

## APPENDIX. PROCLAMATIONS.

### PROCLAMATIONS.\*

No. 1. *Respecting a Survey of, and defining the Limits of, the District of Columbia.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. Jan. 24, 1791.

#### A PROCLAMATION.

WHEREAS the General Assembly of the State of Maryland, by an act passed on the twenty-third day of December, in the year one thousand seven hundred and eighty-eight, intituled "An act to cede to Congress a District of ten miles square in this State, for the seat of the government of the United States," did enact, that the Representatives of the said State, in the House of Representatives of the Congress of the United States, appointed to assemble at New York, on the first Wednesday of March then next ensuing, should be and they were thereby authorized and required on the behalf of the said State, to cede to the Congress of the United States, any District in the said State, not exceeding ten miles square, which the Congress might fix upon and accept for the seat of Government of the United States. Preamble as to cession by Maryland.

And the General Assembly of the Commonwealth of Virginia, by an act passed on the third day of December, one thousand seven hundred and eighty-nine, and intituled "An act for the cession of ten miles square, or any lesser quantity of territory within this State, to the United States in Congress assembled, for the permanent seat of the General Government," did enact that a tract of country not exceeding ten miles square, or any lesser quantity to be located within the limits of the said State, and in any part thereof, as Congress might by law direct, should be and the same was thereby forever ceded and relinquished to the Congress and Government of the United States, in full and absolute right, and exclusive jurisdiction, as well of soil as of persons residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the first article of the Constitution of Government of the United States. Preamble as to cession by Virginia.

And the Congress of the United States, by their act passed the sixteenth day of July, one thousand seven hundred and ninety, and intituled "An act for establishing the temporary and permanent seat of the Government of the United States," authorized the President of the United States to appoint three commissioners to survey under his direction, and by proper metes and bounds to limit a district of territory, not exceeding ten miles square, on the River Potomac, at some place between the mouths of the Eastern Branch and Conogocheque, which District, so to be located and limited, was accepted by the said act of Congress, as the District for the permanent seat of the Government of the United States. Act of 1790, ch. 28.  
Vol. i. p. 130.

Now, therefore, in pursuance of the powers to me confided, and after duly examining and weighing the advantages and disadvantages of the several situations within the limits aforesaid, I do hereby declare and make known, that Four lines of experiment to be run.

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\* The original plan of the Statutes at Large did not contemplate the publication of Proclamations. See Joint Resolution of March 3, 1845, 5 Stats. at Large, p. 798. But many have been printed in the different volumes in an Appendix; and since some Proclamations have the force of law, and all of them are of historical interest, it has been thought best to print in a chronological order; in this Appendix, all those not already published. Vol. v. p. 798.

the location of one part of the said District of ten miles square, shall be found by running four lines of experiment in the following manner, that is to say, running from the Court-house of Alexandria in Virginia, due southwest half a mile, and thence a due southeast course, till it shall strike Hunting Creek, to fix the beginning of the said four lines of experiment:

Then beginning the first of the said four lines of experiment at the point on Hunting Creek, where the said southeast course shall have struck the same, and running the said first line due northwest ten miles: thence the second line into Maryland due northeast ten miles: thence the third line due southeast ten miles: and thence the fourth line due southwest ten miles, to the beginning on Hunting Creek.

Certain territory within said four experimental lines, to be part of the District of Columbia, and to be surveyed.

And the said four lines of experiment being so run, I do hereby declare and make known, that all that part within the said four lines of experiment which shall be within the State of Maryland and above the Eastern Branch, and all that part within the same four lines of experiment which shall be within the Commonwealth of Virginia, and above a line to be run from the point of land forming the Upper Cape of the mouth of the Eastern Branch due southwest, and no more, is now fixed upon, and directed to be surveyed, defined, limited and located for a part of the said District accepted by the said act of Congress for the permanent seat of the Government of the United States; (hereby expressly reserving the direction of the survey and location of the remaining part of the said District, to be made hereafter contiguous to such part or parts of the present location as is or shall be agreeable to law.)

Lines to be run and report made.

And I do accordingly direct the said commissioners, appointed agreeably to the tenor of the said act, to proceed forthwith to run the said lines of experiment, and the same being run, to survey, and by proper metes and bounds to define and limit the part within the same, which is hereinbefore directed for immediate location and acceptance; and thereof to make due report to me, under their hands and seals.

In testimony whereof, I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the twenty-fourth day of January, in the year of our Lord one thousand seven hundred and ninety-one, and of the independence of the United States the fifteenth.

GEO. WASHINGTON.

BY THE PRESIDENT:

THOMAS JEFFERSON.

## No. 2. *Respecting the Acts of James O'Fallon in Kentucky.*

March 19, 1791. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Preamble.

1790, ch. 33.

Vol. i. p. 137.

All persons warned not to violate said act, or the Indian treaties.

WHEREAS it hath been represented to me, that James O'Fallon is levying an armed force in that part of the State of Virginia which is called Kentucky, disturbs the public peace, and sets at defiance the treaties of the United States with the Indian tribes, the act of Congress, intituled "An act to regulate trade and intercourse with the Indian tribes," and my proclamations of the fourteenth and twenty-sixth days of August last, founded thereon;\* And it is my earnest desire that those who have incautiously associated themselves with the said James O'Fallon, may be warned of their danger, I have therefore thought fit to publish this proclamation, hereby declaring that all persons violating the treaties and act aforesaid, shall be prosecuted with the utmost rigor of the law.

And I do, moreover, require all officers of the United States whom it may concern, to use their best exertions to bring to justice any persons offending in the premises.

In testimony whereof I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand.

\* These proclamations have been lost from the files.

[L. s.] Done at the city of Philadelphia, the nineteenth day of March, in the year of our Lord one thousand seven hundred and ninety-one, and of the independence of the United States the fifteenth.

GEORGE WASHINGTON.

BY THE PRESIDENT:

THOMAS JEFFERSON.

No. 3. *Enjoining Neutrality as to War against France.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. April 22, 1793.

A PROCLAMATION.

WHEREAS it appears that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands of the one part, and France on the other, and the duty and interest of the United States require that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial toward the belligerent powers:

I have therefore thought fit, by these presents, to declare the disposition of the United States to observe the conduct aforesaid towards those powers respectively; and to exhort and warn the citizens of the United States carefully to avoid all acts and proceedings whatsoever, which may in any manner tend to contravene such disposition.

And I do hereby also make known that whosoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the law of nations, by committing, aiding, or abetting hostilities against any of the said powers, or by carrying to any of them those articles which are deemed contraband by the modern usage of nations, will not receive the protection of the United States against such punishment or forfeiture; and further, that I have given instructions to those officers, to whom it belongs, to cause prosecutions to be instituted against all persons who shall, within the cognizance of the courts of the United States, violate the law of nations, with respect to the powers at war, or any of them.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the twenty-second day of April, one thousand seven hundred and ninety-three, and of the independence of the United States of America the seventeenth.

[L. s.]

G. WASHINGTON.

BY THE PRESIDENT:

THOMAS JEFFERSON.

No. 4. *Respecting enlisting Men in Kentucky to invade a neighboring Nation.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: March 24, 1794.

A PROCLAMATION.

WHEREAS I have received information that certain persons, in violation of the laws, have presumed, under colour of a foreign authority, to enlist citizens of the United States, and others, within the State of Kentucky, and have there assembled an armed force for the purpose of invading and plundering the territories of a nation at peace with the said United States: And whereas such unwarrantable measures, being contrary to the laws of nations, and to the duties incumbent on every citizen of the United States, tend to disturb the tranquillity of the same, and to involve them in the calamities of war: And, whereas it is the duty of the executive to take care that such criminal proceedings should be suppressed, the offenders brought to justice, and all good citizens cautioned

Preamble reciting that war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands on the one side, and France on the other.

Disposition of the United States declared.

Citizens violating laws of war not to be protected.

Officers to enforce the laws of neutrality.

Preamble that enlistments are made in Kentucky to invade a neighboring nation.

Warning  
against such  
acts.

against measures likely to prove so pernicious to their country and themselves, should they be seduced into similar infractions of the laws, I have therefore thought proper to issue this proclamation, hereby solemnly warning every person, not authorized by the laws, against enlisting any citizen or citizens of the United States, or levying troops, or assembling any persons within the United States for the purposes aforesaid, or proceeding in any manner to the execution thereof, as they will answer the same at their peril: And I do also admonish and require all citizens to refrain from enlisting, enrolling, or assembling themselves for such unlawful purposes, and from being in anywise concerned, aiding, or abetting therein, as they tender their own welfare, inasmuch as all lawful means will be strictly put in execution for securing obedience to the laws, and for punishing such dangerous and daring violations thereof.

Officers to en-  
deavour to pre-  
vent or punish  
such acts.

And I do, moreover, charge and require all courts, magistrates, and other officers whom it may concern, according to their respective duties, to exert the powers in them severally vested, to prevent and suppress all such unlawful assemblages and proceedings, and to bring to condign punishment those who may have been guilty thereof, as they regard the due authority of government, and the peace and welfare of the United States.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my  
[L. S.] hand. Done at the city of Philadelphia, the twenty-fourth day of March, one thousand seven hundred and ninety-four, and of the independence of the United States of America the eighteenth.

G. WASHINGTON.

BY THE PRESIDENT:

EDM. RANDOLPH.

### No. 5. *Day of Public Thanksgiving appointed.*

Jan. 1, 1795.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION.

WHEN we review the calamities which afflict so many other nations, the present condition of the United States affords much matter of consolation and satisfaction. Our exemption hitherto from foreign war, an increasing prospect of the continuance of that exemption, the great degree of internal tranquillity we have enjoyed, the recent confirmation of that tranquillity by the suppression of an insurrection which so wantonly threatened it, the happy course of our public affairs in general, the unexampled prosperity of all classes of our citizens—are circumstances which peculiarly mark our situation with indications of the Divine Beneficence towards us. In such a state of things it is, in an especial manner, our duty as a people, with devout reverence and affectionate gratitude, to acknowledge our many and great obligations to Almighty God, and to implore Him to continue and confirm the blessings we experience.

Deeply penetrated with this sentiment, I, GEORGE WASHINGTON, President of the United States, do recommend to all religious societies and denominations, and to all persons whomsoever within the United States, to set apart and observe Thursday, the nineteenth day of February next, as a day of public Thanksgiving and Prayer; and on that day to meet together, and render their sincere and hearty thanks to the great Ruler of Nations for the manifest and signal mercies which distinguish our lot as a Nation; particularly for the possession of Constitutions of Government which unite and by their union establish liberty with order, for the preservation of our peace, foreign and domestic, for the seasonable controul which has been given to a spirit of disorder in the suppression of the late insurrection, and generally for the prosperous course of our affairs, public and private; and at the same time, humbly and fervently to beseech the kind author of these blessings graciously to prolong them to us,—to imprint on our hearts a deep and solemn sense of our obligations to Him for them—to teach us rightly to estimate their immense value—to preserve us from the arrogance of prosperity, and from hazarding the advantages we enjoy by delusive pursuits—to dispose us to merit the continuance of his favors, by not abusing them, by our gratitude for

Thursday, Feb.  
19, 1795, ap-  
pointed as a day  
of Public  
Thanksgiving.

them, and by a correspondent conduct as citizens and as men; to render this country more and more a safe and propitious asylum for the unfortunate of other countries; to extend among us true and useful knowledge; to diffuse and establish habits of sobriety, order, morality, and piety, and finally to impart all the blessings we possess, or ask for ourselves, to the whole family of mankind.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the first day of January, one thousand seven hundred and ninety-five, and of the independence of the United States of America the nineteenth.

GEO. WASHINGTON.

BY THE PRESIDENT:

EDM. RANDOLPH.

### No. 6. *Respecting Coinage and Tender.*

BY JOHN ADAMS, THE PRESIDENT OF THE UNITED STATES OF AMERICA. July 22, 1797.

## A PROCLAMATION.

WHEREAS an Act of the Congress of the United States was passed on the ninth day of February, 1793, intituled "An act regulating foreign coins and for other purposes," in which it was enacted "that foreign gold and silver coins, shall pass current as money within the United States, and be a legal tender for the payment of all debts and demands" at the several and respective rates therein stated: and that "at the expiration of three years, next ensuing the time when the coinage of gold and silver agreeably to the act intituled "An act establishing a Mint and regulating the coins of the United States," shall commence at the Mint of the United States, (which time shall be announced by the Proclamation of the President of the United States,) all foreign gold coins, and all foreign silver coins, except Spanish milled dollars, and parts of such dollars, shall cease to be a legal tender as aforesaid.

1793, ch. 5.

Vol. i. p. 300.

1792, ch. 16.

Vol. i. p. 246.

Now therefore, I, the said JOHN ADAMS, President of the United States, hereby proclaim, announce, and give notice to all whom it may concern, that agreeably to the act last above mentioned, the coinage of silver at the Mint of the United States, commenced on the fifteenth day of October, one thousand seven hundred and ninety-four, and the coinage of gold on the thirty-first day of July, one thousand seven hundred and ninety-five: and that, consequently, in conformity to the act first above mentioned, all foreign silver coins, except Spanish milled dollars and parts of such dollars, will cease to pass current as money within the United States and to be a legal tender for the payment of any debts or demands after the fifteenth day of October next, and all foreign gold coins will cease to pass current as money within the United States and to be a legal tender as aforesaid for the payment of any debts or demands after the thirty-first day of July, which will be in the year of our Lord one thousand seven hundred and ninety-eight.

Coinage of silver declared to have commenced Oct. 15, 1794, and the coinage of gold July 1, 1795.  
Foreign coins not to be a tender after those dates.

In testimony whereof, I have caused the Seal of the United States to be affixed to these presents, and signed the same with my hand. Done at Philadelphia, the twenty-second day of July, in the year of our Lord, one thousand seven hundred and ninety-seven, and of the independence of the United States the twenty-second.

JOHN ADAMS.

BY THE PRESIDENT:

TIMOTHY PICKERING, *Secretary of State.*

No. 7. *Day of Public Humiliation appointed.*March 23, 1798.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A. PROCLAMATION.

As the safety and prosperity of nations ultimately and essentially depend on the protection and the blessing of Almighty God, and the national acknowledgment of this truth is not only an indispensable duty which the people owe to Him, but a duty whose natural influence is favourable to the promotion of that morality and piety, without which social happiness cannot exist, nor the blessings of a free government be enjoyed, and as this duty at all times incumbent, is so especially in seasons of difficulty or of danger, when existing or threatening calamities, the just judgments of God against prevalent iniquity, are a loud call to repentance and reformation; and as the United States of America are, at present, placed in a hazardous and afflictive situation, by the unfriendly disposition, conduct, and demands of a Foreign Power, evinced by repeated refusals to receive our messengers of reconciliation and peace, by depredations on our Commerce, and the infliction of injuries on very many of our fellow-citizens, while engaged in their lawful business on the seas.—Under these considerations it has appeared to me that the duty of imploring the mercy and benediction of Heaven on our country, demands, at this time, a special attention from its inhabitants.

Wednesday,  
May 9, 1798, ap-  
pointed as a day  
of Public Hu-  
miliation.

I have, therefore, thought fit to recommend, and I do hereby recommend, that Wednesday, the ninth day of May next, be observed throughout the United States, as a day of Solemn Humiliation, Fasting, and Prayer: That the Citizens of these States, abstaining on that day from their customary worldly occupations, offer their devout addresses to the Father of Mercies, agreeably to those forms or methods which they have severally adopted as the most suitable and becoming: That all Religious Congregations do, with the deepest humility, acknowledge before God the manifold sins and transgressions with which we are justly chargeable as individuals and as a nation, beseeching him at the same time of His infinite Grace through the Redeemer of the World, freely to remit all our offences, and to incline us, by his Holy Spirit, to that sincere Repentance and Reformation, which may afford us reason to hope for his inestimable favour and Heavenly Benediction: That it be made the subject of particular and earnest supplication, that our country may be protected from all the dangers which threaten it: That our civil and religious privileges may be preserved inviolate, and perpetuated to the latest generations: That our Public Councils and Magistrates may be especially enlightened and directed at this critical period: That the American people may be united in those bonds of amity and mutual confidence, and inspired with that vigour and fortitude by which they have in times past been so highly distinguished, and by which they have obtained such invaluable advantages: That the health of the inhabitants of our land may be preserved, and their Agriculture, Commerce, Fisheries, Arts and Manufactures, be blessed and prospered: That the principles of genuine piety and sound morality may influence the minds and govern the lives of every description of our Citizens, and that the blessings of peace, freedom, and pure religion, may be speedily extended to all the nations of the Earth.

And, finally, I recommend, that on the said day, the duties of Humiliation and Prayer be accompanied by fervent thanksgiving to the bestower of every good gift, not only for His having hitherto protected and preserved the people of these United States, in the independent enjoyment of their Religious and Civil Freedom, but also for having prospered them in a wonderful progress of population, and for conferring on them many and great favours, conducive to the happiness and prosperity of a nation.

Given under my hand and the Seal of the United States of America, at Philadelphia, this twenty-third day of March, in the year of our  
[L. S.] Lord one thousand seven hundred and ninety-eight, and of the independence of the said States the twenty-second.

JOHN ADAMS.

BY THE PRESIDENT:

TIMOTHY PICKERING, *Secretary of State.*

No. 8. *Respecting Resistance in Pennsylvania to the Laws levying Taxes.*BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. March 12, 1799.

