the exchange of the ratifications of the present convention shall be brought directly thence to France by the vessels of the US or by French vessels the same duties as on short-staple cotton.

This treaty was duly ratified in the manner prescribed by the constitutions of both countries, and the ratification was
185 exchanged at the city of Washington on 1832-02-02. On account of its commercial stipulations it was in five days thereafter laid before the Congress of the United States, which proceeded to enact such laws favorable to the commerce of France as were necessary to carry it into full execution, and France has from that period to the present been in the unrestricted enjoyment of the valuable privileges that were thus secured to her.

190 The faith of the French nation having been thus solemnly pledged through its constitutional organ for the liquidation and ultimate payment of the long deferred claims of our citizens, as also for the adjustment of other points of great and reciprocal benefits to both countries, and the United States having, with a fidelity and promptitude by which their conduct will, I trust, be always characterized, done every thing that was necessary to carry the treaty into full and fair effect on their part, counted with the most perfect confidence on equal fidelity and promptitude on the part of the
195 French Government. In this reasonable expectation we have been, I regret to inform you, wholly disappointed. No legislative provision has been made by France for the execution of the treaty, either as it respects the indemnity to be paid or the commercial benefits to be secured to the United States, and the relations between the United States and that power in consequence thereof are placed in a situation threatening to interrupt the good understanding which has so long and so happily existed between the two nations.

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Not only has the French Government been thus wanting in the performance of the stipulations it has so solemnly entered into with the United States, but its omissions have been marked by circumstances which would seem to leave us without satisfactory evidences that such performance will certainly take place at a future period. Advice of the exchange of ratifications reached Paris prior to 1832-04-08. The French Chambers were then sitting, and continued in
205 session until 1832-04-21, and although one installment of the indemnity was payable on 1833-02-02, one year after the exchange of ratifications, no application was made to the Chambers for the required appropriation, and in

consequence of no appropriation having then been made the draft of the United States Government for that installment was dishonored by the minister of finance, and the United States thereby involved in much controversy.

210 The next session of the Chambers commenced on 1832-11-19, and continued until 1833-04-25. Notwithstanding the omission to pay the first installment had been made the subject of earnest remonstrance on our part, the treaty with the United States and a bill making the necessary appropriations to execute it were not laid before the Chamber of Deputies until 1833-04-06, nearly five months after its meeting, and only nineteen days before the close of the session. The bill was read and referred to a committee, but there was no further action upon it.

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The next session of the Chambers commenced on 1833-04-26, and continued until 1833-06-26. A new bill was introduced on 1833-06-11, but nothing important was done in relation to it during the session.

In 1834 April, nearly three years after the signature of the treaty, the final action of the French Chambers upon the bill
220 to carry the treaty into effect was obtained, and resulted in a refusal of the necessary appropriations. The avowed grounds upon which the bill was rejected are to be found in the published debates of that body, and no observations of mine can be necessary to satisfy Congress of their utter insufficiency. Although the gross amount of the claims of our citizens is probably greater than will be ultimately allowed by the commissioners, sufficient is, never the less, shown to render it absolutely certain that the indemnity falls far short of the actual amount of our just claims, independently
225 of the question of damages and interest for the detention. That the settlement involved a sacrifice in this respect was well known at the time -- a sacrifice which was cheerfully acquiesced in by the different branches of the Federal Government, whose action upon the treaty was required from a sincere desire to avoid further collision upon this old and disturbing subject and in the confident expectation that the general relations between the two countries would be improved thereby.

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The refusal to vote the appropriation, the news of which was received from our minister in Paris about 1834-05-15, might have been considered the final determination of the French Government not to execute the stipulations of the treaty, and would have justified an immediate communication of the facts to Congress, with a recommendation of such ultimate measures as the interest and honor of the United States might seem to require. But with the news of the
235 refusal of the Chambers to make the appropriation were conveyed the regrets of the King and a declaration that a national vessel should be forthwith sent out with instructions to the French minister to give the most ample explanations of the past and the strongest assurances for the future. After a long passage the promised dispatch vessel arrived.

240 The pledges given by the French minister upon receipt of his instructions were that as soon after the election of the new members as the charter would permit the legislative Chambers of France should be called together and the proposition for an appropriation laid before them; that all the constitutional powers of the King and his cabinet should be exerted to accomplish the object, and that the result should be made known early enough to be communicated to Congress at the commencement of the present session. Relying upon these pledges, and not doubting that the
245 acknowledged justice of our claims, the promised exertions of the King and his cabinet, and, above all, that sacred regard for the national faith and honor for which the French character has been so distinguished would secure an early execution of the treaty in all its parts, I did not deem it necessary to call the attention of Congress to the subject at the last session.

250 I regret to say that the pledges made through the minister of France have not been redeemed. The new Chambers met on 1834-07-31, and although the subject of fulfilling treaties was alluded to in the speech from the throne, no attempt was made by the King or his cabinet to procure an appropriation to carry it into execution. The reasons given for this omission, although they might be considered sufficient in an ordinary case, are not consistent with the expectations founded upon the assurances given here, for there is no constitutional obstacle to entering into legislative business at
255 the first meeting of the Chambers. This point, however, might have been over-looked had not the Chambers, instead of being called to meet at so early a day that the result of their deliberations might be communicated to me before the meeting of Congress, been prorogued to 1834-12-29 -- a period so late that their decision can scarcely be made known to the present Congress prior to its dissolution. To avoid this delay our minister in Paris, in virtue of the assurance given by the French minister in the United States, strongly urged the convocation of the Chambers at an earlier day,
260 but without success. It is proper to remark, however, that this refusal has been accompanied with the most positive

assurances on the part of the executive government of France of their intention to press the appropriation at the ensuing session of the Chambers.