## A PROCLAMATION.

WHEREAS combinations to defeat the execution of the laws for the valuation of the lands and dwelling-houses within the United States, have existed in the counties of Northampton, Montgomery, and Bucks, in the State of Pennsylvania, and have proceeded in a manner subversive of the just authority of the government, by misrepresentations to render the law odious, by deterring the public officers of the United States to forbear the execution of their functions, and by openly threatening their lives: And whereas the endeavors of the well-affected citizens, as well as of the executive officers, to conciliate a compliance with those laws, have failed of success, and certain persons in the county of Northampton aforesaid, have been hardy enough to perpetrate certain acts, which I am advised amount to treason, being overt acts of levying war against the United States, the said persons exceeding one hundred in number, and armed and arrayed in a warlike manner, having, on the seventh day of this present month of March, proceeded to the house of Abraham Lovering, in the town of Bethlehem, and there compelled William Nichols, Marshal of the United States, in and for the District of Pennsylvania, to desist from the execution of certain legal process in his hands to be executed, and having compelled him to discharge and set at liberty certain persons whom he had arrested by virtue of criminal process duly issued for offences against the United States, and having impeded and prevented the Commissioner and the Assessors, appointed in conformity with the laws aforesaid, in the county of Northampton, aforesaid, by threats and personal injury from executing the said laws, avowing as the motives of these illegal and treasonable proceedings, an intention to prevent, by force of arms, the execution of the said laws, and to withstand, by open violence, the lawful authority of the government of the United States: And whereas by the Constitution and Laws of the United States, I am authorized, whenever the laws of the United States shall be opposed or the execution thereof obstructed, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings or by the powers vested in the Marshals, to call forth military force to suppress such combinations, and to cause the laws to be duly executed: And whereas it is in my judgment necessary to call forth military force in order to suppress the combinations aforesaid, and to cause the laws aforesaid to be duly executed: And I have accordingly determined so to do, under the solemn conviction that the essential interests of the United States demand it: Wherefore, I, JOHN ADAMS, President of the United States, do hereby command all persons being insurgents as aforesaid, and all others whom it may concern, on or before Monday next, being the eighteenth day of this present month, to disperse and retire peaceably to their respective abodes; and I do moreover warn all persons whomsoever against aiding, abetting, or comforting the perpetrators of the aforesaid treasonable acts; and I do require all officers and others, good and faithful citizens, according to their respective duties and the laws of the land, to exert their utmost endeavours to prevent and suppress such dangerous and unlawful proceedings.

Preamble reciting the fact of combinations to resist the laws.

Insurgents commanded to disperse.

In testimony whereof, I have caused the Seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the City of Philadelphia, the twelfth day of March, in the year of our Lord, one thousand seven hundred and ninety-nine, and of the independence of the said United States of America the twenty-third.

JOHN ADAMS.

BY THE PRESIDENT:

TIMOTHY PICKERING, *Secretary of State.*

No. 9. *Suspending, as to St. Domingo, the Restraints of the Act of 1799, ch. 2.*

June 26, 1799. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

WHEREAS by an act of the Congress of the United States, passed the ninth day of February last, entitled "An act further to suspend the commercial intercourse between the United States and France, and the dependencies thereof," it is provided, "That at any time after the passing of this act, it shall be lawful for the President of the United States, if he shall deem it expedient and consistent with the interests of the United States, by his order, to remit and discontinue for the time being, the restraints and prohibitions by the said act imposed, either with respect to the French Republic, or to any island, port or place, belonging to the said Republic, with which a commercial intercourse may safely be renewed; and also to revoke such order whenever in his opinion the interest of the United States shall require; and he is authorized to make proclamation thereof accordingly.

And whereas the arrangements which have been made at St. Domingo for the safety of the commerce of the United States, and for the admission of American vessels into certain ports of that island, do in my opinion, render it expedient and for the interest of the United States to renew a commercial intercourse with such ports.

Restraints suspended as to Island of St. Domingo under certain regulations.

Therefore, I, JOHN ADAMS, President of the United States, by virtue of the powers vested in me by the above recited act, do hereby remit and discontinue the restraints and prohibitions therein contained, within the limits and under the regulations here following, to wit:

1. It shall be lawful for vessels which have departed or may depart from the United States, to enter the ports of Cape Francois, and Port Republicain, formerly called Port-au-Prince, in the said Island of St. Domingo, on and after the first day of August next.

2. No vessel shall be cleared for any other port in St. Domingo, than Cape Francois and Port Republicain.

3. It shall be lawful for vessels which shall enter the said ports of Cape Francois and Port Republicain, after the thirty-first day of July next, to depart from thence to any other port in said island between Monte Christi on the North, and Petit Goave on the West: provided it be done with the consent of the government of St. Domingo, and pursuant to certificates or passports expressing such consent, signed by the Consul-General of the United States, or Consul residing at the port of departure.

4. All vessels sailing in contravention of these regulations, will be out of the protection of the United States, and be moreover liable to capture, seizure, and confiscation.

Given under my hand and the Seal of the United States, at Philadelphia, the twenty-sixth day of June, in the year of our Lord one thousand seven hundred and ninety-nine, and of the independence of the said States the twenty-third.

[L. s.]

JOHN ADAMS.

BY THE PRESIDENT:

TIMOTHY PICKERING, *Secretary of State.*



No. 10. *Suspending, as to Hispaniola, the Restraints of the Act of 1799, ch. 2.*BY JOHN ADAMS, PRESIDENT OF THE UNITED STATES OF AMERICA. Sept. 6, 1800.

## A PROCLAMATION.

WHEREAS by an act of the Congress of the United States, passed on the twenty-seventh day of February last, entitled "An act further to suspend the commercial intercourse between the United States and France, and the dependencies thereof;" it is enacted, "That at any time after the passing of the said act, it shall be lawful for the President of the United States, by his order, to remit and discontinue for the time being, whenever he shall deem it expedient and for the interest of the United States, all or any of the restraints and prohibitions imposed by the said act, in respect to the territories of the French Republic, or to any island, port or place belonging to the said republic, with which, in his opinion, a commercial intercourse may be safely renewed; and to make proclamation thereof accordingly:" And it is also thereby further enacted that the whole of the Island of Hispaniola shall, for the purposes of the said act, be considered as a dependence of the French republic:

And whereas the circumstances of the said island are such that, in my opinion, a commercial intercourse may safely be renewed with every part thereof, under the limitations and restrictions hereinafter mentioned: Therefore I, JOHN ADAMS, President of the United States, by virtue of the powers vested in me as aforesaid, do hereby remit and discontinue the restraints and prohibitions imposed by the act aforesaid, in respect to every part of the said island, so that it shall be lawful for vessels of the United States to trade at any of the ports and places thereof: Provided it be done with the consent of the government of St. Domingo; and for this purpose it is hereby required, that such vessels first clear for and enter the port of Cape Francois or Port Republicain in the said Island, and there obtain the passports of the said government, which shall also be signed by the Consul-General of the United States, or their consul residing at Cape Francois, or their consul residing at Port Republicain, permitting such vessels to go thence to the other ports and places of the said Island. Of all which the collectors of the customs, and all other officers and citizens of the United States are to take due notice and govern themselves accordingly.

Preamble.

1799, ch. 2, §4.

Vol. i. p. 615.

Restraints of  
said act taken  
off, as to Hispan-  
iola, on certain  
terms.

Given under my hand, and the seal of the United States of America, at the city of Washington, this sixth day of September, in the year of  
[L. s.] our Lord one thousand eight hundred, and of the independence of the said States the twenty-fifth.

JOHN ADAMS.

BY THE PRESIDENT:

J. MARSHALL, *Secretary of State.*No. 11. *Requiring Removal of British Armed Vessels from United States Ports and Waters.*BY THOMAS JEFFERSON, PRESIDENT OF THE UNITED STATES OF AMERICA. July 2, 1807.

## A PROCLAMATION.

DURING the wars which, for some time, have unhappily prevailed among the powers of Europe, the United States of America, firm in their principles of peace, have endeavored by justice, by a regular discharge of all their national and social duties, and by every friendly office their situation has admitted, to maintain with all the belligerents their accustomed relations of friendship, hospitality, and commercial intercourse; taking no part in the questions which animate these powers against each other, nor permitting themselves to entertain a wish but for the restoration of general peace, they have observed with good faith the neutrality they assumed, and they believe that no instance of a departure from its duties can be justly imputed to them by any nation. A free use

Preamble as  
to offences com-  
mitted by British  
armed vessels.

of their harbors and waters, the means of refitting and of refreshment, of succor to their sick and suffering, have, at all times, and on equal principles, been extended to all, and this too, amidst a constant recurrence of acts of insubordination to the laws, of violence to the persons, and of trespasses on the property of our citizens, committed by officers of one of the belligerent parties received among us. In truth, these abuses of the laws of hospitality have, with few exceptions, become habitual to the commanders of the British armed vessels hovering on our coasts, and frequenting our harbors. They have been the subject of repeated representations to their government. Assurances have been given that proper orders should restrain them within the limit of the rights and of the respect due to a friendly nation; but those orders and assurances have been without effect; no instance of punishment for past wrongs has taken place; at length a deed, transcending all we have hitherto seen or suffered, brings the public sensibility to a serious crisis, and our forbearance to a necessary pause. A frigate of the United States, trusting to a state of peace, and leaving her harbor on a distant service, has been surprised and attacked by a British vessel of superior force, one of a squadron then lying in our waters and covering the transaction, and has been disabled from service, with the loss of a number of men killed and wounded. This enormity was not only without provocation or justifiable cause, but was committed with the avowed purpose of taking by force, from a ship of war of the United States, a part of her crew; and that no circumstance might be wanting to mark its character, it had been previously ascertained that the seamen demanded were native citizens of the United States. Having effected her purpose, she returned to anchor with her squadron within our jurisdiction. Hospitality, under such circumstances, ceases to be a duty; and a continuance of it, with such uncontrolled abuses, would tend only, by multiplying injuries and irritations, to bring on a rupture between the two nations. This extreme resort is equally opposed to the interests of both, as it is to assurances of the most friendly dispositions on the part of the British government, in the midst of which this outrage has been committed. In this light, the subject cannot but present itself to that government, and strengthen the motives to an honorable reparation of the wrong which has been done, and to that effectual control of its naval commanders, which alone can justify the government of the United States in the exercise of those hospitalities it is now constrained to discontinue.

British armed vessels required to leave the waters of the United States.

Citizens forbidden to afford aid or supplies to those remaining or hereafter arriving.

Penalties of the law threatened.

In consideration of these circumstances, and of the right of every nation to regulate its own police, to provide for its peace and for the safety of its citizens, and consequently to refuse the admission of armed vessels into its harbors or waters, either in such numbers, or of such descriptions, as are inconsistent with these, or with the maintenance of the authority of the laws, I have thought proper, in pursuance of the authorities specially given by law, to issue this my Proclamation, hereby requiring all armed vessels bearing commissions under the government of Great Britain, now within the harbors or waters of the United States, immediately, and without any delay, to depart from the same, and interdicting the entrance of all the said harbors and waters to the said armed vessels, and to all others bearing commissions under the authority of the British government.

And if the said vessels, or any of them, shall fail to depart as aforesaid, or if they or any others, so interdicted, shall hereafter enter the harbors or waters aforesaid, I do in that case forbid all intercourse with them, or any of them, their officers or crews, and do prohibit all supplies and aid from being furnished to them or any of them.

And I do declare and make known, that if any person from, or within the jurisdictional limits of the United States, shall afford any aid to any such vessel, contrary to the prohibition contained in this proclamation, either in repairing any such vessel, or in furnishing her, her officers or crew, with supplies of any kind, or in any manner whatsoever; or if any pilot shall assist in navigating any of the said armed vessels, unless it be for the purpose of carrying them, in the first instance, beyond the limits and jurisdiction of the United States, or unless it be in the case of a vessel forced by distress, or charged with public despatches as hereinafter provided for, such person or persons shall, on conviction, suffer all the pains and penalties by the laws provided for such offences.

And I do hereby enjoin and require all persons bearing office, civil or military, within or under the authority of the United States, and all others, citizens or inhabitants thereof, or being within the same, with vigilance and promptitude, to exert their respective authorities, and to be aiding and assisting to the carrying this proclamation, and every part thereof, into full effect.

Provided, nevertheless, that if any such vessel shall be forced into the harbors or waters of the United States, by distress, by the dangers of the sea, or by the pursuit of an enemy, or shall enter them charged with despatches or business from their government, or shall be a public packet for the conveyance of letters and despatches, the commanding officer, immediately reporting his vessel to the collector of the district, stating the object or causes of entering the said harbors or waters, and conforming himself to the regulations in that case prescribed under the authority of the laws, shall be allowed the benefit of such regulations respecting repairs, supplies, stay, intercourse, and departure, as shall be permitted under the same authority.

Exception as to vessels driven in by distress or by an enemy.

In testimony whereof, I have caused the seal of the United States to be affixed to these presents, and signed the same. Given at the city of  
[L. S.] Washington the second day of July, in the year of our Lord one thousand eight hundred and seven, and of the sovereignty and independence of the United States the thirty-first.

TH. JEFFERSON.

BY THE PRESIDENT:

JAMES MADISON, *Secretary of State.*

### No. 12. *Respecting taking Possession of Part of Louisiana.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. Oct. 27, 1810.

## A PROCLAMATION.

WHEREAS the territory south of the Mississippi Territory and eastward of the River Mississippi and extending to the River Perdido, of which possession was not delivered to the United States in pursuance of the treaty concluded at Paris, on the 30th April, 1803, has at all times, as is well known, been considered and claimed by them, as being within the colony of Louisiana conveyed by the said treaty, in the same extent that it had in the hands of Spain, and that it had when France originally possessed it.

Preamble as to title of the United States to the territory south of Mississippi Territory, eastward of Mississippi River and extending to the River Perdido. Vol. viii. p. 200.

And whereas, the acquiescence of the United States in the temporary continuance of the said territory under the Spanish authority was not the result of any distrust of their title, as has been particularly evinced by the general tenor of their laws, and by the distinction made in the application of those laws between that territory and foreign countries, but was occasioned by their conciliatory views, and by a confidence in the justice of their cause; and in the success of candid discussion and amicable negotiation with a just and friendly power.

And whereas a satisfactory adjustment, too long delayed, without the fault of the United States, has for some time been entirely suspended by events over which they had no control, and whereas a crisis has at length arrived subversive of the order of things under the Spanish authorities, whereby a failure of the United States to take the said territory into its possession may lead to events ultimately contravening the views of both parties, whilst in the mean time the tranquillity and security of our adjoining territories are endangered, and new facilities given to violations of our revenue and commercial laws, and of those prohibiting the introduction of slaves.

Considering, moreover, that under these peculiar and imperative circumstances, a forbearance on the part of the United States to occupy the territory in question, and thereby guard against the confusions and contingencies which threaten it, might be construed into a dereliction of their title, or an insensibility to the importance of the state: considering that in the hands of the United States it will not cease to be a subject of fair and friendly negotiation and adjustment: considering finally that the acts of Congress tho' contemplating a present possession by a foreign authority, have contemplated also an eventual possession of the said territory by the United States, and are accordingly so framed, as in that case to extend in their operation, to the same:

Now be it known that I, JAMES MADISON, President of the United States of America, in pursuance of these weighty and urgent considerations, have deemed it right and requisite, that possession should be taken of the said ter-

Possession to be taken of said territory.

W. C. C. Claiborne, to execute this order and to act as Governor.

ritory, in the name and behalf of the United States. William C. C. Claiborne, governor of the Orleans Territory of which the said territory is to be taken as part, will accordingly proceed to execute the same; and to exercise over the said territory the authorities and functions legally appertaining to his office. And the good people inhabiting the same, are invited and enjoined to pay due respect to him in that character, to be obedient to the laws; to maintain order; to cherish harmony; and in every manner to conduct themselves as peaceable citizens; under full assurance that they will be protected in the enjoyment of their liberty, property, and religion.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand. Done at the [L. s.] city of Washington, the twenty-seventh day of October, A. D. 1810, and in the thirty-fifth year of the independence of the said United States.

JAMES MADISON.

BY THE PRESIDENT :

R. SMITH, *Secretary of State.*

No. 13. *Directing the British Blockade of the Coast of the United States to be disregarded.*

June 29, 1814. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Recital as to  
illegality of Brit-  
ish blockade.

WHEREAS it is manifest that the blockade, which has been proclaimed by the enemy, of the whole Atlantic coast of the United States, nearly two thousand miles in extent, and abounding in ports, harbors, and navigable inlets, cannot be carried into effect by any adequate force actually stationed for the purpose; and it is rendered a matter of certainty and notoriety, by the multiplied and daily arrivals and departures of the public and private armed vessels of the United States, and of other vessels, that no such adequate force has been so stationed: And whereas a blockade thus destitute of the character of a regular and legal blockade, as defined and recognized by the established law of nations, whatever other purposes it may be made to answer, forms no lawful prohibition or obstacle to such neutral and friendly vessels as may choose to visit and trade with the United States; and whereas it accords with the interest and the amicable views of the United States, to favor and promote, as far as may be, the free and mutually beneficial commercial intercourse of all friendly nations disposed to engage therein, and with that view to afford to their vessels, destined to the United States, a more positive and satisfactory security against all interruptions, molestations, or vexations whatever from the cruisers of the United States:

Public and  
private armed  
vessels not to  
obstruct but as-  
sist neutrals  
trading to the  
United States.

Now be it known that I, JAMES MADISON, President of the United States of America, do, by this my proclamation, strictly order and instruct all the public armed vessels of the United States, and all private armed vessels commissioned as privateers, or with letters of marque and reprisal, not to interrupt, detain, or otherwise molest or vex, any vessels whatever belonging to neutral powers, or the subjects or citizens thereof, which vessels shall be actually bound and proceeding to any port or place within the jurisdiction of the United States; but on the contrary to render to all such vessels all the aid and kind offices which they may need or require.

Given under my hand and the seal of the United States at the city of Washington, the twenty-ninth day of June, in the year one thousand eight hundred and fourteen, and of the independence of the United States the thirty-eighth.

[L. s.]

JAMES MADISON.

BY THE PRESIDENT :

JAS. MONROE, *Secretary of State.*

No. 14. *Day of Public Humiliation appointed.*

BY THE PRESIDENT OF THE UNITED STATES.

Nov. 16, 1814.

## A PROCLAMATION.

THE two houses of the National Legislature having, by a joint resolution expressed their desire that, in the present time of public calamity and war, a day may be recommended to be observed by the people of the United States as a day of public humiliation and fasting, and of prayer to Almighty God for the safety and welfare of these States, his blessing on their arms and a speedy restoration of peace: I have deemed it proper, by this proclamation, to recommend that Thursday the twelfth of January next be set apart as a day on which all may have an opportunity of voluntarily offering, at the same time, in their respective religious assemblies, their humble adoration to the great Sovereign of the Universe, of confessing their sins and transgressions, and of strengthening their vows of repentance and amendment. They will be invited by the same solemn occasion to call to mind the distinguished favors conferred on the American people, in the general health which has been enjoyed, in the abundant fruits of the season; in the progress of the arts instrumental to their comfort, their prosperity, and their security; and in the victories which have so powerfully contributed to the defence and protection of our country; a devout thankfulness for all which ought to be mingled with their supplications to the Beneficent Parent of the human race, that He would be graciously pleased to pardon all their offences against Him; to support and animate them in the discharge of their respective duties; to continue to them the precious advantages flowing from political institutions, so auspicious to their safety against dangers from abroad, to their tranquillity at home, and to their liberties, civil and religious; and that He would, in a special manner, preside over the nation, in its public councils and constituted authorities, giving wisdom to its measures and success to its arms, in maintaining its rights, and in overcoming all hostile designs and attempts against it; and finally, that, by inspiring the enemy with dispositions favorable to a just and reasonable peace, its blessings may be speedily and happily restored.