The executive branch of this Government has, as matters stand, exhausted all the authority upon the subject with
265 which it is invested and which it had any reason to believe could be beneficially employed.

The idea of acquiescing in the refusal to execute the treaty will not, I am confident, be for a moment entertained by any branch of this Government, and further negotiation upon the subject is equally out of the question.

270 If it shall be the pleasure of Congress to await the further action of the French Chambers, no further consideration of the subject will at this session probably be required at your hands. But if from the original delay in asking for an appropriation, from the refusal of the Chambers to grant it when asked, from the omission to bring the subject before the Chambers at their last session, from the fact that, including that session, there have been five different occasions
275 when the appropriation might have been made, and from the delay in convoking the Chambers until some weeks after the meeting of Congress, when it was well known that a communication of the whole subject to Congress at the last session was prevented by assurances that it should be disposed of before its present meeting, you should feel yourselves constrained to doubt whether it be the intention of the French Government, in all its branches, to carry the treaty into effect, and think that such measures as the occasion may be deemed to call for should be now adopted, the important question arises what those measures shall be.

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Our institutions are essentially pacific. Peace and friendly intercourse with all nations are as much the desire of our Government as they are the interest of our people. But these objects are not to be permanently secured by surrendering the rights of our citizens or permitting solemn treaties for their indemnity, in cases of flagrant wrong, to be abrogated or set aside.

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It is undoubtedly in the power of Congress seriously to affect the agricultural and manufacturing interests of France by the passage of laws relating to her trade with the United States. Her products, manufactures, and tonnage may be subjected to heavy duties in our ports, or all commercial intercourse with her may be suspended. But there are powerful and to my mind conclusive objections to this mode of proceeding.

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We can not embarrass or cut off the trade of France without at the same time in some degree embarrassing or cutting off our own trade. The injury of such a warfare must fall, though unequally, upon our own citizens, and could not but impair the means of the Government and weaken that united sentiment in support of the rights and honor of the nation which must now pervade every bosom. Nor is it impossible that such a course of legislation would introduce once
295 more into our national councils those disturbing questions in relation to the tariff of duties which have been so recently put to rest. Besides, by every measure adopted by the Government of the United States with the view of injuring France the clear perception of right which will induce our own people and the rulers and people of all other nations, even of France herself, to pronounce our quarrel just will be obscured and the support rendered to us in a final resort to more decisive measures will be more limited and equivocal.

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There is but one point of controversy, and upon that the whole civilized world must pronounce France to be in the wrong. We insist that she shall pay us a sum of money which she has acknowledged to be due, and of the justice of this demand there can be but one opinion among mankind. True policy would seem to dictate that the question at issue should be kept thus disencumbered and that not the slightest pretense should be given to France to persist in her
305 refusal to make payment by any act on our part affecting the interests of her people. The question should be left, as it is now, in such an attitude that when France fulfills her treaty stipulations all controversy will be at an end.

It is my conviction that the United States ought to insist on a prompt execution of the treaty, and in case it be refused or longer delayed take redress into their own hands. After the delay on the part of France of a quarter of a century in
310 acknowledging these claims by treaty, it is not to be tolerated that another quarter of a century is to be wasted in negotiating about the payment. The laws of nations provide a remedy for such occasions. It is a well-settled principle of the international code that where one nation owes another a liquidated debt which it refuses or neglects to pay the

aggrieved party may seize on the property belonging to the other, its citizens or subjects, sufficient to pay the debt without giving just cause of war. This remedy has been repeatedly resorted to, and recently by France herself toward
315 Portugal, under circumstances less unquestionable.

The time at which resort should be had to this or any other mode of redress is a point to be decided by Congress. If an appropriation shall not be made by the French Chambers at their next session, it may justly be concluded that the Government of France has finally determined to disregard its own solemn undertaking and refuse to pay an
320 acknowledged debt. In that event every day's delay on our part will be a stain upon our national honor, as well as a denial of justice to our injured citizens. Prompt measures, when the refusal of France shall be complete, will not only be most honorable and just, but will have the best effect upon our national character.

Since France, in violation of the pledges given through her minister here, has delayed her final action so long that her
325 decision will not probably be known in time to be communicated to this Congress, I recommend that a law be passed authorizing reprisals upon French property in case provision shall not be made for the payment of the debt at the approaching session of the French Chambers. Her pride and power are too well known to expect any thing from her fears and preclude the necessity of a declaration that nothing partaking of the character of intimidation is intended by us. She ought to look upon it as the evidence only of an inflexible determination on the part of the United States to
330 insist on their rights.

That Government, by doing only what it has itself acknowledged to be just, will be able to spare the United States the necessity of taking redress into their own hands and save the property of French citizens from that seizure and sequestration which American citizens so long endured without retaliation or redress. If she should continue to refuse
335 that act of acknowledged justice and, in violation of the law of nations, make reprisals on our part the occasion of hostilities against the United States, she would but add violence to injustice, and could not fail to expose herself to the just censure of civilized nations and to the retributive judgments of Heaven.

Collision with France is the more to be regretted on account of the position she occupies in Europe in relation to
340 liberal institutions, but in maintaining our national rights and honor all governments are alike to us. If by a collision with France in a case where she is clearly in the wrong the march of liberal principles shall be impeded, the responsibility for that result as well as every other will rest on her own head.

Having submitted these considerations, it belongs to Congress to decide whether after what has taken place it will still
345 await the further action of the French Chambers or now adopt such provisional measures as it may deem necessary and best adapted to protect the rights and maintain the honor of the country. What ever that decision may be, it will be faithfully enforced by the Executive as far as he is authorized so to do.