Thursday, Jan. 12, 1815, appointed as a day of public humiliation.

Given at the city of Washington, the sixteenth day of November, one [L. s.] thousand eight hundred and fourteen, and of the independence of the United States the thirty-eighth.

JAMES MADISON.

No. 15. *Pardon to certain Offenders off Louisiana.*

Feb. 6, 1815.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

AMONG the many evils produced by the wars which, with little intermission, have afflicted Europe, and extended their ravages into other quarters of the globe, for a period exceeding twenty years, the dispersion of a considerable portion of the inhabitants of different countries, in sorrow and in want, has not been the least injurious to human happiness, nor the least severe in the trial of human virtue.

Preamble.

It had long been ascertained that many foreigners, flying from the dangers of their own home, and that some citizens, forgetful of their duty, had co-operated in forming an establishment on the island of Barrataria, near the mouth of the River Mississippi, for the purposes of a clandestine and lawless trade. The government of the United States caused the establishment to be broken up and destroyed; and having obtained the means of designating the offenders of every description, it only remained to answer the demands of justice by inflicting an exemplary punishment.

But it has since been represented that the offenders have manifested a sincere penitence; that they have abandoned the prosecution of the worse cause for the support of the best; and, particularly, that they have exhibited, in the defence of New Orleans, unequivocal traits of courage and fidelity. Offenders, who have refused to become the associates of the enemy in the war, upon the most seducing terms of invitation, and who have aided to repel his hostile invasion of the territory of the United States, can no longer be considered as objects of punishment, but as objects of a generous forgiveness.

Pardon declared for certain offences to those who joined in the defence of New Orleans and the adjacent country.

Certificate to be procured from the governor of Louisiana.

It has, therefore, been seen with great satisfaction that the General Assembly of the State of Louisiana earnestly recommend those offenders to the benefit of a full pardon: And in compliance with that recommendation, as well as in consideration of all the other extraordinary circumstances of the case, I, JAMES MADISON, President of the United States of America, do issue this proclamation, hereby granting, publishing, and declaring a free and full pardon of all offences committed in violation of any act or acts of the Congress of the said United States, touching the revenue, trade, and navigation thereof, or touching the intercourse and commerce of the United States with foreign nations, at any time before the eighth day of January in the present year one thousand eight hundred and fifteen, by any person or persons whomsoever, being inhabitants of New Orleans and the adjacent country, or being inhabitants of the said island of Barrataria, and the places adjacent. Provided, That every person claiming the benefit of this full pardon, in order to entitle himself thereto, shall produce a certificate in writing from the governor of the State of Louisiana, stating that such person has aided in the defence of New Orleans, and the adjacent country, during the invasion thereof as aforesaid.

And I do hereby further authorize and direct all suits, indictments, and prosecutions, for fines, penalties, and forfeitures, against any person or persons who shall be entitled to the benefit of this full pardon, forthwith to be stayed, discontinued, and released: And all civil officers are hereby required, according to the duties of their respective stations to carry this proclamation into immediate and faithful execution.

Done at the city of Washington, the sixth day of February in the year [L. S.] one thousand eight hundred and fifteen, and of the independence of the United States the thirty-ninth.

JAMES MADISON.

BY THE PRESIDENT :

JAS. MONROE, *Acting as Secretary of State.*

### No. 16. *Day of Public Thanksgiving appointed for Peace.*

March. 4, 1815. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

The second Thursday in April next, appointed a day of public Thanksgiving for peace.

THE Senate and House of Representatives of the United States, have, by a joint resolution, signified their desire that a day may be recommended to be observed by the people of the United States with religious solemnity, as a day of thanksgiving, and of devout acknowledgments to Almighty God for His great goodness manifested in restoring to them the blessing of peace.

No people ought to feel greater obligations to celebrate the goodness of the Great Disposer of events, and of the destiny of nations, than the people of the United States. His kind providence originally conducted them to one of the best portions of the dwelling-place allotted for the great family of the human race. He protected and cherished them, under all the difficulties and trials to which they were exposed in their early days. Under His fostering care, their habits, their sentiments, and their pursuits prepared them for a transition, in due time, to a state of independence and self-government. In the arduous struggle by which it was attained, they were distinguished by multiplied tokens of His benign interposition. During the interval which succeeded, He reared them into the strength and endowed them with the resources which have enabled them to assert their national rights, and to enhance their national character, in another arduous conflict, which is now so happily terminated by a peace and reconciliation with those who have been our enemies. And to the same Divine Author of every good and perfect gift, we are indebted for all those privileges and advantages, religious as well as civil, which are so richly enjoyed in this favored land.

It is for blessings such as these, and especially for the restoration of the blessing of peace, that I now recommend that the second Thursday in April next, be set apart as a day on which the people of every religious denomination, may, in their solemn assemblies, unite their hearts and their voices in a free will

offering to their heavenly Benefactor, of their homage of thanksgiving, and of their songs of praise.

Given at the city of Washington on the fourth day of March, in the year  
[L. s.] of our Lord, one thousand eight hundred and fifteen, and of the independence of the United States the thirty-ninth.

JAMES MADISON.

No. 17. *Respecting an apprehended Invasion of the Spanish Dominions.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Sept. 1, 1815.

A PROCLAMATION.

WHEREAS information has been received that sundry persons, citizens of the United States, or residents within the same, and especially within the State of Louisiana, are conspiring together to begin and set on foot, provide and prepare the means for a military expedition or enterprise against the dominions of Spain, with which the United States are happily at peace; that for this purpose they are collecting arms, military stores, provisions, vessels, and other means; are deceiving and seducing honest and well-meaning citizens to engage in their unlawful enterprises; are organizing, officering, and arming themselves for the same, contrary to the laws in such cases made and provided: I have therefore thought fit to issue this my proclamation, warning and enjoining all faithful citizens, who have been led, without due knowledge or consideration, to participate in the said unlawful enterprises, to withdraw from the same without delay; and commanding all persons who are engaged or concerned in the same, to cease all further proceedings therein, as they will answer the contrary at their peril. And I hereby enjoin and require all officers, civil and military, of the United States, or of any of the States or Territories, all judges, justices, and other officers of the peace, all military officers of the army or navy of the United States, and officers of the militia, to be vigilant, each within his respective department, and according to his functions, in searching out and bringing to punishment all persons engaged or concerned in such enterprises; in seizing and detaining, subject to the disposition of the law, all arms, military stores, vessels, or other means provided or providing for the same; and in general in preventing the carrying on such expedition or enterprise by all the lawful means within their power. And I require all good and faithful citizens, and others within the United States, to be aiding and assisting herein, and especially in the discovery, apprehension, and bringing to justice, of all such offenders; in preventing the execution of their unlawful combinations or designs; and in giving information against them to the proper authorities.

Preamble.

Citizens enjoined to desist from assisting in an invasion of the Spanish dominions.

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with  
[L. s.] my hand. Done at the city of Washington, the first day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the said United States of America the fortieth.

JAMES MADISON.

No. 18. *Ordering Persons to remove from the Public Lands.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Dec. 12, 1815.

A PROCLAMATION.

WHEREAS it has been represented that many uninformed or evil-disposed persons have taken possession of, or made a settlement on, the public lands of the United States, which have not been previously sold, ceded, or leased by the United States, or the claim to which lands, by such persons, has not been pre-

Preamble.

1807, ch. 46.

Vol. ii. p. 445.

Ordering persons to remove from the public lands.

viously recognized and confirmed by the United States; which possession or settlement is, by the act of Congress passed on the third day of March, one thousand eight hundred and seven, expressly prohibited: And whereas the due execution of the said act of Congress, as well as the general interest, require that such illegal practices should be promptly repressed.

Now therefore, I, JAMES MADISON, President of the United States, have thought proper to issue my proclamation, commanding and strictly enjoining all persons who have unlawfully taken possession of, or made any settlement on the public lands as aforesaid, forthwith to remove therefrom: And I do hereby further command and enjoin the marshal, or officer acting as marshal, in any State or Territory where such possession shall have been taken, or settlement made, to remove, from and after the tenth day of March, one thousand eight hundred and sixteen, all or any of the said unlawful occupants; and to effect the said service, I do hereby authorize the employment of such military force as may become necessary, in pursuance of the provisions of the act of Congress aforesaid, warning the offenders, moreover, that they will be prosecuted in all such other ways as the law directs.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with  
[L. s.] my hand. Done at the city of Washington, the twelfth day of December, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the said United States of America the fortieth.

JAMES MADISON.

BY THE PRESIDENT:

JAS. MONROE, *Secretary of State.*

### No. 19. *Respecting Naval Forces on the Lakes.*

April 28, 1818.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

### Preamble.

WHEREAS an arrangement was entered into at the city of Washington, in the month of April, in the year of our Lord one thousand eight hundred and seventeen, between Richard Rush, Esquire, at that time acting as Secretary for the Department of State of the United States, for and in behalf of the government of the United States, and the Right Honorable Charles Bagot, his Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, for and in behalf of his Britannic Majesty, which arrangement is in the words following, to wit:—

Arrangement as to naval forces on the Lakes

"The naval force to be maintained upon the American Lakes by his majesty and the government of the United States shall henceforth be confined to the following vessels on each side, that is—

"On Lake Ontario, to one vessel not exceeding one hundred tons burden, and armed with two eighteen pound cannon

"On the Upper Lakes, to two vessels not exceeding like burden each, and armed with like force.

"On the waters of Lake Champlain, to one vessel not exceeding like burden, and armed with like force.

"All other armed vessels on these lakes shall be forthwith dismantled, and no other vessels of war shall be there built or armed.

"If either party should hereafter be desirous of annulling this stipulation, and should give notice to that effect to the other party, it shall cease to be binding after the expiration of six months from the date of such notice.

"The naval force so to be limited shall be restricted to such services as will, in no respect, interfere with the proper duties of the armed vessels of the other party."

Assent of Senate.

And whereas the Senate of the United States have approved of the said arrangement, and recommended that it should be carried into effect, the same having also received the sanction of his royal highness the Prince Regent, acting in the name and on the behalf of his Britannic majesty.

Now, therefore, I, JAMES MONROE, President of the United States, do, by this my proclamation, make known and declare that the arrangement afore-



said, and every stipulation thereof, has been duly entered into, concluded and confirmed, and is of full force and effect.

Given under my hand, at the city of Washington, this twenty-eighth day of April, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

JAMES MONROE.

BY THE PRESIDENT:

JOHN QUINCY ADAMS, *Secretary of State.*

No. 20. *Offering a Reward for Apprehension of a Murderer.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. July 10, 1821.

A PROCLAMATION.

WHEREAS information has been received that an atrocious murder, aggravated by the additional crime of robbery, was on the sixth or seventh day of this present month committed, in the county of Alexandria, and District of Columbia, on William Seaver, late of this city: And whereas the apprehension and punishment of the murderer or murderers, and his or their accessory or accessaries will be an example due to justice and humanity, and every way salutary in its operation; I have therefore thought fit to issue this my proclamation, hereby exhorting the citizens of the United States, and particularly those of this District, and requiring all officers according to their respective stations, to use their utmost endeavors to apprehend and bring the principal or principals, accessory or accessaries to the said murder, to justice: And I do moreover offer a reward of three hundred dollars for each principal, if there be more than one, and one hundred and fifty for each accessory before the fact, if there be more than one, who shall be apprehended after the day of the date hereof and brought to justice, to be paid upon his conviction of the crime or crimes aforesaid.

[L. s.] In testimony whereof, I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand. Done at the city of Washington this tenth day of July, A. D. 1821, and of the independence of the United States the forty-sixth.

JAMES MONROE.

BY THE PRESIDENT:

JOHN QUINCY ADAMS, *Secretary of State.*

No. 21. *Opening United States Ports to British Vessels from certain West India Ports.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. August 24, 1822.

A PROCLAMATION.

WHEREAS, by an act of the Congress of the United States, passed on the sixth day of May last, it was provided, that on satisfactory evidence being given to the President of the United States, that the ports in the islands or colonies in the West Indies, under the dominion of Great Britain, have been opened to the vessels of the United States, the President should be and thereby was authorized to issue his proclamation, declaring that the ports of the United States should thereafter be open to the vessels of Great Britain employed in the trade and intercourse between the United States and such islands or colonies, subject to such reciprocal rules and restrictions as the President of the United States might, by such proclamation, make and publish, any thing in the laws, entitled "An act concerning Navigation," or an act entitled "An act supplementary to an act concerning Navigation," to the contrary notwithstanding:—

Preamble.

1822, ch. 56.

Vol. iii. p. 681.

1818, ch. 70.

Vol. iii. p. 432.

1820, ch. 122.

Vol. iii. p. 602.

And whereas satisfactory evidence has been given to the President of the United States, that the ports hereinafter named, in the islands or colonies in the West Indies, under the dominion of Great Britain, have been opened to the vessels of the United States, that is to say, the ports of Kingston, Savannah, Le Mar, Montego Bay, Santa Lucia, Antonio, Saint Ann, Falmouth, Maria, Morant Bay, in Jamaica; Saint George, Grenada; Rosseau, Dominica; Saint John's, Antigua; San Josef, Trinidad; Scarborough, Tobago; Road Harbour, Tortola; Nassau, New Providence; Pittstown, Crooked Island; Kingston, St. Vincent; Port St. George and Port Hamilton, Bermuda; any port where there is a custom-house, Bahamas; Bridgetown, Barbadoes; St. John's, St. Andrew's, New Brunswick; Halifax, Nova Scotia; Quebec, Canada; St. John's, Newfoundland; Georgetown, Demarara; New Amsterdam, Berbice; Castries, St. Lucia; Besseterre, St. Kitts; Charlestown, Nevis; and Plymouth, Montserrat:

The ports of the United States opened to British vessels from the above ports.

1818, ch. 70.  
1820, ch. 122.

Vol. iii. pp. 432,  
602.

Now, therefore, I, JAMES MONROE, President of the United States of America, do hereby declare and proclaim, that the ports of the United States shall hereafter, and until the end of the next session of the Congress of the United States, be open to the vessels of Great Britain employed in the trade and intercourse between the United States and the islands and colonies hereinbefore named, any thing in the laws entitled "An act concerning Navigation," or an act entitled "An act supplementary to an act concerning Navigation," to the contrary notwithstanding, under the following reciprocal rules and restrictions, namely:—

To vessels of Great Britain, *bona fide* British built, owned and the master and three-fourths of the mariners of which at least shall belong to Great Britain, or any United States built ship or vessel, which has been sold to and become the property of British subjects, such ship or vessel being also navigated with a master and three fourths of the mariners at least belonging to Great Britain,—and provided always, that no articles shall be imported into the United States in any such British ship or vessel, other than articles of the growth, produce, or manufacture of the British Islands and colonies in the West Indies, when imported in British vessels coming from any such island or colony, and articles of the growth, produce or manufacture of the British colonies in North America, or of the Island of Newfoundland, in vessels coming from the port of St. John's, in that island, or from any of the aforesaid ports of the British colonies in North America.

Given under my hand at the city of Washington, this twenty-fourth day [L. S.] of August, in the year of our Lord one thousand eight hundred and twenty-two, and in the forty-seventh year of the independence of the United States.

JAMES MONROE.

BY THE PRESIDENT :

JOHN QUINCY ADAMS, *Secretary of State.*

No. 22. *Suspending Discriminating Duties as to Subjects of the Pope, under Act of 1824, ch. 4.*

June 7, 1827.

BY THE PRESIDENT OF THE UNITED STATES.

## A PROCLAMATION.

Preamble as to authority under act of 1824, ch. 4, to suspend discriminating duties.

WHEREAS by an act of the Congress of the United States, of the seventh of January, one thousand eight hundred and twenty-four, entitled "An act concerning discriminating duties of tonnage and impost," it is provided, that upon satisfactory evidence being given to the President of the United States by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied within the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon merchandise, the produce or manufacture thereof, imported in the same, the President is thereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the said nation, and the mer-

chandise of its produce or manufacture imported into the United States in the same: the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and merchandise as aforesaid, therein laden, shall be continued, and no longer:

And whereas satisfactory evidence was given to the President of the United States, on the 30th day of May last, by Count Lucchesi, Consul-General of His Holiness the Pope, that all foreign and discriminating duties of tonnage and impost within the dominions of His Holiness, so far as respected the vessels of the United States, and the merchandise of their produce or manufacture, imported in the same, were suspended and discontinued. Recital that satisfactory evidence has been given as to the legislation of the Pope.

Now, therefore, I, JOHN QUINCY ADAMS, President of the United States, conformably to the fourth section of the act of Congress aforesaid, do hereby *proclaim and declare*, that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the subjects of His Holiness the Pope, and the merchandise of the produce or manufacture of his dominions, imported into the United States in the same: the said suspension to take effect from the 30th of May aforesaid, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and merchandise as aforesaid, therein laden, shall be continued, and no longer. Discriminating duties of tonnage and impost suspended as to subjects of the Pope.

Given under my hand at the city of Washington, this seventh day of June, in the year of our Lord, one thousand eight hundred and twenty-seven, and of the independence of the United States the fifty-first.

JOHN QUINCY ADAMS.

BY THE PRESIDENT:

H. CLAY, *Secretary of State*.

### No. 23. *Offering Reward for Apprehension of Willis Anderson.*

BY THE PRESIDENT OF THE UNITED STATES.

Sept. 10, 1827.

## A PROCLAMATION.

WHEREAS Willis Anderson, of the county of Alexandria, in the District of Columbia, is charged with having recently murdered Gerrard Arnold, late of the said county; and whereas it is represented to me that the said Willis Anderson has absconded, and secretes himself, so that he cannot be apprehended and brought to justice for the offence of which he is so charged; and whereas the apprehension and trial of the said Willis Anderson is an example due to justice and humanity, and would be every way salutary in its influence: Now, therefore, I have thought fit to issue this my proclamation, hereby exhorting the citizens of the United States, and particularly those of this District, and requiring all officers, according to their respective stations, to use their utmost endeavors to apprehend and bring the said Willis Anderson to justice, for the atrocious crime with which he stands charged, as aforesaid; and I do moreover offer a reward of two hundred and fifty dollars for the apprehension of the said Willis Anderson, and his delivery to an officer or officers of justice, in the county aforesaid, so that he may be brought to trial for the murder aforesaid, and be otherwise dealt with according to law.

Preamble.

Reward for the apprehension of Willis Anderson.

In testimony whereof I have hereunto signed my name, and caused the [L. s.] seal of the United States to be affixed to these presents.

Done at Washington, this tenth day of September, Anno Domini eighteen hundred and twenty-seven, and of the independence of the United States the fifty-second.

J. Q. ADAMS.

BY THE PRESIDENT:

H. CLAY, *Secretary of State*.

No 24. *Ordering Persons to remove from the Public Lands.*

March 6, 1830. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

Preamble.

WHEREAS it has been represented, that many uninformed or evil disposed persons have taken possession of, or made settlement on, the public lands of the United States, within the district of lands subject to sale, at Huntsville, in the State of Alabama, which have not been previously sold, ceded, or leased by the United States, or the claim to which lands, by such persons, has not been previously recognized and confirmed by the United States; which possession or settlement is, by the act of Congress, passed on the third day of March, one thousand eight hundred and seven, expressly prohibited: and whereas, the due execution of the said act of Congress, as well as the general interest, require that such illegal practices should be promptly repressed:

1807, ch. 46.

Vol. ii. p. 445.

Ordering persons to remove from the public lands.

Now, therefore, I, ANDREW JACKSON, President of the United States, have thought proper to issue this my proclamation, commanding and strictly enjoining all persons who have unlawfully taken possession of, or made any settlement on, or who now unlawfully occupy any of the public lands within the district of lands subject to sale at Huntsville, in the State of Alabama, as aforesaid, forthwith to remove therefrom; and I do hereby further command and enjoin the marshal, or officer acting as marshal, in that State, where such possession shall have been taken, or settlement made, to remove, from and after the first of September, one thousand eight hundred and thirty, all or any of the said unlawful occupants; and to effect the said service, I do hereby authorize the employment of such military force as may become necessary, in pursuance of the provisions of the Act of Congress aforesaid, warning the offenders, moreover, that they will be prosecuted in all such other ways, as the law directs.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with  
[L. s.] my hand.

Done at the city of Washington, the sixth day of March, in the year of our Lord one thousand eight hundred and thirty, and of the independence of the United States of America the fifty-fourth.

ANDREW JACKSON.

BY THE PRESIDENT:

M. VAN BUREN, *Secretary of State.*No. 25. *Ordering Persons to remove from Public Lands in Arkansas.*

Feb. 10, 1831.

BY THE PRESIDENT OF THE UNITED STATES.

## A PROCLAMATION.

Preamble.

WHEREAS information has been transmitted to the President of the United States, by the governor of the Territory of Arkansas, that certain persons pretending to act under the authority of the Mexican government, and without any lawful right or power derived from that of the United States, have attempted to, and do survey, for sale and settlement, a portion of the public lands in said Territory, and particularly in the counties of Lafayette, Sevier, and Miller, and have presumed to, and do administer to the citizens residing in said counties, the oath of allegiance to the said Mexican government: and whereas such acts and practices are contrary to the law of the land, and the provisions of the act of Congress approved the third day of March, in the year of our Lord one thousand eight hundred and seven, and are offences against the peace and public tranquility of the said Territory, and the inhabitants thereof:—

1807, ch. 46.

Vol. ii. p. 445.

Ordering persons to remove from the public

Now, therefore, be it known that I, ANDREW JACKSON, President of the United States, by virtue of the power and authority vested in me, in and by the said act of Congress, do issue this my proclamation, commanding and strictly

enjoining all persons who have unlawfully entered upon, taken possession of, or lands in Arkansas. made any settlement on the public lands, in the said counties of Lafayette, Sevier, or Miller, or who may be in the unlawful occupation or possession of the same or any part thereof, forthwith to depart and remove therefrom: and I do hereby command and require the marshal of the said Territory of Arkansas, or other officer or officers acting as such marshal, from and after the fifteenth day of April, next, to remove or cause to be removed, all persons who may then unlawfully be upon, in possession of, or who may unlawfully occupy any of the public lands in the said counties of Lafayette, Sevier, or Miller, or who may be surveying or attempting to survey the same, without any authority therefor from the government of the United States: and to execute and carry into effect this proclamation, I do hereby authorize the employment of such military force as may be necessary, pursuant to the act of Congress aforesaid, and warn all offenders in the premises, that they will be prosecuted and punished, in such other way and manner as may be consistent with the provisions and requisitions of the law in such case made and provided.

Done at the city of Washington, this tenth day of February, A. D. 1831, and of the independence of the United States of America the fifty-fifth.

ANDREW JACKSON.

No. 26. *Respecting the Nullifying Laws of South Carolina.*

PROCLAMATION

BY ANDREW JACKSON, PRESIDENT OF THE UNITED STATES. Dec. 10, 1832.

WHEREAS a convention assembled in the State of South Carolina, have passed an ordinance, by which they declare, "That the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposing of duties and imposts on the importation of foreign commodities, and now having actual operation and effect within the United States, and more especially," two acts for the same purposes, passed on the 19th of May, 1828, and on the 14th of July, 1832, "are unauthorized by the Constitution of the United States, and violate the true meaning and intent thereof, and are null and void, and no law," nor binding on the citizens of that State, or its officers; and by the said ordinance, it is further declared to be unlawful for any of the constituted authorities of the State, or of the United States, to enforce the payment of the duties imposed by the said acts, within the same State, and that it is the duty of the legislature to pass such laws as may be necessary to give full effect to the said ordinance:

1828, ch. 55.  
Vol. iv. p. 270.  
1832, ch. 227.  
Vol. iv. p. 583.

And whereas, by the said ordinance, it is further ordained, that, in no case of law or equity decided in the courts of said State, wherein shall be drawn in question the validity of the said ordinance, or of the acts of the legislature that may be passed to give it effect, or of the said laws of the United States, no appeal shall be allowed to the Supreme Court of the United States, nor shall any copy of the record be permitted or allowed for that purpose, and that any person attempting to take such appeal shall be punished as for contempt of court:

And, finally, the said ordinance declares that the people of South Carolina will maintain the said ordinance at every hazard; and that they will consider the passage of any act, by Congress, abolishing or closing the ports of the said State, or otherwise obstructing the free ingress or egress of vessels to and from the said ports, or any other act of the Federal Government to coerce the State, shut up her ports, destroy or harass her commerce, or to enforce the said acts otherwise than through the civil tribunals of the country, as inconsistent with the longer continuance of South Carolina in the Union; and that the people of the said State will thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connection with the people of the other States, and will forthwith proceed to organize a separate government, and do all other acts and things which sovereign and independent States may of right do:

And whereas the said ordinance prescribes to the people of South Carolina a course of conduct in direct violation of their duty as citizens of the United

States, contrary to the laws of their country, subversive of its constitution, and having for its object the destruction of the Union—that Union, which, coeval with our political existence, led our fathers, without any other ties to unite them than those of patriotism and a common cause, through a sanguinary struggle to a glorious independence,—that sacred Union hitherto inviolate, which, perfected by our happy Constitution, has brought us, by the favor of Heaven, to a state of prosperity at home, and high consideration abroad, rarely, if ever, equalled in the history of nations,—To preserve this bond of our political existence from destruction, to maintain inviolate this state of national honor and prosperity, and to justify the confidence my fellow-citizens have reposed in me, I, ANDREW JACKSON, President of the United States, have thought proper to issue this my proclamation, stating my views of the Constitution and laws applicable to the measures adopted by the convention of South Carolina, and to the reasons they have put forth to sustain them, declaring the course which duty will require me to pursue, and, appealing to the understanding and patriotism of the people, warn them of the consequences that must inevitably result from an observance of the dictates of the convention.

Strict duty would require of me nothing more than the exercise of those powers with which I am now, or may hereafter be invested, for preserving the peace of the Union, and for the execution of the laws. But the imposing aspect which opposition has assumed in this case, by clothing itself with State authority, and the deep interest which the people of the United States must all feel in preventing a resort to stronger measures while there is a hope that any thing will be yielded to reasoning and remonstrance, perhaps demand, and will certainly justify a full exposition to South Carolina and the nation, of the views I entertain of this important question, as well as a distinct enunciation of the course which my sense of duty will require me to pursue.

The ordinance is founded, not on the indefeasible right of resisting acts which are plainly unconstitutional, and too oppressive to be endured; but on the strange position that any one State may not only declare an act of Congress void, but prohibit its execution—that they may do this consistently with the Constitution—that the true construction of that instrument permits a State to retain its place in the Union, and yet be bound by no other of its laws than those it may choose to consider as constitutional. It is true, they add, that to justify this abrogation of a law, it must be palpably contrary to the Constitution; but it is evident, that to give the right of resisting laws of that description, coupled with the uncontrolled right to decide what laws deserve that character, is to give the power of resisting all laws. For, as by the theory, there is no appeal, the reasons alleged by the State, good or bad, must prevail. If it should be said that public opinion is a sufficient check against the abuse of this power, it may be asked why it is not deemed a sufficient guard against the passage of an unconstitutional act by Congress? There is, however, a restraint in this last case, which makes the assumed power of a State more indefensible, and which does not exist in the other. There are two appeals from an unconstitutional act passed by Congress—one to the Judiciary, the other to the People, and the States. There is no appeal from the State decision in theory, and the practical illustration shows that the courts are closed against an application to review it, both judges and jurors being sworn to decide in its favor. But reasoning on this subject is superfluous, when our social compact, in express terms declares, that the laws of the United States, its Constitution, and treaties made under it, are the supreme law of the land—and, for greater caution, adds “that the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.” And it may be asserted without fear of refutation, that no Federative Government could exist without a similar provision. Look for a moment to the consequence. If South Carolina considers the revenue laws unconstitutional, and has a right to prevent their execution in the port of Charleston, there would be a clear constitutional objection to their collection in every other port, and no revenue could be collected any where; for all imposts must be equal. It is no answer to repeat, that an unconstitutional law is no law, so long as the question of its legality is to be decided by the State itself; for every law operating injuriously upon any local interest, will be perhaps thought, and certainly represented, as unconstitutional, and, as has been shown, there is no appeal.

If this doctrine had been established at an earlier day, the Union would have been dissolved in its infancy. The excise law in Pennsylvania, the embargo and non-intercourse law in the Eastern States, the carriage tax in Virginia, were all deemed unconstitutional, and were more unequal in their operation than any of the laws now complained of; but fortunately, none of those States

discovered that they had the right now claimed by South Carolina. The war, into which we were forced to support the dignity of the nation and the rights of our citizens, might have ended in defeat and disgrace, instead of victory and honor, if the States who supposed it a ruinous and unconstitutional measure, had thought they possessed the right of nullifying the act by which it was declared, and denying supplies for its prosecution. Hardly and unequally as those measures bore upon several members of the Union, to the legislatures of none did this efficient and peaceable remedy, as it is called, suggest itself. The discovery of this important feature in our Constitution was reserved to the present day. To the statesmen of South Carolina belongs the invention, and upon the citizens of that State will unfortunately fall the evils of reducing it to practice.

If the doctrine of a State veto upon the laws of the Union carries with it internal evidence of its impracticable absurdity, our constitutional history will also afford abundant proof that it would have been repudiated with indignation had it been proposed to form a feature in our government.

In our colonial state, although dependent on another power, we very early considered ourselves as connected by common interest with each other. Leagues were formed for common defence, and before the Declaration of Independence, we were known in our aggregate character as the *United Colonies of America*. That decisive and important step was taken jointly. We declared ourselves a nation by a joint, not by several acts, and when the terms of our confederation were reduced to form, it was in that of a solemn league of several States, by which they agreed that they would collectively form one nation for the purpose of conducting some certain domestic concerns, and all foreign relations. In the instrument forming that Union is found an article which declares that "every State shall abide by the determinations of Congress, on all questions which, by that confederation, should be submitted to them."

Under the confederation, then, no State could legally annul a decision of the Congress, or refuse to submit to its execution; but no provision was made to enforce these decisions. Congress made requisitions, but they were not complied with. The government could not operate on individuals. They had no Judiciary, no means of collecting revenue.

But the defects of the confederation need not be detailed. Under its operation we could scarcely be called a nation. We had neither prosperity at home nor consideration abroad. This state of things could not be endured, and our present happy Constitution was formed, but formed in vain, if this fatal doctrine prevails. It was formed for important objects that are announced in the preamble, made in the name and by the authority of the people of the United States, whose delegates framed, and whose conventions approved it. The most important among these objects, that which is placed first in rank, on which all the others rest, is "*to form a more perfect Union.*" Now, is it possible, that even if there were no express provision giving supremacy to the Constitution and laws of the United States over those of the States—can it be conceived, that an instrument made for the purpose of "*forming a more perfect Union,*" than that of the confederation, could be so constructed by the assembled wisdom of our country, as to substitute for that confederation a form of government dependent for its existence on the local interest, the party spirit of a State, or of a prevailing faction in a State? Every man of plain, unsophisticated understanding, who hears the question, will give such an answer as will preserve the Union. Metaphysical subtlety, in pursuit of an impracticable theory, could alone have devised one that is calculated to destroy it.

I consider, then, the power to annul a law of the United States, assumed by one State, *incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed.*

After this general view of the leading principle, we must examine the particular application of it which is made in the ordinance.

The preamble rests its justification on these grounds: It assumes, as a fact, that the obnoxious laws, although they purport to be laws for raising revenue, were, in reality, intended for the protection of manufactures, which purpose it asserts to be unconstitutional;—that the operation of these laws is unequal;—that the amount raised by them is greater than is required by the wants of the government;—and finally, that the proceeds are to be applied to objects unauthorized by the Constitution. These are the only causes alleged to justify an open opposition to the laws of the country, and a threat of seceding from the Union, if any attempt should be made to enforce them. The first virtually

acknowledges that the law in question was passed under a power expressly given by the Constitution to lay and collect imposts; but its constitutionality is drawn in question from the *motives* of those who passed it. However apparent this purpose may be in the present case, nothing can be more dangerous than to admit the position that an unconstitutional purpose, entertained by the members who assent to a law enacted under a constitutional power, shall make that law void; for how is that purpose to be ascertained? Who is to make the scrutiny? How often may bad purposes be falsely imputed—in how many cases are they concealed by false professions—in how many is no declaration of motive made? Admit this doctrine, and you give to the States an uncontrolled right to decide, and every law may be annulled under this pretext. If, therefore, the absurd and dangerous doctrine should be admitted, that a State may annul an unconstitutional law, or one that it deems such, it will not apply to the present case.

The next objection is, that the laws in question operate unequally. This objection may be made with truth to every law that has been or can be passed. The wisdom of man never yet contrived a system of taxation that would operate with perfect equality. If the unequal operation of a law makes it unconstitutional, and if all laws of that description may be abrogated by any State for that cause, then indeed is the Federal Constitution unworthy of the slightest effort for its preservation. We have hitherto relied on it as the perpetual bond of our Union. We have received it as the work of the assembled wisdom of the nation. We have trusted to it as to the sheet anchor of our safety in the stormy times of conflict with a foreign or domestic foe. We have looked to it with sacred awe as the palladium of our liberties, and, with all the solemnities of religion, have pledged to each other our lives and fortunes here, and our hopes of happiness hereafter, in its defence and support. Were we mistaken, my countrymen, in attaching this importance to the Constitution of our country? Was our devotion paid to the wretched, inefficient, clumsy contrivance which this new doctrine would make it? Did we pledge ourselves to the support of an airy nothing—a bubble that must be blown away by the first breath of disaffection? Was this self-destroying, visionary theory the work of the profound statesmen, the exalted patriots, to whom the task of constitutional reform was entrusted? Did the name of Washington sanction, did the States deliberately ratify, such an anomaly in the history of fundamental legislation? No. We were not mistaken. The letter of this great instrument is free from this radical fault; its language directly contradicts the imputation; its spirit, its evident intent contradicts it. No, we did not err! Our Constitution does not contain the absurdity of giving power to make laws, and another power to resist them. The sages whose memory will always be revered, have given us a practical, and, as they hoped, a permanent constitutional compact. The Father of his country did not affix his revered name to so palpable an absurdity. Nor did the States, when they severally ratified it, do so under the impression that a veto on the laws of the United States was reserved to them, or that they could exercise it by implication. Search the debates in all their conventions,—examine the speeches of the most zealous opposers of Federal authority,—look at the amendments that were proposed,—they are all silent, not a syllable uttered, not a vote given, not a motion made, to correct the explicit supremacy given to the laws of the Union over those of the States, or to show that implication, as is now contended, could defeat it. No, we have not erred! The Constitution is still the object of our reverence, the bond of our Union, our defence in danger, the source of our prosperity in peace. It shall descend, as we have received it, uncorrupted by sophistical construction, to our posterity; and the sacrifices of local interest, of State prejudices, of personal animosities, that were made to bring it into existence, will again be patriotically offered for its support.

The two remaining objections made by the ordinance to these laws, are, that the sums intended to be raised by them are greater than are required, and that the proceeds will be unconstitutionally employed.

The Constitution has given, expressly, to Congress, the right of raising revenue, and of determining the sum the public exigencies will require. The States have no control over the exercise of this right, other than that which results from the power of changing the representatives who abuse it, and thus procure redress. Congress may, undoubtedly, abuse this discretionary power, but the same may be said of others with which they are vested. Yet the discretion must exist somewhere. The Constitution has given it to the representatives of all the people, checked by the representatives of the States and by the executive power. The South Carolina construction gives it to the legislature or the



convention of a single State, where neither the people of the different States, nor the States in their separate capacity, nor the chief magistrate elected by the people, have any representation. Which is the most discreet disposition of the power? I do not ask you, fellow-citizens, which is the constitutional disposition; that instrument speaks a language not to be misunderstood. But if you were assembled in general convention, which would you think the safest depository of this discretionary power in the last resort? Would you add a clause giving it to each of the States, or would you sanction the wise provisions already made by your Constitution? If this should be the result of your deliberations when providing for the future, are you, can you, be ready, to risk all that we hold dear, to establish, for a temporary and a local purpose, that which you must acknowledge to be destructive, and even absurd, as a general provision? Carry out the consequences of this right vested in the different States, and you must perceive that the crisis your conduct presents at this day, would recur whenever any law of the United States displeased any of the States, and that we should soon cease to be a nation.