According to the estimate of the Treasury Department, the revenue accruing from all sources during the present year
350 will amount to \$20,624,717, which, with the balance remaining in the Treasury on 1834-01-01 of \$11,702,905, produces an aggregate of \$32,327,623. The total expenditure during the year for all objects, including the public debt, is estimated at \$25,591,390, which will leave a balance in the Treasury on 1835-01-01 of \$6,736,232. In this balance, however, will be included about \$1,150,000 of what was heretofore reported by the Department as not effective.

Of former appropriations it is estimated that there will remain unexpended at the close of the year \$8,002,925, and that
355 of this sum there will not be required more than \$5,141,964 to accomplish the objects of all the current appropriations. Thus it appears that after satisfying all those appropriations and after discharging the last item of our public debt, which will be done on 1835-01-01, there will remain unexpended in the Treasury an effective balance of about \$440,000. That such should be the aspect of our finances is highly flattering to the industry and enterprise of our
360 population and auspicious of the wealth and prosperity which await the future cultivation of their growing resources. It is not deemed prudent, however, to recommend any change for the present in our impost rates, the effect of the gradual reduction now in progress in many of them not being sufficiently tested to guide us in determining the precise amount of revenue which they will produce.

365 Free from public debt, at peace with all the world, and with no complicated interests to consult in our intercourse with foreign powers, the present may be hailed as the epoch in our history the most favorable for the settlement of those principles in our domestic policy which shall be best calculated to give stability to our Republic and secure the blessings of freedom to our citizens.

370 Among these principles, from our past experience, it can not be doubted that simplicity in the character of the Federal Government and a rigid economy in its administration should be regarded as fundamental and sacred. All must be sensible that the existence of the public debt, by rendering taxation necessary for its extinguishment, has increased the difficulties which are inseparable from every exercise of the taxing power, and that it was in this respect a remote agent in producing those disturbing questions which grew out of the discussions relating to the tariff. If such has been
375 the tendency of a debt incurred in the acquisition and maintenance of our national rights and liberties, the obligations of which all portions of the Union cheerfully acknowledged, it must be obvious that what ever is calculated to increase the burdens of Government without necessity must be fatal to all our hopes of preserving its true character.

While we are felicitating ourselves, therefore, upon the extinguishment of the national debt and the prosperous state of
380 our finances, let us not be tempted to depart from those sound maxims of public policy which enjoin a just adaptation of the revenue to the expenditures that are consistent with a rigid economy and an entire abstinence from all topics of legislation that are not clearly within the constitutional powers of the Government and suggested by the wants of the country. Properly regarded under such a policy, every diminution of the public burdens arising from taxation gives to individual enterprise increased power and furnishes to all the members of our happy Confederacy new motives for
385 patriotic affection and support. But above all, its most important effect will be found in its influence upon the character of the Government by confining its action to those objects which will be sure to secure to it the attachment and support of our fellow citizens.

Circumstances make it my duty to call the attention of Congress to the Bank of the United States. Created for the
390 convenience of the Government, that institution has become the scourge of the people. Its interference to postpone the payment of a portion of the national debt that it might retain the public money appropriated for that purpose to strengthen it in a political contest, the extraordinary extension and contraction of its accommodations to the community, its corrupt and partisan loans, its exclusion of the public directors from a knowledge of its most important proceedings, the unlimited authority conferred on the president to expend its funds in hiring writers and procuring the
395 execution of printing, and the use made of that authority, the retention of the pension money and books after the selection of new agents, the groundless claim to heavy damages in consequence of the protest of the bill drawn on the French Government, have through various channels been laid before Congress.

Immediately after the close of the last session the bank, through its president, announced its ability and readiness to
400 abandon the system of unparalleled curtailment and the interruption of domestic exchanges which it had practiced upon from 1833-08-01 to 1834-06-30, and to extend its accommodations to the community. The grounds assumed in this annunciation amounted to an acknowledgment that the curtailment, in the extent to which it had been carried, was not necessary to the safety of the bank, and had been persisted in merely to induce Congress to grant the prayer of the bank in its memorial relative to the removal of the deposits and to give it a new charter. They were substantially a
405 confession that all the real distresses which individuals and the country had endured for the preceding 6 or 8 months had been needlessly produced by it, with the view of affecting through the sufferings of the people the legislative action of Congress.

It is subject of congratulation that Congress and the country had the virtue and firmness to bear the infliction, that the
410 energies of our people soon found relief from this wanton tyranny in vast importations of the precious metals from almost every part of the world, and that at the close of this tremendous effort to control our Government the bank found itself powerless and no longer able to loan out its surplus means. The community had learned to manage its affairs without its assistance, and trade had already found new auxiliaries, so that on 1834-10-01 the extraordinary spectacle was presented of a national more than half of whose capital was either lying unproductive in its vaults or in
415 the hands of foreign bankers.

To the needless distresses brought on the country during the last session of Congress has since been added the open seizure of the dividends on the public stock to the amount of \$170,041, under pretense of paying damages, cost, and

interest upon the protested French bill. This sum constituted a portion of the estimated revenues for the year 1834,
420 upon which the appropriations made by Congress were based. It would as soon have been expected that our collectors
would seize on the customs or the receivers of our land offices on the moneys arising from the sale of public lands
under pretenses of claims against the United States as that the bank would have retained the dividends. Indeed, if the
principle be established that any one who chooses to set up a claim against the United States may without authority of
law seize on the public property or money wherever he can find it to pay such claim, there will remain no assurance
425 that our revenue will reach the Treasury or that it will be applied after the appropriation to the purposes designated in
the law.

The pay masters of our Army and the pursers of our Navy may under like pretenses apply to their own use moneys
appropriated to set in motion the public force, and in time of war leave the country without defense. This measure
430 resorted to by the bank is disorganizing and revolutionary, and if generally resorted to by private citizens in like cases
would fill the land with anarchy and violence.