The ordinance, with the same knowledge of the future that characterizes a former objection, tells you that the proceeds of the tax will be unconstitutionally applied. If this could be ascertained with certainty, the objection would, with more propriety, be reserved for the law so applying the proceeds, but surely cannot be urged against the laws levying the duty.

These are the allegations contained in the ordinance. Examine them seriously, my fellow-citizens,—judge for yourselves. I appeal to you to determine whether they are so clear, so convincing, as to leave no doubt of their correctness; and even if you should come to this conclusion, how far they justify the reckless, destructive course which you are directed to pursue. Review these objections, and the conclusions drawn from them, once more. What are they? Every law, then, for raising revenue, according to the South Carolina ordinance, may be rightfully annulled, unless it be so framed as no law ever will or can be framed. Congress have a right to pass laws for raising revenue, and each State have a right to oppose their execution—two rights directly opposed to each other; and yet is this absurdity supposed to be contained in an instrument drawn for the express purpose of avoiding collisions between the States and the general government, by an assembly of the most enlightened statesmen and purest patriots ever embodied for a similar purpose.

In vain have these sages declared that Congress shall have power to lay and collect taxes, duties, imposts, and excises—in vain have they provided that they shall have power to pass laws which shall be necessary and proper to carry those powers into execution, that those laws and that Constitution shall be the “supreme law of the land, and that the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.” In vain have the people of the several States solemnly sanctioned these provisions, made them their paramount law, and individually sworn to support them whenever they were called on to execute any office. Vain provisions! ineffectual restrictions! vile profanation of oaths! miserable mockery of legislation!—if a bare majority of the voters in any one State may, on a real or supposed knowledge of the intent with which a law has been passed, declare themselves free from its operation,—say here it gives too little, there too much, and operates unequally;—here it suffers articles to be free that ought to be taxed;—there it taxes those that ought to be free;—in this case the proceeds are intended to be applied to purposes which we do not approve;—in that the amount raised is more than is wanted. Congress, it is true, are invested by the Constitution with the right of deciding these questions according to their sound discretion; Congress is composed of the representatives of all the States, and of all the people of all the States; but *we*, part of the people of one State, to whom the Constitution has given no power on the subject, from whom it has expressly taken it away—*we*, who have solemnly agreed that this Constitution shall be our law—*we*, most of whom have sworn to support it—*we* now abrogate this law, and swear, and force others to swear, that it shall not be obeyed—and we do this not because Congress have no right to pass such laws; this we do not allege, but because they have passed them with improper views. They are unconstitutional from the motives of those who passed them, which we can never with certainty know—from their unequal operation, although it is impossible, from the nature of things, that they should be equal—and from the disposition which we presume may be made of their proceeds, although that disposition has not been declared. This is the plain meaning of the ordinance in relation to laws which it abrogates for alleged unconstitutionality. But it does not stop there. It repeals, in ex-

press terms, an important part of the Constitution itself, and of laws passed to give it effect, which have never been alleged to be unconstitutional.

The Constitution declares that the judicial powers of the United States extend to cases arising under the laws of the United States, and that such laws, the Constitution, and treaties, shall be paramount to the State Constitutions and laws. The judiciary act prescribes the mode by which the case may be brought before a court of the United States, by appeal, when a State tribunal shall decide against this provision of the Constitution. The ordinance declares there shall be no appeal—makes the State law paramount to the Constitution and laws of the United States—forces judges and jurors to swear that they will disregard their provisions; and even makes it penal in a suitor to attempt relief by appeal. It further declares that it shall not be lawful for the authorities of the United States, or of that State, to enforce the payment of duties imposed by the revenue laws within its limits.

Here is a law of the United States, not even pretended to be unconstitutional, repealed by the authority of a small majority of the voters of a single State. Here is a provision of the Constitution which is solemnly abrogated by the same authority.

On such expositions and reasonings, the ordinance grounds not only an assertion of the right to annul the laws of which it complains, but to enforce it by a threat of seceding from the Union if any attempt is made to execute them.

This right to secede is deduced from the nature of the Constitution, which, they say, is a compact between Sovereign States, who have preserved their whole sovereignty, and therefore, are subject to no superior; that, because they made the compact, they can break it when, in their opinion, it has been departed from by the other States. Fallacious as this course of reasoning is, it enlists State pride, and finds advocates in the honest prejudices of those who have not studied the nature of our government sufficiently to see the radical error on which it rests.

The people of the United States formed the Constitution, acting through the State legislatures in making the compact, to meet and discuss its provisions; and acting in separate conventions when they ratified those provisions; but the terms used in its construction, show it to be a government in which the people of all the States, collectively, are represented. We are *one people* in the choice of President and Vice-President. Here the States have no other agency than to direct the mode in which the votes shall be given. The candidates having the majority of all the votes are chosen. The electors of a majority of States may have given their votes for one candidate, and yet another may be chosen. The people then, and not the States, are represented in the Executive branch.

In the House of Representatives there is this difference, that the people of one State do not, as in the case of President and Vice-President, all vote for the same officers. The people of all the States do not vote for all the members, each State electing only its own representatives. But this creates no material distinction. When chosen, they are all representatives of the United States, not representatives of the particular State from which they come. They are paid by the United States, not by the State; nor are they accountable to it for any act done in the performance of their legislative functions; and however they may in practice, as it is their duty to do, consult and prefer the interests of their particular constituents when they come in conflict with any other partial or local interest, yet it is their first and highest duty, as representatives of the United States, to promote the general good.

The Constitution of the United States then forms a *government* not a league; and whether it be formed by compact between the States, or in any other manner, its character is the same. It is a government in which all the people are represented, which operates directly on the people individually, not upon the States—they retained all the power they did not grant. But each State having expressly parted with so many powers as to constitute, jointly with the other States, a single nation, cannot, from that period, possess any right to secede, because such secession does not break a league, but destroys the unity of a nation; and any injury to that unity is not only a breach which would result from the contravention of a compact, but it is an offence against the whole Union. To say that any State may at pleasure secede from the Union, is to say that the United States are not a nation, because it would be a solecism to contend that any part of a nation might dissolve its connection with the other parts, to their injury or ruin, without committing any offence. Secession, like any other revolutionary act, may be morally justified by the extremity of oppression; but to call it a constitutional right, is confounding the meaning of terms, and can only

be done through gross error, or to deceive those who are willing to assert a right, but would pause before they made a revolution, or incur the penalties consequent on a failure.

Because the Union was formed by compact, it is said the parties to that compact may, when they feel themselves aggrieved, depart from it; but it is precisely because it is a compact that they cannot. A compact is an agreement or binding obligation. It may by its terms have a sanction or penalty for its breach, or it may not. If it contains no sanction, it may be broken with no other consequence than moral guilt; if it have a sanction, then the breach incurs the designated or implied penalty. A league between independent nations, generally, has no sanction, other than a moral one; or if it should contain a penalty, as there is no common superior, it cannot be enforced. A government, on the contrary, always has a sanction, express or implied; and, in our case, it is both necessarily implied and expressly given. An attempt, by force of arms, to destroy a government, is an offence, by whatever means the constitutional compact may have been formed; and such government has the right, by the law of self-defence, to pass acts for punishing the offender, unless that right is modified, restrained, or resumed by the constitutional act. In our system, although it is modified in the case of treason, yet authority is expressly given to pass all laws necessary to carry its powers into effect, and under this grant, provision has been made for punishing acts which obstruct the due administration of the laws.

It would seem superfluous to add any thing to show the nature of that union which connects us; but, as erroneous opinions on this subject are the foundation of doctrines the most destructive to our peace, I must give some further development to my views on this subject. No one, fellow-citizens, has a higher reverence for the reserved rights of the States, than the Magistrate who now addresses you. No one would make greater personal sacrifices, or official exertions, to defend them from violation; but equal care must be taken to prevent, on their part, an improper interference with, or resumption of, the rights they have vested in the nation. The line has not been so distinctly drawn as to avoid doubts in some cases of the exercise of power. Men of the best intentions and soundest views may differ in their construction of some parts of the Constitution; but there are others on which dispassionate reflection can leave no doubt. Of this nature appears to be the assumed right of secession. It rests, as we have seen, on the alleged undivided sovereignty of the States, and on their having formed, in this sovereign capacity, a compact which is called the Constitution, from which, because they made it, they have the right to secede. Both of these positions are erroneous, and some of the arguments to prove them so have been anticipated.

The States severally have not retained their entire sovereignty. It has been shown that, in becoming parts of a nation, not members of a league, they surrendered many of their essential parts of sovereignty. The right to make treaties—declare war—levy taxes—exercise exclusive judicial and legislative powers—were all of them functions of sovereign power. The States, then, for all these important purposes, were no longer sovereign. The allegiance of their citizens was transferred, in the first instance, to the government of the United States—they became American citizens, and owed obedience to the Constitution of the United States, and to laws made in conformity with the powers it vested in Congress. This last position has not been, and cannot be denied. How, then, can that State be said to be sovereign and independent whose citizens owe obedience to laws not made by it, and whose magistrates are sworn to disregard those laws when they come in conflict with those passed by another? What shows conclusively that the States cannot be said to have reserved an undivided sovereignty, is, that they expressly ceded the right to punish treason—not treason against their separate power—but treason against the United States. Treason is an offence against *sovereignty*, and sovereignty must reside with the power to punish it. But the reserved rights of the States are not less sacred because they have, for their common interest, made the general government the depository of these powers. The unity of our political character (as has been shown for another purpose) commenced with its very existence. Under the royal government we had no separate character; our opposition to its oppressions began as *United Colonies*. We were the *United States* under the confederation, and the name was perpetuated, and the Union rendered more perfect by the Federal Constitution. In none of these stages did we consider ourselves in any other light than as forming one nation. Treaties and alliances were made in the name of all. Troops were raised for the joint defence. How, then, with all these proofs, that, under all changes of our position we had, for designated purposes and with defined powers, created national governments—how is it, that the most perfect of those several modes of union should now be

considered as a mere league that may be dissolved at pleasure? It is from an abuse of terms. Compact is used as synonymous with league, although the true term is not employed, because it would at once show the fallacy of the reasoning. It would not do to say that our Constitution was only a league, but it is labored to prove it a compact, (which in one sense it is,) and then to argue that as league is a compact, every compact between nations must of course be a league, and that from such an engagement every sovereign power has a right to recede. But it has been shown that, in this sense, the States are not sovereign, and that even if they were, and the national Constitution had been formed by compact, there would be no right in any one State to exonerate itself from its obligations.

So obvious are the reasons which forbid this secession, that it is necessary only to allude to them. The Union was formed for the benefit of all. It was produced by mutual sacrifices of interests and opinions. Can those sacrifices be recalled? Can the States, who magnanimously surrendered their title to the territories of the West, recall the grant? Will the inhabitants of the inland States agree to pay the duties that may be imposed without their assent by those on the Atlantic or the Gulf, for their own benefit? Shall there be a free port in one State, and onerous duties in another? No one believes that any right exists in a single State to involve all the others in these and countless other evils contrary to engagements solemnly made. Every one must see that the other States, in self-defence, must oppose it at all hazards.

These are the alternatives that are presented by the Convention; a repeal of all the acts for raising revenue, leaving the government without the means of support; or an acquiescence in the dissolution of our Union by the secession of one of its members. When the first was proposed, it was known that it could not be listened to for a moment. It was known, if force was applied to oppose the execution of the laws, that it must be repelled by force; that Congress could not, without involving itself in disgrace, and the country in ruin, accede to the proposition; and yet if this is not done in a given day, or if any attempt is made to execute the laws, the State is, by the ordinance, declared to be out of the Union. The majority of a convention assembled for the purpose, have dictated these terms, or rather this rejection of all terms, in the name of the people of South Carolina. It is true that the governor of the State speaks of the submission of their grievances to a convention of all the States, which, he says, they "sincerely and anxiously seek and desire." Yet this obvious and constitutional mode of obtaining the sense of the other States on the construction of the federal compact, and amending it, if necessary, has never been attempted by those who have urged the State on to this destructive measure. The State might have proposed the call for a general convention to the other States; and Congress, if a sufficient number of them concurred, must have called it. But the first magistrate of South Carolina, when he expressed a hope that "on a review by Congress and the functionaries of the general government, of the merits of the controversy," such a convention will be accorded to them, must have known that neither Congress nor any functionary of the general government, has authority to call such a convention, unless it be demanded by two thirds of the States. This suggestion, then, is another instance of the reckless inattention to the provisions of the Constitution with which this crisis has been madly hurried on; or of the attempt to persuade the people that a constitutional remedy had been sought and refused. If the legislature of South Carolina "anxiously desire" a general convention to consider their complaints, why have they not made application for it in the way the Constitution points out? The assertion that they "earnestly seek it," is completely negatived by the omission.

This, then, is the position in which we stand. A small majority of the citizens of one State in the Union have elected delegates to a State convention; that convention has ordained that all the revenue laws of the United States must be repealed, or that they are no longer a member of the Union. The governor of that State has recommended to the legislature the raising of an army to carry the secession into effect, and that he may be empowered to give clearances to vessels in the name of the State. No act of violent opposition to the laws has yet been committed, but such a state of things is hourly apprehended; and it is the intent of this instrument to *Proclaim*, not only that the duty imposed on me by the Constitution, "to take care that the laws be faithfully executed," shall be performed to the extent of the powers already vested in me by law, or of such others as the wisdom of Congress shall devise and entrust to me for that purpose, but to warn the citizens of South Carolina who have been deluded into an opposition to the laws, of the danger they will incur by obedience to the

illegal and disorganizing ordinance of the convention,—to exhort those who have refused to support it, to persevere in their determination to uphold the Constitution and laws of their country,—and to point out to all the perilous situation into which the good people of that State have been led, and that the course they are urged to pursue is one of ruin and disgrace to the very State whose rights they affect to support.

Fellow citizens of my native State!—let me not only admonish you, as the First Magistrate of our common country, not to incur the penalty of its laws, but use the influence that a father would over his children whom he saw rushing to certain ruin. In that paternal language, with that paternal feeling, let me tell you, my countrymen, that you are deluded by men who are either deceived themselves, or wish to deceive you. Mark under what pretences you have been led on to the brink of insurrection and treason, on which you stand! First, a diminution of the value of your staple commodity, lowered by over production in other quarters, and the consequent diminution in the value of your lands, were the sole effect of the tariff laws. The effect of those laws was confessedly injurious, but the evil was greatly exaggerated by the unfounded theory you were taught to believe, that its burthens were in proportion to your exports, not to your consumption of imported articles. Your pride was roused by the assertion that a submission to those laws was a state of vassalage, and that resistance to them was equal, in patriotic merit, to the opposition our fathers offered to the oppressive laws of Great Britain. You were told that this opposition might be peaceably—might be constitutionally made—that you might enjoy all the advantages of the Union, and bear none of its burthens. Eloquent appeals to your passions, to your State pride, to your native courage, to your sense of real injury, were used to prepare you for the period when the mask, which concealed the hideous features of *disunion*, should be taken off. It fell, and you were made to look with complacency on objects which, not long since, you would have regarded with horror. Look back to the arts which have brought you to this state—look forward to the consequences to which it must inevitably lead! Look back to what was first told you as an inducement to enter into this dangerous course. The great political truth was repeated to you, that you had the revolutionary right of resisting all laws that were palpably unconstitutional and intolerably oppressive—it was added that the right to nullify a law rested on the same principle, but that it was a peaceable remedy! This character which was given to it, made you receive, with too much confidence, the assertions that were made of the unconstitutionality of the law and its oppressive effects. Mark, my fellow citizens, that by the admission of your leaders, the unconstitutionality must be *palpable*, or it will not justify either resistance or nullification! What is the meaning of the word *palpable*, in the sense in which it is here used? that which is apparent to every one; that which no man of ordinary intellect will fail to perceive. Is the unconstitutionality of these laws of that description? Let those among your leaders who once approved and advocated the principle of protective duties, answer the question; and let them choose whether they will be considered as incapable, then, of perceiving that which must have been apparent to every man of common understanding, or as imposing upon your confidence, and endeavoring to mislead you now. In either case, they are unsafe guides, in the perilous path they urge you to tread. Ponder well on this circumstance, and you will know how to appreciate the exaggerated language they address to you. They are not champions of liberty emulating the fame of our Revolutionary Fathers; nor are you an oppressed people, contending, as they repeat to you, against worse than colonial vassalage. You are free members of a flourishing and happy Union. There is no settled design to oppress you. You have indeed felt the unequal operation of laws which may have been unwisely, not unconstitutionally passed; but that inequality must necessarily be removed. At the very moment when you were madly urged on to the unfortunate course you have begun, a change in public opinion had commenced. The nearly approaching payment of the public debt, and the consequent necessity of a diminution of duties, had already produced a considerable reduction, and that, too, on some articles of general consumption in your State. The importance of this change was underrated, and you were authoritatively told that no further alleviation of your burthens was to be expected, at the very time when the condition of the country imperiously demanded such a modification of the duties as should reduce them to a just and equitable scale. But, as if apprehensive of the effect of this change in allaying your discontents, you were precipitated into the fearful state in which you now find yourselves.

I have urged you to look back to the means that were used to hurry you on

to the position you have now assumed, and forward to the consequences it will produce. Something more is necessary. Contemplate the condition of that country of which you still form an important part!—Consider its Government uniting in one bond of common interest and general protection so many different States—giving to all their inhabitants the proud title of *American Citizens*—protecting their commerce—securing their literature and their arts—facilitating their intercommunication—defending their frontiers—and making their name respected in the remotest parts of the earth! Consider the extent of its territory, its increasing and happy population, its advance in arts, which render life agreeable, and the sciences which elevate the mind! See education spreading the lights of religion, humanity, and general information into every cottage in this wide extent of our Territories and States! Behold it as the asylum where the wretched and the oppressed find a refuge and support! Look on this picture of happiness and honor, and say, *we, too, are citizens of America!* Carolina is one of these proud States—her arms have defended, her best blood has cemented this happy Union! And then add, if you can, without horror and remorse, this happy Union we will dissolve—this picture of peace and prosperity we will deface—this free intercourse we will interrupt—these fertile fields we will deluge with blood—the protection of that glorious flag we renounce—the very name of Americans we discard. And for what, mistaken men! for what do you throw away these inestimable blessings? for what would you exchange your share in the advantages and honor of the Union? For the dream of a separate independence—a dream interrupted by bloody conflicts with your neighbors, and a vile dependence on a foreign power. If your leaders could succeed in establishing a separation, what would be your situation? Are you united at home—are you free from the apprehension of civil discord, with all its fearful consequences? Do our neighboring republics, every day suffering some new revolution, or contending with some new insurrection—do they excite your envy? But the dictates of a high duty oblige me solemnly to announce that you cannot succeed. The laws of the United States must be executed. I have no discretionary power on the subject—my duty is emphatically pronounced in the Constitution. Those who told you that you might peaceably prevent their execution, deceived you—they could not have been deceived themselves. They know that a forcible opposition could alone prevent the execution of the laws, and they know that such opposition must be repelled. Their object is disunion; but be not deceived by names: disunion, by armed force, is *treason*. Are you really ready to incur its guilt? If you are, on the heads of the instigators of the act be the dreadful consequences—on their heads be the dishonor, but on yours may fall the punishment—on your unhappy State will inevitably fall all the evils of the conflict you force upon the Government of your country. It cannot accede to the mad project of disunion, of which you would be the first victims—its First Magistrate cannot, if he would, avoid the performance of his duty—the consequence must be fearful for you, distressing to your fellow citizens here, and to the friends of good government throughout the world. Its enemies have beheld our prosperity with a vexation they could not conceal—it was a standing refutation of their slavish doctrines, and they will point to our discord with the triumph of malignant joy. It is yet in your power to disappoint them. There is yet time to show that the descendants of the Pinckneys, the Sumpters, the Rutledges, and of the thousand other names which adorn the pages of your revolutionary history, will not abandon that Union, to support which so many of them fought, and bled and died.

I adjure you, as you honor their memory—as you love the cause of freedom, to which they dedicated their lives—as you prize the peace of your country, the lives of its best citizens, and your own fair fame, to retrace your steps. Snatch from the archives of your State, the disorganizing edict of its Convention—bid its members to re-assemble, and promulgate the decided expressions of your will to remain in the path which alone can conduct you to safety, prosperity and honor. Tell them that, compared to disunion, all other evils are light, because that brings with it an accumulation of all—declare that you will never take the field unless the star-spangled banner of your country shall float over you—that you will not be stigmatized when dead, and dishonored and scorned while you live, as the authors of the first attack on the Constitution of your country!—Its destroyers you cannot be. You may disturb its peace—you may interrupt the course of its prosperity—you may cloud its reputation for stability—but its tranquillity will be restored, its prosperity will return, and the stain upon its national character will be transferred, and remain an eternal blot on the memory of those who caused the disorder.

Fellow-citizens of the United States! The threat of unhallowed disunion—the names of those once respected, by whom it is uttered—the array of military force to support it—denote the approach of a crisis in our affairs, on which the continuance of our unexampled prosperity, our political existence, and perhaps that of all free governments may depend. The conjuncture demanded a free, a full, and explicit enunciation, not only of my intentions, but of my principles of action; and as the claim was asserted of a right by a State to annul the laws of the Union, and even to secede from it at pleasure, a frank exposition of my opinions in relation to the origin and form of our government, and the construction I give to the instrument by which it was created, seemed to be proper. Having the fullest confidence in the justness of the legal and constitutional opinion of my duties, which has been expressed, I rely, with equal confidence, on your undivided support in my determination to execute the laws—to preserve the Union by all constitutional means—to arrest, if possible, by moderate but firm measures, the necessity of a recourse to force; and, if it be the will of Heaven, that the recurrence of its primeval curse on man for the shedding of a brother's blood should fall upon our land, that it be not called down by any offensive act on the part of the United States.

Fellow-citizens! The momentous case is before you. On your undivided support of your government depends the decision of the great question it involves, whether your sacred Union will be preserved, and the blessing it secures to us as one people, shall be perpetuated. No one can doubt that the unanimity with which that decision will be expressed, will be such as to inspire new confidence in republican institutions, and that the prudence, the wisdom, and the courage which it will bring to their defence, will transmit them unimpaired and invigorated to our children.

May the great Ruler of Nations grant that the signal blessings with which he has favored ours, may not, by the madness of party or personal ambition, be disregarded and lost; and may his wise Providence bring those who have produced this crisis to see the folly, before they feel the misery of civil strife; and inspire a returning veneration for that Union which, if we may dare to penetrate his designs, he has chosen as the only means of attaining the high destinies to which we may reasonably aspire.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this 10th day of December, in the year of our Lord one thousand eight hundred and thirty-two, and of the Independence of the United States the fifty-seventh.

ANDREW JACKSON.

BY THE PRESIDENT:

EDW. LIVINGSTON, *Secretary of State*.

#### No. 27. *Suspending discriminating Duties as to Mecklenberg Schwerin.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. April 28, 1835.

### A PROCLAMATION.

WHEREAS by an act of Congress of the United States, of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An act in addition to an act entitled 'An act concerning discriminating duties of tonnage and impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided, that upon satisfactory evidence being given to the President of the United States by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same, from the United States, or from any foreign country, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost, within the United States, are and shall be suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise, imported into the United States, in the

Preamble, reciting act relative to discriminating duties.

1828, ch. 111.

Vol. iv. p. 308.

same, from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

Reciting acts  
of Mecklenburg  
Schwerin.

And whereas, satisfactory evidence has lately been received by me from His Royal Highness the Grand Duke of Mecklenburg Schwerin, through an official communication of Leon Herckenrath, his consul at Charleston, in the United States, under date of the thirteenth April, one thousand eight hundred and thirty-five, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the Grand Duchy of Mecklenburg Schwerin, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country.

Discriminating  
duties on vessels  
and cargoes of  
Mecklenburg  
Schwerin, sus-  
pended, from  
13th April, 1835.

Now, therefore, I, ANDREW JACKSON, President of the United States of America, do hereby declare and proclaim, that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the Grand Duchy of Mecklenburg Schwerin, and the produce, manufactures, or merchandise, imported into the United States, in the same, from the said Grand Duchy, or from any other foreign country; the said suspension to take effect from the thirteenth day of April, one thousand eight hundred and thirty-five, above mentioned, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States and their cargoes, as aforesaid, shall be continued, and no longer.

Given under my hand, at the city of Washington, the twenty-eighth day of April, in the year of our Lord one thousand eight hundred and [L. s.] thirty-five, and of the independence of the United States the fifty-ninth.

ANDREW JACKSON.

BY THE PRESIDENT :

JOHN FORSYTH, *Secretary of State.*

### No. 28. *Suspending discriminating Duties as to Tuscany.*

Sept. 1, 1836.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

Preamble re-  
citing act rela-  
tive to discrimi-  
nating duties.

1828, ch. 111.

Vol. iv. p. 308.

WHEREAS, by an act of Congress of the United States, of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An act in addition to an act entitled 'An act concerning discriminating duties of tonnage and impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided, that upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied, in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States, or from any foreign country, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States, are and shall be suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise imported into the United States, in the same, from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

Reciting acts  
of Tuscany.

And whereas satisfactory evidence has lately been received by me, from the government of His Imperial and Royal Highness the Grand Duke of Tuscany, through an official communication of Baron Lederer, the Consul-General of His Imperial and Royal Highness in the United States, under date of the sixth day of August, one thousand eight hundred and thirty-six, that no discriminating



duties of tonnage or impost are imposed or levied, in the ports of Tuscany, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States, or from any foreign country.

Now, therefore, I, ANDREW JACKSON, President of the United States of America, do hereby declare and proclaim, that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the Grand Dukedom of Tuscany, and the produce, manufactures, or merchandise, imported into the United States in the same, from the said Grand Dukedom, or from any other foreign country; the said suspension to take effect from the sixth day of August, one thousand eight hundred and thirty-six, above mentioned, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

Declares the discriminating duties, so far as respects the vessels of Tuscany, suspended.

From 6th August, 1836.

Given under my hand, at the city of Washington, the first day of September, in the year of our Lord one thousand eight hundred and thirty-six, and of the independence of the United States the sixty-first.

ANDREW JACKSON.

BY THE PRESIDENT :

JOHN FORSYTH, *Secretary of State.*

#### No. 29. *Convening an extra Session of Congress.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. May 15, 1837.

### A PROCLAMATION.

WHEREAS great and weighty matters claiming the consideration of the Congress of the United States, form an extraordinary occasion for convening them, I do, by these presents, appoint the first Monday of September next, for their meeting at the city of Washington; hereby requiring the respective senators and representatives, then and there to assemble in Congress, in order to receive such communications as may then be made to them, and to consult, and determine on such measures as in their wisdom may be deemed meet for the welfare of the United States.

Congress to convene on the first Monday in September.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand.

[L. s.] Done at the city of Washington, the fifteenth day of May, in the year of our Lord one thousand eight hundred and thirty-seven, and of the independence of the United States the sixty-first.

MARTIN VAN BUREN.

BY THE PRESIDENT :

JOHN FORSYTH, *Secretary of State.*

#### No. 30. *Suspending Tonnage Duty on Greek Vessels.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. June 14, 1837.

### A PROCLAMATION.

WHEREAS by the third section of the act of Congress of the United States, of the thirteenth of July, one thousand eight hundred and thirty-two, entitled "An act concerning tonnage duty on Spanish vessels," it is provided, that whenever the President shall be satisfied that the discriminating duties or counter-vailing duties of tonnage levied by any foreign nation on the ships or vessels of the United States, shall have been abolished, he may direct that the tonnage duty on the vessels of such nation shall cease to be levied in the ports of the United States :

Preamble that President is authorized to abolish tonnage duties.

1832, ch. 207.  
Vol. iv. p. 578.

Discriminating tonnage duties levied by Greece on American vessels, abolished.

Tonnage duty on Greek vessels in U. S. ports shall cease to be levied.

And whereas satisfactory evidence has lately been received from His Majesty, the King of Greece, that the discriminating duties of tonnage levied by said nation on the ships or vessels of the United States, have been abolished:

Now, therefore, I, MARTIN VAN BUREN, President of the United States, do hereby declare and proclaim, that the tonnage duty on the vessels of the Kingdom of Greece shall, from this date, cease to be levied in the ports of the United States.

Given under my hand at the city of Washington, this fourteenth day of June, A. D. 1837, and of the independence of the United States the sixty-first.

MARTIN VAN BUREN.

BY THE PRESIDENT:

JOHN FORSYTH, *Secretary of State.*

### No. 31. *Levying Tonnage Duty on Portuguese Vessels.*

Oct. 11, 1837.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Preamble reciting that tonnage duty on vessels of Portugal is provisionally abolished, but the President authorized to levy said duty.

1832, ch. 104.

Vol. iv. p. 517.

Vessels of U. S. subjected to tonnage duty in ports of Portugal.

Tonnage duty henceforth to be levied on vessels of Portugal.

WHEREAS, by an act of Congress of the United States of the twenty-fifth of May, one thousand eight hundred and thirty-two, entitled "An act to exempt the vessels of Portugal from the payment of duties of tonnage," it was enacted as follows: "No duties upon tonnage shall be hereafter levied or collected of the vessels of the kingdom of Portugal: *Provided, always,* That whenever the President of the United States shall be satisfied that the vessels of the United States are subjected, in the ports of the kingdom of Portugal, to payment of any duties of tonnage, he shall, by proclamation, declare the fact, and the duties now payable by vessels of that kingdom, shall be levied and paid as if this act had not been passed."

And whereas satisfactory evidence has been received by me, not only that the vessels of the United States are subjected in the ports of the said kingdom of Portugal to payment of duties of tonnage, but that a discrimination exists in respect to those duties against the vessels of the United States.

Now, therefore, I, MARTIN VAN BUREN, President of the United States of America, do hereby declare that fact, and proclaim, that the duties payable by vessels of the said kingdom of Portugal, on the twenty-fifth day of May, one thousand eight hundred and thirty-two, shall henceforth be levied and paid as if the said act of the twenty-fifth of May, eighteen hundred and thirty-two, had not been passed.

Given under my hand at the city of Washington, on the eleventh day of October, one thousand eight hundred and thirty-seven, and of the independence of the United States the sixty-second.

M. VAN BUREN.

BY THE PRESIDENT:

JOHN FORSYTH, *Secretary of State.*

### No. 32. *Enjoining Neutrality as to Canada.*

Jan. 5, 1838.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION.

Preamble as to citizens of U. S. interfering in civil war in Canada.

WHEREAS information having been received of a dangerous excitement on the northern frontier of the United States, in consequence of the civil war begun in Canada, and instructions having been given to the United States officers on that frontier, and applications having been made to the governors of the adjoining States to prevent any unlawful interference on the part of our citizens in the contest unfortunately commenced in the British Provinces: additional information has just been received, that, notwithstanding the proclamations of the governors

of the States of New York and Vermont, exhorting their citizens to refrain from any unlawful acts within the territory of the United States; and notwithstanding the presence of the civil officers of the United States, who, by my directions, have visited the scenes of commotion with a view of impressing the citizens with a proper sense of their duty, the excitement, instead of being appeased, is every day increasing in degree—that arms and munitions of war, and other supplies, have been procured by the insurgents in the United States—that a military force, consisting in part, at least, of citizens of the United States, had been actually organized, had congregated at Navy Island, and were still in arms under the command of a citizen of the United States, and that they were constantly receiving accessions and aid.

Now, therefore, to the end that the authority of the laws may be maintained, and the faith of treaties observed, I, MARTIN VAN BUREN, do most earnestly exhort all citizens of the United States who have thus violated their duties, to return peaceably to their respective homes; and I hereby warn them, that any persons who shall compromise the neutrality of this government by interfering in an unlawful manner with the affairs of the neighboring British Provinces, will render themselves liable to arrest and punishment under the laws of the United States, which will be rigidly enforced; and, also, that they will receive no aid or countenance from their government into whatever difficulties they may be thrown by the violation of the laws of their country, and the territory of a neighboring and friendly nation.

Liable to arrest  
and punishment.

Given under my hand at the city of Washington, the fifth day of January,

[L. s.] A. D. one thousand eight hundred and thirty-eight, and the sixty-second of the independence of the United States.

M. VAN BUREN.

BY THE PRESIDENT:

JOHN FORSYTH, *Secretary of State.*

### No. 33. *Enjoining Neutrality as to Canada.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. Nov. 21, 1838.

## A PROCLAMATION.

WHEREAS there is too much reason to believe that citizens of the United States, in disregard of the solemn warning heretofore given to them by the proclamations issued by the Executive of the general government, and by some of the governors of the States, have combined to disturb the peace of the dominions of a neighboring and friendly nation, and whereas information has been given to me, derived from official and other sources, that many citizens in different parts of the United States are associated or associating for the same purpose: and whereas disturbances have actually broken out anew in different parts of the two Canadas: and whereas a hostile invasion has been made by citizens of the United States, in conjunction with Canadians and others, who, after forcibly seizing upon the property of their peaceful neighbor for the purpose of effecting their unlawful designs, are now in arms against the authorities of Canada, in perfect disregard of their obligations as American citizens, and of the obligations of the government of their country to foreign nations.

Preamble as to  
invasion of Can-  
ada by citizens  
of United States.

Now, therefore, I have thought it necessary and proper to issue this proclamation, calling upon every citizen of the United States neither to give countenance nor encouragement of any kind to those who have thus forfeited their claim to the protection of their country; upon those misguided or deluded persons who are engaged in them, to abandon projects dangerous to their own country, fatal to those whom they profess a desire to relieve, impracticable of execution without foreign aid, which they cannot rationally expect to obtain, and giving rise to imputations (however unfounded) upon the honor and good faith of their own government; upon every officer, civil or military, and upon every citizen; by the veneration due by all freemen to the laws which they have assisted to enact for their own government; by his regard for the honor and reputation of his country; by his love of order and respect for the sacred code of laws by which national intercourse is regulated; to use every effort in his power to arrest for trial and punishment every offender against the laws providing for the performance of our obligations to the other powers of the world. And I hereby warn all those who have engaged in these criminal enterprises, if persisted in,

Citizens of U.  
S. warned not to  
countenance it.

And those en-  
gaged in it warn-

ed that the Government of the United States will not interfere in their behalf.

that, whatever may be the condition to which they may be reduced, they must not expect the interference of this government, in any form on their behalf; but will be left, reproached by every virtuous fellow-citizen, to be dealt with according to the policy and justice of that government whose dominions they have, in defiance of the known wishes of their own government, and without the shadow of justification or excuse, nefariously invaded.

Given under my hand at the city of Washington, the twenty-first day of November, in the year of our Lord one thousand eight hundred and [L. s.] thirty-eight, and the sixty-third of the independence of the United States.

M. VAN BUREN.

BY THE PRESIDENT:

JOHN FORSYTH, *Secretary of State.*

### No. 34. *Convening an Extra Session of Congress.*

March 17, 1841. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Congress to convene on Monday the 31st of May, 1841.

WHEREAS sundry important and weighty matters, principally growing out of the condition of the revenue and finances of the country, appear to me to call for the consideration of Congress at an earlier day than its next annual session, and thus form an extraordinary occasion, such as renders necessary, in my judgment, the convention of the two Houses as soon as may be practicable, I do therefore, by this my proclamation, convene the two Houses of Congress to meet in the Capitol at the city of Washington, on the last Monday, being the thirty-first day of May next. And I require the respective senators and representatives then and there to assemble, in order to receive such information respecting the state of the Union, as may be given to them, and to devise and adopt such measures as the good of the country may seem to them, in the exercise of their wisdom and discretion, to require.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand. Done at the city [L. s.] of Washington, the seventeenth day of March, in the year of our Lord one thousand eight hundred and forty-one, and of the independence of the United States the sixty-fifth.

W. H. HARRISON.

BY THE PRESIDENT:

DANIEL WEBSTER, *Secretary of State.*

### No. 35. *Enjoining Neutrality as to Canada.*

Sept. 25, 1841. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Preamble reciting that associations have been formed for the purpose of making lawless incursions into Canada, &c.