It is a constitutional provision "that no money shall be drawn from the Treasury but in consequence of appropriations
made by law" . The palpable object of this provision is to prevent the expenditure of the public money for any purpose
435 what so ever which shall not have been 1st approved by the representatives of the people and the States in Congress
assembled. It vests the power of declaring for what purposes the public money shall be expended in the legislative
department of the Government, to the exclusion of the executive and judicial, and it is not within the constitutional
authority of either of those departments to pay it away without law or to sanction its payment.

440 According to this plain constitutional provision, the claim of the bank can never be paid without an appropriation by
act of Congress. But the bank has never asked for an appropriation. It attempts to defeat the provision of the
Constitution and obtain payment without an act of Congress. Instead of awaiting an appropriation passed by both
Houses and approved by the President, it makes an appropriation for itself and invites an appeal to the judiciary to
sanction it. That the money had not technically been paid into the Treasury does not affect the principle intended to be
445 established by the Constitution.

The Executive and the judiciary have as little right to appropriate and expend the public money without authority of
law before it is placed to the credit of the Treasury as to take it from the Treasury. In the annual report of the Secretary
of the Treasury, and in his correspondence with the president of the bank, and the opinions of the Attorney General
450 accompanying it, you will find a further examination of the claims of the bank and the course it has pursued.

It seems due to the safety of the people funds remaining in that bank and to the honor of the American people that
measures be taken to separate the Government entirely from an institution so mischievous to the public prosperity and
so regardless of the Constitution and laws. By transferring the public deposits, by appointing other pension agents as
455 far as it had the power, by ordering the discontinuance of the receipt of bank checks in the payment of the public dues
after 1834-01-01, the Executive has exerted all its lawful authority to sever the connection between the Government
and this faithless corporation.

The high-handed career of this institution imposes upon the constitutional functionaries of this Government duties of
460 the gravest and most imperative character -- duties which they can not avoid and from which I trust there will be no
inclination on the part of any of them to shrink. My own sense of them is most clear, as is also my readiness to
discharge those which may rightfully fall on me. To continue any business relations with the Bank of the United
States that may be avoided without a violation of the national faith after that institution has set at open defiance the
conceded right of the Government to examine its affairs, after it has done all in its power to deride the public authority
465 in other respects and to bring it into disrepute at home and abroad, after it has attempted to defeat the clearly
expressed will of the people by turning against them the immense power intrusted to its hands and by involving a
country otherwise peaceful, flourishing, and happy, in dissension, embarrassment, and distress, would make the nation
itself a party to the degradation so sedulously prepared for itss public agents and do much to destroy the confidence of
man-kind in popular governments and to bring into contempt their authority and efficiency.

470

In guarding against an evil of such magnitude consideration of temprary convenience should be thrown out of the

question, and we should be influenced by such motives only as look to the honor and preservation of the republican system. Deeply and solemnly impressed with the justice of these views, I feel it to be my duty to recommend to you that a law be passed authorizing the sale of the public stock; that the provision of the charter requiring the receipt of
475 notes of the bank in payment of public dues shall, in accordance with the power reserved to Congress in the 14th section of the charter, be suspended until the bank pays to the Treasury the dividends withheld, and that all laws connecting the Government or its officers with the bank, directly or indirectly, be repealed, and that the institution be left hereafter to its own resources and means.

480 Events have satisfied my mind, and I think the minds of the American people, that the mischiefs and dangers which flow from a national bank far over-balance all its advantages. The bold effort the present bank has made to control the Government, the distresses it has wantonly produced, the violence of which it has been the occasion in one of our cities famed for its observance of law and order, are but premonitions of the fate which awaits the American people should they be deluded into a perpetuation of this institution or the establishment of another like it. It is fervently
485 hoped that thus admonished those who have heretofore favored the establishment of a substitute for the present bank will be induced to abandon it, as it is evidently better to incur any inconvenience that may be reasonably expected than to concentrate the whole moneyed power of the Republic in any form what so ever or under any restrictions.

Happily it is already illustrated that the agency of such an institution is not necessary to the fiscal operations of the
490 Government. The State banks are found fully adequate to the performance of all services which were required of the Bank of the United States, quite as promptly and with the same cheapness. They have maintained themselves and discharged all these duties while the Bank of the United States was still powerful and in the field as an open enemy, and it is not possible to conceive that they will find greater difficulties in their operations when that enemy shall cease to exist.

495

The attention of Congress is earnestly invited to the regulation of the deposits in the State banks by law. Although the power now exercised by the executive department in this behalf is only such as was uniformly exerted through every Administration from the origin of the Government up to the establishment of the present bank, yet it is one which is susceptible of regulation by law, and therefore ought so to be regulated. The power of Congress to direct in what
500 places the Treasurer shall keep the moneys in the Treasury and to impose restrictions upon the Executive authority in relation to their custody and removal is unlimited, and its exercise will rather be courted than discouraged by those public officers and agents on whom rests the responsibility for their safety. It is desirable that as little power as possible should be left to the President or the Secretary of the Treasury over those institutions, which, being thus freed from Executive influence, and without a common head to direct their operations, would have neither the temptation
505 nor the ability to interfere in the political conflicts of the country. Not deriving their charters from the national authorities, they would never have those inducements to meddle in general elections which have led the Bank of the United States to agitate and convulse the country for upward of two years.

The progress of our gold coinage is creditable to the officers of the Mint, and promises in a short period to furnish the
510 country with a sound and portable currency, which will much diminish the inconvenience to travelers of the want of a general paper currency should the State banks be incapable of furnishing it. Those institutions have already shown themselves competent to purchase and furnish domestic exchange for the convenience of trade at reasonable rates, and not a doubt is entertained that in a short period all the wants of the country in bank accommodations and exchange will be supplied as promptly and as cheaply as they have heretofore been by the Bank of the United States. If the
515 several States shall be induced gradually to reform their banking systems and prohibit the issue of all small notes, we shall in a few years have a currency as sound and as little liable to fluctuations as any other commercial country.