WHEREAS it has come to the knowledge of the government of the United States that sundry secret lodges, clubs, or associations exist on the northern frontier; that the members of these lodges are bound together by secret oaths; that they have collected fire-arms, and other military materials, and secreted them in sundry places; and that it is their purpose to violate the laws of their country, by making military and lawless incursions, when opportunity shall offer, into the territories of a power with which the United States are at peace, and whereas it is known that travelling agitators, from both sides of the line, visit these lodges, and harangue the members in secret meeting, stimulating them to illegal acts; and whereas the same persons are known to levy contributions, on the ignorant and credulous, for their own benefit, thus supporting and enriching

themselves by the basest means; and whereas the unlawful intentions of the members of these lodges have already been manifested in an attempt to destroy the lives and property of the inhabitants of Chippewa, in Canada, and the public property of the British government there being:

Now, therefore, I, JOHN TYLER, President of the United States, do issue this my proclamation, admonishing all such evil-minded persons of the condign punishment which is certain to overtake them; assuring them that the laws of the United States will be rigorously executed against their illegal acts; and that if in any lawless incursion into Canada they fall into the hands of the British authorities, they will not be reclaimed as American citizens, nor any interference made by this government in their behalf. And I exhort all well-meaning but deluded persons who may have joined these lodges, immediately to abandon them, and to have nothing more to do with their secret meetings, or unlawful oaths, as they would avoid serious consequences to themselves. And I expect the intelligent and well-disposed members of the community to frown on all these unlawful combinations, and illegal proceedings, and to assist the government in maintaining the peace of the country, against the mischievous consequences of the acts of these violators of the law.

Persons concerned in these illegal proceedings are warned of the consequences, and exhorted to desist.

Given under my hand, at the city of Washington, the 25th day of September, A. D. 1841, and of the independence of the United States the sixty-sixth.

JOHN TYLER.

BY THE PRESIDENT:

DANIEL WEBSTER, *Secretary of State.*

#### No. 36. *Revoking the Exequatur of the Spanish Consul at New Orleans.*

ZACHARY TAYLOR, PRESIDENT OF THE UNITED STATES OF AMERICA.

Jan. 4, 1850.

*To all whom it may concern:*

AN exequatur having been granted to Señor Carlos de España, bearing date the 29th October, 1846, recognizing him as the consul of Her Catholic Majesty at the port of New Orleans, and declaring him free to exercise and enjoy such functions, powers, and privileges as are allowed to the consuls of the most favored nations in the United States: These are now to declare, that I do no longer recognize the said Carlos de España, as consul of Her Catholic Majesty in any part of the United States; nor permit him to exercise and enjoy any of the functions, powers, or privileges, allowed to the consuls of Spain; and I do hereby wholly revoke and annul the said exequatur heretofore given; and do declare the same to be absolutely null and void from this day forward.

Preamble.

Exequatur of Señor Carlos de España, as consul of Spain, at New Orleans, revoked.

In testimony whereof, I have caused these letters to be made patent, and [L. s.] the seal of the United States of America to be hereunto affixed.

Given under my hand, this fourth day of January, in the year of our Lord one thousand eight hundred and fifty, and of the independence of the United States the seventy-fourth.

Z. TAYLOR.

BY THE PRESIDENT:

JOHN M. CLAYTON, *Secretary of State.*

#### No. 37. *Respecting an apprehended Invasion of Cuba.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: April 25, 1851.

### A PROCLAMATION.

WHEREAS there is reason to believe that a military expedition is about to be fitted out in the United States with intention to invade the Island of Cuba, a

colony of Spain, with which this country is at peace; and whereas it is believed that this expedition is instigated and set on foot chiefly by foreigners who dare to make our shores the scene of their guilty and hostile preparations against a friendly power; and seek by falsehood and misrepresentation to seduce our own citizens, especially the young and inconsiderate, into their wicked schemes,—an ungrateful return for the benefits conferred upon them by this people, in permitting them to make our country an asylum from oppression,—and in flagrant abuse of the hospitality thus extended to them:

And whereas such expeditions can only be regarded as adventures for plunder and robbery, and must meet the condemnation of the civilized world, whilst they are derogatory to the character of our country,—in violation of the laws of nations,—and expressly prohibited by our own. Our statutes declare “that if any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or provide or prepare the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, every person, so offending, shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years:”

Now, therefore, I have issued this my Proclamation, warning all persons who shall connect themselves with any such enterprise or expedition in violation of our laws and national obligations that they will thereby subject themselves to the heavy penalties denounced against such offences, and will forfeit their claim to the protection of this government, or any interference in their behalf, no matter to what extremities they may be reduced in consequence of their illegal conduct. And therefore I exhort all good citizens, as they regard our national reputation, as they respect their own laws and the laws of nations, as they value the blessings of peace and the welfare of their country, to discountenance, and, by all lawful means, prevent any such enterprise; and I call upon every officer of this government, civil or military, to use all efforts in his power, to arrest for trial and punishment every such offender against the laws of the country.

Given under my hand, the twenty-fifth day of April, in the year of our  
[L. S.] Lord one thousand eight hundred and fifty-one, and the seventy-fifth of the Independence of the United States.

MILLARD FILLMORE.

BY THE PRESIDENT:

W. S. DERRICK, *Acting Secretary of State.*

### No. 38. *Call of an extraordinary Session of the Senate.*

Feb. 25, 1853. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

Preamble respecting a former precedent and the establishing a new one.

THE attention of the PRESIDENT having been called to the proceedings of Congress at the close of its session, on the 4th of March, 1851, from which it appears that the constitutional term of that body was held not to have expired until 12 o'clock at noon of that day; and a notice having been issued, agreeably to former usage, to convene the Senate at eleven o'clock, A. M., on the 4th of March next, it is apparent that such call is in conflict with the decision aforesaid:

Now, therefore, as well for the purpose of removing all doubt as to the legality of such call, as of establishing a precedent of what is deemed a proper mode of convening the Senate, I, MILLARD FILLMORE, President of the United States, have considered it to be my duty to issue this my Proclamation, revoking said call, and hereby declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the capitol, in the city of Washington, on Friday, the 4th day of March next, at twelve o'clock, at noon of that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, this 25th day of February, A. D. 1853, and of the Independence of the United States the seventy-seventh.

MILLARD FILLMORE.

BY THE PRESIDENT:

EDWARD EVERETT, *Secretary of State.*

No. 39. *Privileges of Act of 1845, ch. 70, given to certain Places.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: July 2, 1855.

## A PROCLAMATION.

WHEREAS the Act of Congress of the 28th of September, 1850, entitled "An Act to create additional collection districts in the State of California, and to change the existing district therein, and to modify the existing collection districts in the United States," extends to merchandise warehoused under bond, the privilege of being exported to the British North American Provinces adjoining the United States, in the manner prescribed in the Act of Congress of the 3d of March, 1845, which designates certain frontier ports through which merchandise may be exported, and further provides "that such other ports situated on the frontiers of the United States adjoining the British North American Provinces as may hereafter be found expedient, may have extended to them the like privileges on the recommendation of the Secretary of the Treasury and Proclamation duly made by the President of the United States, specially designating the ports to which the aforesaid privileges are to be extended:"

1850, ch. 79.

Vol. ix. p. 508.

1845, ch. 70, § 7.

Vol. v. p. 751.

Now, therefore, I, FRANKLIN PIERCE, President of the United States of America, in accordance with the recommendation of the Secretary of the Treasury, do hereby declare and proclaim, that the ports of Rouse's Point, Cape Vincent, Suspension Bridge, and Dunkirk, in the State of New York; Swanton, Alburg, and Island Pond, in the State of Vermont; Toledo, in the State of Ohio; Chicago, in the State of Illinois; Milwaukee, in the State of Wisconsin; Michilimackinac, in the State of Michigan; Eastport, in the State of Maine; and Pembina, in the territory of Minnesota, are and shall be entitled to all the privileges in regard to the exportation of merchandise in bond to the British North American Provinces, adjoining the United States, which are extended to the ports enumerated in the 7th section of the Act of Congress of the 3d of March, 1845, aforesaid, from and after the date of this Proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the city of Washington, this 2d day of July, in the year of our Lord one thousand eight hundred and fifty five, and of the Independence of the United States of America the seventy-ninth.

[L. s.]

FRANKLIN PIERCE.

BY THE PRESIDENT:

W. L. MARCY, *Secretary of State.*

No. 40. *Respecting an apprehended Invasion of Nicaragua.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Dec. 8, 1855.

## A PROCLAMATION.

WHEREAS information has been received by me that sundry persons, citizens of the United States and others, residents therein, are preparing, within the jurisdiction of the same, to enlist, or enter themselves, or to hire or retain others to participate in military operations within the State of Nicaragua:

Now, therefore, I, FRANKLIN PIERCE, President of the United States, do warn all persons against connecting themselves with any such enterprise or

undertaking, as being contrary to their duty as good citizens and to the laws of their country, and threatening to the peace of the United States.

I do further admonish all persons who may depart from the United States, either singly or in numbers, organized or unorganized, for any such purpose, that they will thereby cease to be entitled to the protection of this government.

I exhort all good citizens to discountenance and prevent any such disreputable and criminal undertaking as aforesaid, charging all officers, civil and military, having lawful power in the premises, to exercise the same for the purpose of maintaining the authority and enforcing the laws of the United States.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed to these presents.

Done at the city of Washington, the eighth day of December, one thousand eight hundred and fifty-five, and of the Independence of the United States the eightieth.

FRANKLIN PIERCE.

BY THE PRESIDENT:

W. L. MARCY, *Secretary of State.*

#### No. 41. *Newfoundland to have Benefits of Reciprocity Treaty.*

Dec. 12, 1855. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

1854, ch. 269, § 2. WHEREAS, by the second section of an act of the Congress of the United States approved the fifth day of August, one thousand eight hundred and fifty-four, entitled "An act to carry into effect a treaty between the United States and Great Britain, signed on the fifth day of June, eighteen hundred and fifty-four," it is provided that whenever the island of Newfoundland shall give its consent to the application of the stipulations and provisions of the said treaty to that province, and the legislature thereof, and the Imperial Parliament shall pass the necessary laws for that purpose, grain, flour, and breadstuffs of all kinds; animals of all kinds; fresh, smoked, and salted meats; cotton wool; seeds and vegetables; undried fruits; dried fruits; fish of all kinds; products of fish, and all other creatures living in the water; poultry; eggs; hides, furs, skins, or tails undressed; stone or marble in its crude or unwrought state; slate; butter, cheese, tallow, lard; horns; manures; ores of metals of all kinds; coal; pitch, tar, turpentine; ashes; timber and lumber of all kinds, round, hewed and sawed, unmanufactured in whole or in part; fire wood, plants, shrubs, and trees; pelts; wool; fish oil; rice; broom corn and bark; gypsum, ground or unground; hewn or wrought or unwrought burr or grindstones; dye-stuffs; flax, hemp, and tow, unmanufactured; unmanufactured tobacco; and rags—shall be admitted free of duty from that province into the United States, from and after the date of a proclamation by the President of the United States, declaring that he has satisfactory evidence that the said province has consented, in a due and proper manner, to have the provisions of the treaty extended to it, and to allow the United States the full benefits of all the stipulations therein contained:

And whereas I have satisfactory evidence that the province of Newfoundland has consented, in a due and proper manner, to have the provisions of the aforesaid treaty extended to it, and to allow the United States the full benefits of all the stipulations therein contained, so far as they are applicable to that province:

Now, therefore, I, FRANKLIN PIERCE, President of the United States of America, do hereby declare and proclaim that, from this date, the articles enumerated in the preamble of this proclamation, being the growth and produce of the British North American colonies, shall be admitted from the aforesaid province of Newfoundland into the United States free of duty, so long as the aforesaid treaty shall remain in force.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed to these presents.



Done at the city of Washington, the twelfth day of December, in the year of our Lord one thousand eight hundred and fifty-five, and of the Independence of the United States the eightieth.

FRANKLIN PIERCE.

BY THE PRESIDENT:

W. L. MARCY, *Secretary of State.*

No. 42. *Respecting Disturbances in Kansas Territory.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Feb. 11, 1856.

A PROCLAMATION.

WHEREAS indications exist that public tranquillity and the supremacy of law in the Territory of Kansas, are endangered by the reprehensible acts or purposes of persons, both within and without the same, who propose to direct and control its political organization by force: It appearing that combinations have been formed therein to resist the execution of the Territorial laws, and thus, in effect, subvert by violence all present constitutional and legal authority: It also appearing that persons residing without the Territory, but near its borders, contemplate armed intervention in the affairs thereof: It also appearing that other persons, inhabitants of remote states, are collecting money, engaging men, and providing arms for the same purpose: And it further appearing that combinations within the Territory are endeavoring, by the agency of emissaries and otherwise, to induce individual States of the Union to intervene in the affairs thereof, in violation of the Constitution of the United States:

And whereas all such plans for the determination of the future institutions of the Territory, if carried into action from within the same, will constitute the fact of insurrection, and if from without, that of invasive aggression, and will, in either case, justify and require the forcible interposition of the whole power of the General Government, as well to maintain the laws of the Territory as those of the Union:

Now, therefore, I, FRANKLIN PIERCE, President of the United States, do issue this my proclamation to command all persons engaged in unlawful combinations against the constituted authority of the Territory of Kansas or of the United States, to disperse and retire peaceably to their respective abodes; and to warn all such persons that any attempted insurrection in said Territory, or aggressive intrusion into the same, will be resisted not only by the employment of the local militia, but also by that of any available forces of the United States; to the end of assuring immunity from violence and full protection to the persons, property, and civil rights of all peaceful and law-abiding inhabitants of the Territory.

If, in any part of the Union, the fury of faction or fanaticism, inflamed into disregard of the great principles of popular sovereignty, which, under the Constitution, are fundamental in the whole structure of our institutions, is to bring on the country the dire calamity of an arbitrament of arms in that Territory, it shall be between lawless violence on the one side, and conservative force on the other, wielded by legal authority of the General Government.

I call on the citizens, both of adjoining and of distant States, to abstain from unauthorized intermeddling in the local concerns of the Territory, admonishing them that its organic law is to be executed with impartial justice; that all individual acts of illegal interference will incur condign punishment; and that any endeavor to intervene by organized force will be firmly withstood.

I invoke all good citizens to promote order by rendering obedience to the law; to seek remedy for temporary evils by peaceful means; to discountenance and repulse the counsels and the instigations of agitators and of disorganizers; and to testify their attachment to their country, their pride in its greatness, their appreciation of the blessings they enjoy, and their determination that republican institutions shall not fail in their hands, by co-operating to uphold the majesty of the laws and to vindicate the sanctity of the Constitution.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed to these presents.

Done at the city of Washington, the eleventh day of February, in the year  
[L. s.] of our Lord one thousand eight hundred and fifty-six, and of the Independence of the United States the eightieth.

FRANKLIN PIERCE.

BY THE PRESIDENT :

W. L. MARCY, *Secretary of State.*

No. 43. *Revoking the Exequatur of the British Consul at New York.*

May 28, 1856. FRANKLIN PIERCE, PRESIDENT OF THE UNITED STATES OF AMERICA.

*To all whom it may concern :*

Preamble.

WHEREAS by letters-patent, under the seal of the United States, bearing date the second day of March, A. D. 1843, the President recognized Anthony Barclay as consul of Her Britannic Majesty at New York, and declared him free to exercise and enjoy such functions, powers, and privileges as are allowed to the consuls of the most favored nations; but, for good and sufficient reasons, it is deemed proper that he should no longer exercise the said functions within the United States:

Exequatur of  
Anthony Barclay  
revoked.

Now, therefore, be it known that I, FRANKLIN PIERCE, President of the United States of America, do hereby declare that the powers and privileges conferred as aforesaid on the said Anthony Barclay, are revoked and annulled.

In testimony whereof, I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed.

Given under my hand, at the city of Washington, the twenty-eighth day  
[L. s.] of May, A. D. 1856, and of the independence of the United States of America the 80th.

FRANKLIN PIERCE.

BY THE PRESIDENT :

W. L. MARCY, *Secretary of State.*

No. 44. *Revoking the Exequatur of the British Consul at Philadelphia.*

May 28, 1856. FRANKLIN PIERCE, PRESIDENT OF THE UNITED STATES OF AMERICA.

*To all whom it may concern :*

Preamble.

WHEREAS by letters-patent, under the seal of the United States, bearing date the second day of August, A. D. 1853; the President recognized George Benvenuto Mathew as consul of Her Britannic Majesty at Philadelphia, and declared him free to exercise and enjoy such functions, powers, and privileges as are allowed to the consuls of the most favored nations; but, for good and sufficient reasons, it is deemed proper that he should no longer exercise the said functions within the United States.

Exequatur of  
G. B. Mathew  
revoked.

Now, therefore, be it known that I, FRANKLIN PIERCE, President of the United States of America, do hereby declare that the powers and privileges conferred as aforesaid on the said George Benvenuto Mathew, are revoked and annulled.

In testimony whereof, I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed.

Given under my hand, at the city of Washington, the twenty-eighth day  
[L. s.] of May, A. D. 1856, and of the independence of the United States of America the 80th.

FRANKLIN PIERCE.

BY THE PRESIDENT :

W. L. MARCY, *Secretary of State.*

No. 45. *Revoking the Exequatur of the British Consul at Cincinnati.*FRANKLIN PIERCE, PRESIDENT OF THE UNITED STATES OF AMERICA. May 28, 1856.*To all whom it may concern :*

WHEREAS by letters-patent, under the seal of the United States, bearing date the seventeenth day of August, A. D. 1852, the President recognized Charles Rowcroft as consul of Her Britannic Majesty at Cincinnati, and declared him free to exercise and enjoy such functions, powers, and privileges as are allowed to the consuls of the most favored nations; but, for good and sufficient reasons, it is deemed proper that he should no longer exercise the said functions within the United States:

Preamble.

Now, therefore, be it known that I, FRANKLIN PIERCE, President of the United States of America, do hereby declare that the powers and privileges conferred as aforesaid on the said Charles Rowcroft, are revoked and annulled.

Exequatur of Charles Rowcroft revoked.

In testimony whereof, I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed.

Given under my hand, at the city of Washington, the twenty-eighth day [L. S.] of May, A. D. 1856, and of the independence of the United States of America the 80th.

FRANKLIN PIERCE.

BY THE PRESIDENT :

W. L. MARCY, *Secretary of State.*No. 46. *Respecting the Boundary with Mexico.*BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. June 2, 1856.

## A PROCLAMATION.

WHEREAS pursuant to the first article of the treaty between the United States and the Mexican Republic, of the thirtieth day of December, one thousand eight hundred and fifty-three, the true limits between the territories of the contracting parties were declared to be as follows :

Vol. x. p. 1032.

"Retaining the same dividing line between the two Californias as already defined and established, according to the fifth article of the treaty of Guadalupe Hidalgo, the limits between the two republics shall be as follows :

"Beginning in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, as provided in the fifth article of the treaty of Guadalupe Hidalgo; thence, as defined in the said article, up the middle of that river to the point where the parallel of 31° 47' north latitude crosses the same; thence due west one hundred miles; thence south to the parallel of 31° 20' north latitude; thence along the said parallel of 31° 20' to the 111th meridian of longitude west of Greenwich; thence in a straight line to a point on the Colorado River twenty English miles below the junction of the Gila and Colorado rivers; thence up the middle of the said River Colorado until it intersects the present line between the United States and Mexico :"

And whereas, the said dividing line has been surveyed, marked out, and established, by the respective commissioners of the contracting parties, pursuant to the same article of the said treaty :

Now, therefore, be it known, that I, FRANKLIN PIERCE, President of the United States of America, do hereby declare to all whom it may concern, that the line aforesaid shall be held and considered as the boundary between the United States and the Mexican Republic, and shall be respected as such by the United States and the citizens thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

Given under my hand, at the city of Washington, this second day of June,  
 [L. s.] in the year of our Lord one thousand eight hundred and fifty-six,  
 and of the Independence of the United States the eightieth.

FRANKLIN PIERCE.

BY THE PRESIDENT:

W. L. MARCY, *Secretary of State.*

No. 47. *Calling an Extra Session of Congress.*

August 18, 1856. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS, whilst hostilities exist with various Indian tribes on the remote frontiers of the United States, and whilst in other respects the public peace is seriously threatened, Congress has adjourned without granting necessary supplies for the army, depriving the Executive of the power to perform his duty in relation to the common defence and security, and an extraordinary occasion has thus arisen for assembling the two Houses of Congress, I do, therefore, by this my proclamation, convene the said Houses to meet at the Capitol, in the city of Washington, on Thursday, the twenty-first day of August, instant, hereby requiring the respective Senators and Representatives then and there to assemble, to consult and determine on such measures as the state of the Union may seem to require.

In testimony whereof, I have caused the seal of the United States to be  
 [SEAL.] hereunto affixed, and signed the same with my hand.

Done at the city of Washington, the eighteenth day of August, in the year of our Lord one thousand eight hundred and fifty-six, and of the Independence of the United States the eighty-first.

FRANKLIN PIERCE.

BY ORDER:

W. L. MARCY, *Secretary of State.*

No. 48. *Respecting taking the Sense of the Citizens of the District of Columbia for or against the Adoption of the Code prepared for the District.*

Dec. 24, 1857. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

1855, ch. 174.

Vol. x. p. 642.

WHEREAS by an act of Congress approved March 3, 1855, entitled "An act to improve the laws of the District of Columbia, and to codify the same," the President of the United States was directed to appoint a time and place for taking the sense of the citizens of the District of Columbia for or against the adoption of the Code prepared in pursuance of said act, and further to provide and proclaim the mode and rules of conducting such election:—

Now, therefore, be it known that I do hereby appoint Monday, the 15th day of February, 1858, as the day for taking the sense of the citizens of the District of Columbia, as aforesaid.

The polls will be opened at nine o'clock, A. M., and closed at five o'clock, P. M. Every free white male citizen of the United States above the age of twenty-one years, who shall have resided in the District of Columbia for one year next preceding the said fifteenth day of February, 1858, shall be allowed to vote at said election.

The voting shall be by ballot. Those in favor of the adoption of the Revised

Code will vote a ballot with the words "For the Revised Code" written or printed upon the same; and those opposed to the adoption of the said code will vote a ballot with the words "Against the Revised Code" written or printed upon the same.

The places where the said election shall be held, and the judges who shall conduct and preside over the same will be as follows:—

For the First Ward, in the city of Washington, at Samuel Drury's office, on Pennsylvania Avenue. Judges: Southey S. Parker, Terence Drury, and Alexander H. Mechlin.

For the Second Ward, on 12th street, one door above Pennsylvania Avenue. Judges: Charles L. Coltman, Charles J. Canfield, and Edward C. Dyer.

For the Third Ward, near the corner of 9th street, between F and G, west of the Patent-Office. Judges: Valentine Harbaugh, Joseph Bryan, and Harvey Cruttenden.

For the Fourth Ward, at the west end of City Hall. Judges: William A. Kennedy, John T. Clements, and Francis Mohun.

For the Fifth Ward, at the Columbia engine-house. Judges: Henry C. Purdy, Thomas Hutchinson, and Jas. A. Brown.

For the Sixth Ward, at the Anacostia engine-house. Judges: John D. Brandt, George A. Bohrer, and George R. Ruff.

For the Seventh Ward, at Island Hall. Judges: Samuel Pumphrey, James Espey, and John L. Smith.

For Georgetown, at the Mayor's office. Judges: Edward Chapman, John L. Kidwell, and Wm. H. Edes.

For that portion of the county of Washington which lies west of Rock Creek, at Conrad's tavern, in Tenallytown. Judges: Joshua Peirce, Charles R. Belt, and William D. C. Murdock.

For that portion of said county which lies between Rock Creek and the Eastern Branch of the Potomac, at Seventh street toll-gate. Judges: Thomas Blagden, Dr. Henry Ilaw, and Abner Shoemaker.

And for that portion of said county which lies east of the Eastern Branch of the Potomac, at Goodhope Tavern. Judges: Selby B. Scaggs, Fenwick Young, and Dr. Wellford Manning.

The judges presiding at the respective places of holding the elections shall be sworn to perform their duties faithfully; and, immediately after the close of the polls, they shall count up the votes and certify what number were given "For the Revised Code," and what number "Against the Revised Code;" which certificates shall be transmitted within twenty-four hours to the Attorney-General of the United States, who will report the same to me.

Given under my hand this twenty-fourth day of December, A. D. eighteen [L. s.] hundred and fifty-seven, and of independence the eighty-second.

JAMES BUCHANAN.

No. 49. *Respecting discriminating Duties of Tonnage and Impost upon Vessels and Cargoes of the Subjects of His Holiness, the Pope.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Feb. 25, 1858.

## A PROCLAMATION.

WHEREAS, by an act of Congress of the United States, of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An act in addition to an act entitled 'An act concerning discriminating duties of tonnage and impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided, that upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States, or from any foreign country, the President is thereby authorized to issue his proclamation declaring that the foreign discriminating duties of tonnage and impost within the United States are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise imported into the United States in the same from the

1828, ch. 111.  
Vol. iv. p. 30.

said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer:

And whereas satisfactory evidence has lately been received from the government of his Holiness the Pope, through an official communication addressed by Cardinal Antonelli, his secretary of state, to the minister resident of the United States at Rome, under date of the seventh day of December, one thousand eight hundred and fifty-seven, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the Pontifical States upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States, or from any foreign country:

Now, therefore, I, JAMES BUCHANAN, President of the United States of America, do hereby declare and proclaim that the foreign discriminating duties of tonnage and impost within the United States are, and shall be, suspended and discontinued, so far as respects the vessels of the subjects of His Holiness the Pope, and the produce, manufactures, or merchandise imported into the United States in the same from the Pontifical States, or from any other foreign country; the said suspension to take effect from the seventh day of December, one thousand eight hundred and fifty-seven, above mentioned, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes as aforesaid shall be continued, and no longer.

Given under my hand, at the city of Washington, the twenty-fifth day of February, in the year of our Lord one thousand eight hundred [L. S.] and fifty-eight, and of the independence of the United States the eighty-second.

JAMES BUCHANAN.

BY THE PRESIDENT:

LEWIS CASS, *Secretary of State.*

No. 50. *Respecting the Rebellion and Mormon Troubles in the Territory of Utah.*

April 6, 1858.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

WHEREAS, the Territory of Utah was settled by certain emigrants from the States, and from foreign countries, who have for several years past manifested a spirit of insubordination to the constitution and laws of the United States. The great mass of those settlers, acting under the influence of leaders to whom they seem to have surrendered their judgment, refuse to be controlled by any other authority. They have been often advised to obedience, and these friendly counsels have been answered with defiance. The officers of the federal government have been driven from the Territory for no offence but an effort to do their sworn duty. Others have been prevented from going there by threats of assassination. Judges have been violently interrupted in the performance of their functions, and the records of the courts have been seized and either destroyed or concealed. Many other acts of unlawful violence have been perpetrated, and the right to repeat them has been openly claimed by the leading inhabitants, with at least the silent acquiescence of nearly all the others. Their hostility to the lawful government of the country has at length become so violent that no officer bearing a commission from the Chief Magistrate of the Union can enter the Territory or remain there with safety; and all the officers recently appointed have been unable to go to Salt Lake or anywhere else in Utah beyond the immediate power of the army. Indeed, such is believed to be the condition to which a strange system of terrorism has brought the inhabitants of that region, that no one among them could express an opinion favorable to this government, or even propose to obey its laws, without exposing his life and property to peril.

After carefully considering this state of affairs, and maturely weighing the obligation I was under to see the laws faithfully executed it seemed to me right

and proper that I should make such use of the military force at my disposal as might be necessary to protect the federal officers in going into the Territory of Utah, and in performing their duties after arriving there. I accordingly ordered a detachment of the army to march for the City of Salt Lake, or within reach of that place, and to act in case of need as a *posse* for the enforcement of the laws. But, in the mean time, the hatred of that misguided people for the just and legal authority of the government had become so intense that they resolved to measure their military strength with that of the Union. They have organized an armed force far from contemptible in point of numbers, and trained it, if not with skill, at least with great assiduity and perseverance. While the troops of the United States were on their march, a train of baggage-wagons, which happened to be unprotected, was attacked and destroyed by a portion of the Mormon forces, and the provisions and stores with which the train was laden were wantonly burnt. In short, their present attitude is one of decided and unreserved enmity to the United States and to all their loyal citizens. Their determination to oppose the authority of the government by military force has not only been expressed in words, but manifested in overt acts of the most unequivocal character.

Fellow-citizens of Utah! this is rebellion against the government to which you owe allegiance. It is levying war against the United States, and involves you in the guilt of treason. Persistence in it will bring you to condign punishment, to ruin, and to shame; for it is mere madness to suppose that, with your limited resources, you can successfully resist the force of this great and powerful nation.

If you have calculated upon the forbearance of the United States—if you have permitted yourselves to suppose that this government will fail to put forth its strength and bring you to submission—you have fallen into a grave mistake. You have settled upon territory which lies geographically in the heart of the Union. The land you live upon was purchased by the United States and paid for out of their treasury; the proprietary right and title to it is in them, and not in you. Utah is bounded on every side by States and Territories whose people are true to the Union. It is absurd to believe that they will or can permit you to erect in their very midst a government of your own, not only independent of the authority which they all acknowledge, but hostile to them and their interests.

Do not deceive yourselves nor try to mislead others by propagating the idea that this is a crusade against your religion. The constitution and laws of this country can take no notice of your creed, whether it be true or false. That is a question between your God and yourselves, in which I disclaim all right to interfere. If you obey the laws, keep the peace, and respect the just rights of others, you will be perfectly secure, and may live on in your present faith or change it for another at your pleasure. Every intelligent man among you knows very well that this government has never, directly or indirectly, sought to molest you in your worship, to control you in your ecclesiastical affairs, or even to influence you in your religious opinions.

This rebellion is not merely a violation of your legal duty; it is without just cause, without reason, without excuse. You never made a complaint that was not listened to with patience. You never exhibited a real grievance that was not redressed as promptly as it could be. The laws and regulations enacted for your government by Congress have been equal and just, and their enforcement was manifestly necessary for your own welfare and happiness. You have never asked their repeal. They are similar in every material respect to the laws which have been passed for the other Territories of the Union, and which everywhere else (with one partial exception) have been cheerfully obeyed. No people ever lived who were freer from unnecessary legal restraints than you. Human wisdom never devised a political system which bestowed more blessings or imposed lighter burdens than the government of the United States in its operation upon the Territories.

But being anxious to save the effusion of blood, and to avoid the indiscriminate punishment of a whole people for crimes of which it is not probable that all are equally guilty, I offer now a free and full pardon to all who will submit themselves to the authority of the federal government. If you refuse to accept it, let the consequences fall upon your own heads. But I conjure you to pause deliberately and reflect well before you reject this tender of peace and good-will.

Now, therefore, I, JAMES BUCHANAN, President of the United States, have thought proper to issue this, my proclamation, enjoining upon all public officers in the Territory of Utah to be diligent and faithful, to the full extent of their

power, in the execution of the laws; commanding all citizens of the United States in said Territory to aid and assist the officers in the performance of their duties; offering to the inhabitants of Utah, who shall submit to the laws, a free pardon for the seditions and treasons heretofore by them committed; warning those who shall persist, after notice of this proclamation, in the present rebellion against the United States, that they must expect no further lenity, but look to be rigorously dealt with according to their deserts; and declaring that the military forces now in Utah, and hereafter to be sent there, will not be withdrawn until the inhabitants of that Territory shall manifest a proper sense of the duty which they owe to this government.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed to these presents.

Done at the city of Washington, the sixth day of April, one thousand  
[L. s.] eight hundred and fifty-eight, and of the independence of the United States the eighty-second.

JAMES BUCHANAN

BY THE PRESIDENT:

LEWIS CASS, *Secretary of State.*

No. 51. *Convening an Extraordinary Session of the Senate.*

June 14, 1858. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

WHEREAS an extraordinary occasion has occurred, rendering it necessary and proper that the Senate of the United States shall be convened to receive and act upon such communications as have been or may be made to it on the part of the Executive:

Now, therefore, I, JAMES BUCHANAN, President of the United States, do issue this my proclamation declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the fifteenth day of this month, at twelve o'clock at noon of that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington,  
[L. s.] this fourteenth day of June, anno Domini, 1858, and of the independence of the United States the eighty-second.

JAMES BUCHANAN.

BY THE PRESIDENT:

LEWIS CASS, *Secretary of State.*

No. 52. *Respecting an apprehended Invasion of Nicaragua.*

October 30, 1858. BY JAMES BUCHANAN, PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

WHEREAS information has reached me from sources which I cannot disregard that certain persons, in violation of the neutrality laws of the United States, are making a third attempt to set on foot a military expedition within their territory against Nicaragua, a foreign State, with which they are at peace. In order to raise money for equipping and maintaining this expedition, persons connected therewith, as I have reason to believe, have issued and sold bonds and other contracts pledging the public lands of Nicaragua and the transit route through its territory as a security for their redemption and fulfilment.

The hostile design of this expedition is rendered manifest by the fact that these bonds and contracts can be of no possible value to their holders, unless the pres-



ent government of Nicaragua shall be overthrown by force. Besides, the envoy extraordinary and minister plenipotentiary of that government in the United States has issued a notice, in pursuance of his instructions, dated on the 27th instant, forbidding the citizens or subjects of any nation, except passengers intending to proceed through Nicaragua over the Transit Route from ocean to ocean, to enter its territory without a regular passport, signed by the proper minister or consul-general of the republic resident in the country from whence they shall have departed. Such persons, with this exception, "will be stopped and compelled to return by the same conveyance that took them to the country." From these circumstances, the inference is irresistible that persons engaged in this expedition will leave the United States with hostile purposes against Nicaragua. They cannot, under the guise which they have assumed, that they are peaceful emigrants, conceal their real intentions, and especially when they know, in advance, that their landing will be resisted, and can only be accomplished by an overpowering force. This expedient was successfully resorted to previous to the last expedition, and the vessel in which those composing it were conveyed to Nicaragua, obtained a clearance from the collector of the port of Mobile. Although, after a careful examination, no arms or munitions of war were discovered on board, yet, when they arrived in Nicaragua, they were found to be armed and equipped and immediately commenced hostilities.

The leaders of former illegal expeditions of the same character have openly expressed their intention to renew hostilities against Nicaragua. One of them, who has already been twice expelled from Nicaragua, has invited, through the public newspapers, American citizens to emigrate to that republic, and has designated Mobile as the place of rendezvous and departure, and San Juan del Norte as the port to which they are bound. This person, who has renounced his allegiance to the United States, and claims to be President of Nicaragua, has given notice to the collector of the port of Mobile that two or three hundred of these emigrants will be prepared to embark from that port about the middle of November.

For these and other good reasons, and for the purpose of saving American citizens who may have been honestly deluded into the belief that they are about to proceed to Nicaragua as peaceful emigrants, if any such there be, from the disastrous consequences to which they will be exposed, I, JAMES BUCHANAN, President of the United States, have thought it fit to issue this my proclamation enjoining upon all officers of the government, civil and military, in their respective spheres, to be vigilant, active, and faithful in suppressing these illegal enterprises, and in carrying out their standing instructions to that effect; exhorting all good citizens, by their respect for the laws and their regard for the peace and welfare of the country, to aid the efforts of the public authorities in the discharge of their duties.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed to these presents.

Done at the city of Washington, the thirtieth day of October, one thousand eight hundred and fifty-eight, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

BY THE PRESIDENT:

LEWIS CASS, *Secretary of State*.

#### No. 53. *Convening an Extraordinary Session of the Senate of the United States.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Feb. 26, 1859.

### A PROCLAMATION.

WHEREAS an extraordinary occasion has occurred rendering it necessary and proper that the Senate of the United States shall be convened to receive and act upon such communications as have been or may be made to it on the part of the Executive:

Now, therefore, I, JAMES BUCHANAN, President of the United States, do issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the

## APPENDIX. PROCLAMATION. No. 53.

Capitol, in the city of Washington, on the 4th day of next month, at 12 o'clock at noon of that day, of which all who shall then be entitled to act as members of that body are hereby required to take notice.

[L. S.] Given under my hand and the seal of the United States, at Washington, this 26th day of February, anno Domini, 1859, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

BY THE PRESIDENT :

LEWIS CASS, *Secretary of State*