The report of the Secretary of War, together with the accompanying documents from the several bureaux of that Department, will exhibit the situation of the various objects committed to its administration.

520

No event has occurred since your last session rendering necessary any movements of the Army, with the exception of the expedition of the regiment of dragoons into the territory of the wandering and predatory tribes inhabiting the western frontier and living adjacent to the Mexican boundary. These tribes have been heretofore known to us principally by their attacks upon our own citizens and upon other Indians entitled to the protection of the United
525 States. It became necessary for the peace of the frontiers to check these habitual inroads, and I am happy to inform

you that the object has been effected without the commission of any act of hostility. Colonel Dodge and the troops under his command have acted with equal firmness and humanity, and an arrangement has been made with those Indians which it is hoped will assure their permanent pacific relations with the United States and the other tribes of Indians upon that border. It is to be regretted that the prevalence of sickness in that quarter has deprived the country of a number of valuable lives, and particularly that General Leavenworth, an officer well known, and esteemed for his gallant services in the late war and for his subsequent good conduct, has fallen a victim to his zeal and exertions in the discharge of his duty.

The Army is in a high state of discipline. Its moral condition, so far as that is known here, is good, and the various branches of the public service are carefully attended to. It is amply sufficient under its present organization for providing the necessary garrisons for the seaboard and for the defense of the internal frontier, and also for preserving the elements of military knowledge and for keeping pace with those improvements which modern experience is continually making. And these objects appear to me to embrace all the legitimate purposes for which a permanent military force should be maintained in our country. The lessons of history teach us its danger and the tendency which exists to an increase. This can be best met and averted by a just caution on the part of the public itself, and of those who represent them in Congress.

From the duties which devolve on the Engineer Department and upon the topographical engineers, a different organization seems to be demanded by the public interest, and I recommend the subject to your consideration.

No important change has during this season taken place in the condition of the Indians. Arrangements are in progress for the removal of the Creeks, and will soon be for the removal of the Seminoles. I regret that the Cherokees east of the Mississippi have not yet determined as a community to remove. How long the personal causes which have heretofore retarded that ultimately inevitable measure will continue to operate I am unable to conjecture. It is certain, however, that delay will bring with it accumulated evils which will render their condition more and more unpleasant. The experience of every year adds to the conviction that emigration, and that alone, can preserve from destruction the remnant of the tribes yet living amongst us. The facility with which the necessities of life are procured and the treaty stipulations providing aid for the emigrant Indians in their agricultural pursuits and in the important concern of education, and their removal from those causes which have heretofore depressed all and destroyed many of the tribes, can not fail to stimulate their exertions and to reward their industry.

The two laws passed at the last session of Congress on the subject of Indian affairs have been carried into effect, and detailed instructions for their administration have been given. It will be seen by the estimates for the present session that a great reduction will take place in the expenditures of the Department in consequence of these laws, and there is reason to believe that their operation will be salutary and that the colonization of the Indians on the western frontier, together with a judicious system of administration, will still further reduce the expenses of this branch of the public service and at the same time promote its usefulness and efficiency.

Circumstances have been recently developed showing the existence of extensive frauds under the various laws granting pensions and gratuities for Revolutionary services. It is impossible to estimate the amount which may have been thus fraudulently obtained from the National Treasury. I am satisfied, however, it has been such as to justify a re-examination of the system and the adoption of the necessary checks in its administration. All will agree that the services and sufferings of the remnant of our Revolutionary band should be fully compensated; but while this is done, every proper precaution should be taken to prevent the admission of fabricated and fraudulent claims.

In the present mode of proceeding the attestations and certificates of the judicial officers of the various States from a considerable portion of the checks which are interposed against the commission of frauds. These, however, have been and may be fabricated, and in such a way as to elude detection at the examining offices. And independently of this practical difficulty, it is ascertained that these documents are often loosely granted; some times even blank certificates have been issued; some times prepared papers have been signed without inquiry, and in one instance, at least, the seal of the court has been within reach of a person most interested in its improper application. It is obvious that under such circumstances no severity of administration can check the abuse of the law. And information has from time to time been communicated to the Pension Office questioning or denying the right of persons placed upon the pension list to the bounty of the country.

Such cautions are always attended to and examined, but a far more general investigation is called for, and I therefore recommend, in conformity with the suggestion of the Secretary of War, that an actual inspection should be made in each State into the circumstances and claims of every person now drawing a pension. The honest veteran has nothing to fear from such a scrutiny, while the fraudulent claimant will be detected and the public Treasury relieved to an amount, I have reason to believe, far greater than has heretofore been suspected. The details of such a plan could be so regulated as to interpose the necessary checks without any burdensome operation upon the pensioners. The object should be two-fold:

1. To look into the original justice of the claims, so far as this can be done under a proper system of regulations, by an examination of the claimants themselves and by inquiring in the vicinity of their residence into their history and into the opinion entertained of their Revolutionary services.
2. To ascertain in all cases whether the original claimant is living and this by actual personal inspection.

This measure will, if adopted, be productive, I think, of the desired results, and I therefore recommend it to your consideration, with the further suggestion that all payments should be suspended 'til the necessary reports are received.

It will be seen by a tabular statement annexed to the documents transmitted to Congress that the appropriations for objects connected with the War Department, made at the last session, for the service of the year 1834, excluding the permanent appropriation for the payment of military gratuities under the act of 1832-06-07, the appropriation of \$200,000 for arming and equipping the militia, and the appropriation of \$10,000 for the civilization of the Indians, which are not annually renewed, amounted to the sum of \$9,003,261, and that the estimates of appropriations necessary for the same branches of service for the year 1835 amount to the sum of \$5,778,964, making a difference in the appropriations of the current year over the estimates of the appropriations for the next of \$3,224,297.

The principal causes which have operated at this time to produce this great difference are shown in the reports and documents and in the detailed estimates. Some of these causes are accidental and temporary, while others are permanent, and, aided by a just course of administration, may continue to operate beneficially upon the public expenditures.

A just economy, expending where the public service requires and withholding where it does not, is among the indispensable duties of the Government.

I refer you to the accompanying report of the Secretary of the Navy and to the documents with it for a full view of the operations of that important branch of our service during the present year. It will be seen that the wisdom and liberality with which Congress has provided for the gradual increase of our navy material have been seconded by a corresponding zeal and fidelity on the part of those to whom has been confided the execution of the laws on the subject, and that but a short period would be now required to put in commission a force large enough for any exigency into which the country may be thrown.

When we reflect upon our position in relation to other nations, it must be apparent that in the event of conflicts with them we must look chiefly to our Navy for the protection of our national rights. The wide seas which separate us from other Governments must of necessity be the theater on which an enemy will aim to assail us, and unless we are prepared to meet him on this element we can not be said to possess the power requisite to repel or prevent aggressions. We can not, therefore, watch with too much attention this arm of our defense, or cherish with too much care the means by which it can possess the necessary efficiency and extension. To this end our policy has been heretofore wisely directed to the constant employment of a force sufficient to guard our commerce, and to the rapid accumulation of the materials which are necessary to repair our vessels and construct with ease such new ones as may be required in a state of war.

In accordance with this policy, I recommend to your consideration the erection of the additional dry dock described by

the Secretary of the Navy, and also the construction of the steam batteries to which he has referred, for the purpose of testing their efficacy as auxiliaries to the system of defense now in use.

The report of the PostMaster General herewith submitted exhibits the condition and prospects of that Department.
635 From that document it appears that there was a deficit in the funds of the Department at the commencement of the present year beyond its available means of \$315,599.98, which on the first of July last (1834-07-01) had been reduced to \$268,092.74. It appears also that the revenues for the coming year will exceed the expenditures about \$270,000, which, with the excess of revenue which will result from the operations of the current half year, may be expected, independently of any increase in the gross amount of postages, to supply the entire deficit before the end of 1835. But
640 as this calculation is based on the gross amount of postages which had accrued within the period embraced by the times of striking the balances, it is obvious that without a progressive increase in the amount of postages the existing retrenchments must be persevered in through the year 1836 that the Department may accumulate a surplus fund sufficient to place it in a condition of perfect ease.

645 It will be observed that the revenues of the Post Office Department, though they have increased, and their amount is above that of any former year, have yet fallen short of the estimates more than \$100,000. This is attributed in a great degree to the increase of free letters growing out of the extension and abuse of the franking privilege. There has been a gradual increase in the number of executive offices to which it has been granted, and by an act passed in 1833-03, it was extended to members of Congress throughout the whole year. It is believed that a revision of the laws relative to
650 the franking privilege, with some enactments to enforce more rigidly the restrictions under which it is granted, would operate beneficially to the country, by enabling the Department at an earlier period to restore the mail facilities that have been withdrawn, and to extend them more widely, as the growing settlements of the country may require.

To a measure so important to the Government and so just to our constituents, who ask no exclusive privileges for
655 themselves and are not willing to concede them to others, I earnestly recommend the serious attention of Congress.

The importance of the Post Office Department and the magnitude to which it has grown, both in its revenues and in its operations, seem to demand its reorganization by law. The whole of its receipts and disbursements have hitherto been left entirely to Executive control and individual discretion. The principle is as sound in relation to this as to any other
660 Department of the Government, that as little discretion should be confided to the executive officer who controls it as is compatible with its efficiency. It is therefore earnestly recommended that it be organized with an auditor and treasurer of its own, appointed by the President and Senate, who shall be branches of the Treasury Department.

Your attention is again respectfully invited to the defect which exists in the judicial system of the United States.
665 Nothing can be more desirable than the uniform operation of the Federal judiciary throughout the several States, all of which, standing on the same footing as members of the Union, have equal rights to the advantages and benefits resulting from its laws. This object is not attained by the judicial acts now in force, because they leave one quarter of the States without circuit courts.

670 It is undoubtedly the duty of Congress to place all the States on the same footing in this respect, either by the creation of an additional number of associate judges or by an enlargement of the circuits assigned to those already appointed so as to include the new States. What ever may be the difficulty in a proper organization of the judicial system so as to secure its efficiency and uniformity in all parts of the Union and at the same time to avoid such an increase of judges as would encumber the supreme appellate tribunal, it should not be allowed to weigh against the great injustice which
675 the present operation of the system produces.

I trust that I may be also pardoned for renewing the recommendation I have so often submitted to your attention in regard to the mode of electing the President and Vice President of the United States. All the reflection I have been able to bestow upon the subject increases my conviction that the best interests of the country will be promoted by the
680 adoption of some plan which will secure in all contingencies that important right of sovereignty to the direct control of the people. Could this be attained, and the terms of those officers be limited to a single period of either four or six years, I think our liberties would possess an additional safeguard.

At your last session I called the attention of Congress to the destruction of the public building occupied by the
685 Treasury Department. As the public interest requires that another building should be erected with as little delay as possible, it is hoped that the means will be seasonably provided and that they will be ample enough to authorize such an enlargement and improvement in the plan of the building as will more effectually accommodate the public officers and secure the public documents deposited in it from the casualties of fire.

690 I have not been able to satisfy myself that the bill entitled "An act to improve the navigation of the Wabash River" , which was sent to me at the close of your last session, ought to pass, and I have therefore withheld from it my approval and now return it to the Senate, the body in which it originated.

There can be no question connected with the administration of public affairs more important or more difficult to be
695 satisfactorily dealt with than that which relates to the rightful authority and proper action of the Federal Government upon the subject of internal improvements. To inherent embarrassments have been added others resulting from the course of our legislation concerning it.

I have heretofore communicated freely with Congress upon this subject, and in adverting to it again I can not refrain
700 from expressing my increased conviction of its extreme importance as well in regard to its bearing upon the maintenance of the Constitution and the prudent management of the public revenue as on account of its disturbing effect upon the harmony of the Union.

We are in no danger from violations of the Constitution by which encroachments are made upon the personal rights of
705 the citizen. The sentence of condemnation long since pronounced by the American people upon acts of that character will, I doubt not, continue to prove as salutary in its effects as it is irreversible in its nature.

But against the dangers of unconstitutional acts which, instead of menacing the vengeance of offended authority, proffer local advantages and bring in their train the patronage of the Government, we are, I fear, not so safe. To
710 suppose that because our Government has been instituted for the benefit of the people it must therefore have the power to do what ever may seem to conduce to the public good is an error into which even honest minds are too apt to fall. In yielding themselves to this fallacy they overlook the great considerations in which the Federal Constitution was founded. They forget that in consequence of the conceded diversities in the interest and condition of the different States it was foreseen at the period of its adoption that although a particular measure of the Government might be
715 beneficial and proper in 1 State it might be the reverse in another; that it was for this reason the States would not consent to make a grant to the Federal Government of the general and usual powers of government, but of such only as were specifically enumerated, and the probable effects of which they could, as they thought, safely anticipate; and they forget also the paramount obligation upon all to abide by the compact then so solemnly and, as it was hoped, so firmly established.

720

In addition to the dangers to the Constitution springing from the sources I have stated, there has been one which was perhaps greater than all. I allude to the materials which this subject has afforded for sinister appeals to selfish feelings, and the opinion heretofore so extensively entertained of its adaptation to the purposes of personal ambition. With such stimulus it is not surprising that the acts and pretensions of the Federal Government in this behalf should some times
725 have been carried to an alarming extent. The questions which have arisen upon this subject have related --

1. To the power of making internal improvements within the limits of a State, with the right of territorial jurisdiction, sufficient at least for their preservation and use.
2. To the right of appropriating money in aid of such works when carried on by a State or by a company in virtue of State authority,
730 surrendering the claim of jurisdiction; and
3. To the propriety of appropriation for improvements of a particular class, viz, for light houses, beacons, buoys, public piers, and for the removal of sand bars, sawyers, and other temporary and partial impediments in our navigable rivers and harbors.

The claims of power for the General Government upon each of these points certainly present matter of the deepest
735 interest. The first is, however, of much the greatest importance, in as much as, in addition to the dangers of unequal
and improvident expenditures of public moneys common to all, there is super-added to that the conflicting
jurisdictions of the respective governments. Federal jurisdiction, at least to the extent I have stated, has been justly
regarded by its advocates as necessarily appurtenant to the power in question, if that exists by the Constitution.

740 That the most injurious conflicts would unavoidably arise between the respective jurisdictions of the State and Federal
Governments in the absence of a constitutional provision marking out their respective boundaries can not be doubted.
The local advantages to be obtained would induce the States to overlook in the beginning the dangers and difficulties
to which they might ultimately be exposed. The powers exercised by the Federal Government would soon be regarded
with jealousy by the State authorities, and originating as they must from implication or assumption, it would be
745 impossible to affix to them certain and safe limits.

Opportunities and temptations to the assumption of power incompatible with State sovereignty would be increased
and those barriers which resist the tendency of our system toward consolidation greatly weakened. The officers and
agents of the General Government might not always have the discretion to abstain from intermeddling with State
750 concerns, and if they did they would not always escape the suspicion of having done so. Collisions and consequent
irritations would spring up; that harmony which should ever exist between the General Government and each member
of the Confederacy would be frequently interrupted; a spirit of contention would be engendered and the dangers of
disunion greatly multiplied.

755 Yet we know that not withstanding these grave objections this dangerous doctrine was at one time apparently
proceeding to its final establishment with fearful rapidity. The desire to embark the Federal Government in works of
internal improvement prevailed in the highest degree during the first session of the first Congress that I had the honor
to meet in my present situation. When the bill authorizing a subscription on the part of the United States for stock in
the Maysville and Lexington TurnPike Company passed the two houses, there had been reported by the Committees
760 of Internal Improvements bills containing appropriations for such objects, inclusive of those for the Cumberland road
and for harbors and light houses, to the amount of \$106,000,000. In this amount was included authority to the
Secretary of the Treasury to subscribe for the stock of different companies to a great extent, and the residue was
principally for the direct construction of roads by this Government. In addition to these projects, which had been
presented to the two Houses under the sanction and recommendation of their respective Committees on Internal
765 Improvements, there were then still pending before the committees, and in memorials to Congress presented but not
referred, different projects for works of a similar character, the expense of which can not be estimated with certainty,
but must have exceeded \$100,000,000.

Regarding the bill authorizing a subscription to the stock of the Maysville and Lexington TurnPike Company as the
770 entering wedge of a system which, however weak at first, might soon become strong enough to rive the bands of the
Union asunder, and believing that if its passage was acquiesced in by the Executive and the people there would no
longer be any limitation upon the authority of the General Government in respect to the appropriation of money for
such objects, I deemed it an imperative duty to withhold from it the Executive approval.

775 Although from the obviously local character of that work I might well have contented myself with a refusal to approve
the bill upon that ground, yet sensible of the vital importance of the subject, and anxious that my views and opinions
in regard to the whole matter should be fully understood by Congress and by my constituents, I felt it my duty to go
further. I therefore embraced that early occasion to apprise Congress that in my opinion the Constitution did not
confer upon it the power to authorize the construction of ordinary roads and canals within the limits of a State and to
780 say, respectfully, that no bill admitting such a power could receive my official sanction. I did so in the confident
expectation that the speedy settlement of the public mind upon the whole subject would be greatly facilitated by the
difference between the 2 Houses and myself, and that the harmonious action of the several departments of the Federal
Government in regard to it would be ultimately secured.

785 So far, at least, as it regards this branch of the subject, my best hopes have been realized. Nearly four years have
elapsed, and several sessions of Congress have intervened, and no attempt within my recollection has been made to
induce Congress to exercise this power. The applications for the construction of roads and canals which were formerly

multiplied upon your files are no longer presented, and we have good reason to infer that the current public sentiment has become so decided against the pretension as effectually to discourage its reassertion. So thinking, I derive the
790 greatest satisfaction from the conviction that thus much at least has been secured upon this important and embarrassing subject.

From attempts to appropriate the national funds to objects which are confessedly of a local character we can not, I trust, have anything further to apprehend. My views in regard to the expediency of making appropriations for works
795 which are claimed to be of a national character and prosecuted under State authority -- assuming that Congress have the right to do so -- were stated in my annual message to Congress in 1830, and also in that containing my objections to the Maysville road bill.

So thoroughly convinced am I that no such appropriations ought to be made by Congress until a suitable constitutional
800 provision is made upon the subject, and so essential do I regard the point to the highest interests of our country, that I could not consider myself as discharging my duty to my constituents in giving the Executive sanction to any bill containing such an appropriation. If the people of the United States desire that the public Treasury shall be resorted to for the means to prosecute such works, they will concur in an amendment of the Constitution prescribing a rule by which the national character of the works is to be tested, and by which the greatest practicable equality of benefits
805 may be secured to each member of the Confederacy. The effects of such a regulation would be most salutary in preventing unprofitable expenditures, in securing our legislation from the pernicious consequences of a scramble for the favors of Government, and in repressing the spirit of discontent which must inevitably arise from an unequal distribution of treasures which belong alike to all.

810 There is another class of appropriations for what may be called, without impropriety, internal improvements, which have always been regarded as standing upon different grounds from those to which I have referred. I allude to such as have for their object the improvement of our harbors, the removal of partial and temporary obstructions in our navigable rivers, for the facility and security of our foreign commerce. The grounds upon which I distinguished appropriations of this character from others have already been stated to Congress. I will now only add that at the 1st
815 session of Congress under the new Constitution it was provided by law that all expenses which should accrue from and after the 15th day of August, 1789, in the necessary support and maintenance and repairs of all light houses, beacons, buoys, and public piers erected, placed, or sunk before the passage of the act within any bay, inlet, harbor, or port of the United States, for rendering the navigation thereof easy and safe, should be defrayed out of the Treasury of the United States, and, further, that it should be the duty of the Secretary of the Treasury to provide by contracts, with
820 the approbation of the President, for rebuilding when necessary and keeping in good repair the light houses, beacons, buoys, and public piers in the several States, and for furnishing them with supplies.

Appropriations for similar objects have been continued from that time to the present without interruption or dispute. As a natural consequence of the increase and extension of our foreign commerce, ports of entry and delivery have
825 been multiplied and established, not only upon our sea-board but in the interior of the country upon our lakes and navigable rivers. The convenience and safety of this commerce have led to the gradual extension of these expenditures; to the erection of light houses, the placing, planting, and sinking of buoys, beacons, and piers, and to the removal of partial and temporary obstructions in our navigable rivers and in the harbors upon our Great Lakes as well as on the sea-board.

830

Although I have expressed to Congress my apprehension that these expenditures have some times been extravagant and disproportionate to the advantages to be derived from them, I have not felt it to be my duty to refuse my assent to bills containing them, and have contented myself to follow in this respect in the foot-steps of all my predecessors. Sensible, however, from experience and observation of the great abuses to which the unrestricted exercise of this
835 authority by Congress was exposed, I have prescribed a limitation for the government of my own conduct by which expenditures of this character are confined to places below the ports of entry or delivery established by law. I am very sensible that this restriction is not as satisfactory as could be desired, and that much embarrassment may be caused to the executive department in its execution by appropriations for remote and not well-understood objects. But as neither my own reflections nor the lights which I may properly derive from other sources have supplied me with a better, I
840 shall continue to apply my best exertions to a faithful application of the rule upon which it is founded.

I sincerely regret that I could not give my assent to the bill entitled: "An act to improve the navigation of the Wabash River" ; but I could not have done so without receding from the ground which I have, upon the fullest consideration, taken upon this subject, and of which Congress has been heretofore apprised, and without throwing the subject again
845 open to abuses which no good citizen entertaining my opinions could desire.

I rely upon the intelligence and candor of my fellow citizens, in whose liberal indulgence I have already so largely participated, for a correct appreciation on my motives in interposing as I have done on this and other occasions checks to a course of legislation which, without in the slightest degree calling in question the motives of others, I consider as
850 sanctioning improper and unconstitutional expenditures of public treasure.

I am not hostile to internal improvements, and wish to see them extended to every part of the country. But I am fully persuaded, if they are not commenced in a proper manner, confined to proper objects, and conducted under an authority generally conceded to be rightful, that a successful prosecution of them can not be reasonably expected. The
855 attempt will meet with resistance where it might otherwise receive support, and instead of strengthening the bonds of our Confederacy it will only multiply and aggravate the causes of disunion.

ANDREW JACKSON

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