**HIS-144 Topic 3 Primary Source List**

**Utilize the primary sources below to assist in completing the Topic 3 assignments and DQs.**

**Click on the links below to access the primary source. To return to the Table of Contents, click on the article title, in text, when finished.**

**Table of Contents:**

[George Washington on Foreign Affairs, 1796](#Washington)

[Thomas Jefferson: Constitutionality of the Louisiana Purchase (1803)](#Jefferson)

[Andrew Jackson, First Annual Message (1829)](#Jackson)

[Fort Laramie Treaty, 1868](#Laramie)

[Acquisition of Territory](#Territory)

[The Northwest Ordinance July 13, 1787](#Northwest)

[Frederick Jackson Turner- The Significance of the Frontier in American History 1893.](#Turner)

[John Locke: The Reasonableness of Christianity, as Delivered in the Scriptures](#Christianity)

[John Locke: The Two Treatises of Civil Government](#Treatises)

[Solomon Stoddard: The Doctrine of Instituted Churches: Explained and Proved from the Word of God](#Doctrine)

[Solomon Stoddard: An Answer to Some Cases of Conscience Respecting the Country](#Conscience)

[Sermons of George Whitefield](#Whitefield)

[Selected Sermons of Jonathan Edwards](#Edwards)

[Algernon Sidney: Concerning Government](#Sidney)

[Madison’s "The Vices of the Political System of the United States"](#Vices)

[Henry Clay’s Compromise of 1850](#Compromise)

[Kansas Territories and Abraham’s Lincoln’s on the Kansas/Nebraska Act](#Kansas)

[The 13th, 14th, and 15th Amendments](#Amend)

**[George Washington on Foreign Affairs, 1796](#TOC)**

From Jared Sparks, editor. *The Writings of George Washington.* Boston: John B. Russell, 1837. Vol. XII. 228-235.

      Observe good faith and justice towards all Nations; cultivate peace and harmony with all. Religion and Morality enjoin this conduct; and can it be, that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great Nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt, that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages, which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a Nation with its Virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! Is it rendered impossible by its vices?   
      In the execution of such a plan, nothing is more essential, than that permanent, inveterate antipathies against particular Nations, and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The Nation, which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The Nation, prompted by ill-will and resentment, sometimes impels to war the Government, contrary to the best calculations of policy. The Government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of Nations has been the victim.   
      So likewise, a passionate attachment of one Nation for another produces a variety of evils. Sympathy for the favorite Nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite Nation of privileges denied to others, which is apt doubly to injure the Nation making the concessions; by unnecessarily parting with what ought to have been retained; and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens, (who devote themselves to the favorite nation,) facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding, with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.   
      As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent Patriot. How many opportunities do they afford to tamper with domestic factions, to practise the arts of seduction, to mislead public opinion, to influence or awe the Public Councils! Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.   
      Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens,) the jealousy of a free people ought to be constantly awake; since history and experience prove, that foreign influence is one of the most baneful foes of Republican Government. But that jealousy, to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation, and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.   
      The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connexion as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.   
      Europe has a set of primary interests, which to us have none, or very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.   
      Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off, when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality, we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.   
      Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?   
      It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary and would be unwise to extend them.   
      Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.   
      Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing, with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that, by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion, which experience must cure, which a just pride ought to discard.   
      In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course, which has hitherto marked the destiny of nations. But, if I may even flatter myself, that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate to fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated.   
      How far in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to guided by them.   
      In relation to the still subsisting war in Europe, my Proclamation of the 22d of April, 1793, is the index to my Plan. Sanctioned by your approving voice, and by your Representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.   
      After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance, and firmness. . . .

      The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.   
      The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavour to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency, which is necessary to give it, humanly speaking, the command of its own fortunes. . . .

      Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man, who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat, in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government, the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

George Washington.

*United States,  
September 17th, 1796.*

*Houghton Mifflin Company*

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|  | **[Thomas Jefferson: Constitutionality of the Louisiana Purchase (1803)](#TOC)**  **Thomas Jefferson to John C. Breckinridge**  *Monticello, Aug. 12, 1803* DEAR SIR,-The enclosed letter, tho' directed to you, was intended to me also, and was left open with a request, that when perused, I would forward it to you. It gives me occasion to write a word to you on the subject of Louisiana, which being a new one, an interchange of sentiments may produce correct ideas before we are to act on them.  Our information as to the country is very incompleat; we have taken measures to obtain it in full as to the settled part, which I hope to receive in time for Congress. The boundaries, which I deem not admitting question, are the high lands on the western side of the Mississippi enclosing all it's waters, the Missouri of course, and terminating in the line drawn from the northwestern point of the Lake of the Woods to the nearest source of the Missipi, as lately settled between Gr Britain and the U S. We have some claims to extend on the sea coast Westwardly to the Rio Norte or Bravo, and better, to go Eastwardly to the Rio Perdido, between Mobile & Pensacola, the antient boundary of Louisiana. These claims will be a subject of negociation with Spain, and if, as soon as she is at war, we push them strongly with one hand, holding out a price in the other, we shall certainly obtain the Floridas, and all in good time. In the meanwhile, without waiting for permission, we shall enter into the exercise of the natural right we have always insisted on with Spain, to wit, that of a nation holding the upper part of streams, having a right of innocent passage thro' them to the ocean. We shall prepare her to see us practise on this, & she will not oppose it by force.  Objections are raising to the Eastward against the vast extent of our boundaries, and propositions are made to exchange Louisiana, or a part of it, for the Floridas. But, as I have said, we shall get the Floridas without, and I would not give one inch of the waters of the Mississippi to any nation, because I see in a light very important to our peace the exclusive right to it's navigation, & the admission of no nation into it, but as into the Potomak or Delaware, with our consent & under our police. These federalists see in this acquisition the formation of a new confederacy, embracing all the waters of the Missipi, on both sides of it, and a separation of it's Eastern waters from us. These combinations depend on so many circumstances which we cannot foresee, that I place little reliance on them. We have seldom seen neighborhood produce affection among nations. The reverse is almost the universal truth. Besides, if it should become the great interest of those nations to separate from this, if their happiness should depend on it so strongly as to induce them to go through that convulsion, why should the Atlantic States dread it? But especially why should we, their present inhabitants, take side in such a question? When I view the Atlantic States, procuring for those on the Eastern waters of the Missipi friendly instead of hostile neighbors of it's Western waters, I do not view it as an Englishman would the procuring future blessing for the French nation, with whom he has no relations of blood or affection. The future inhabitants of the Atlantic & Missipi States will be our sons. We leave them in distinct but bordering establishments. We think we see their happiness in their union, & we wish it. Events may prove it otherwise; and if they see their interest in separation, why should we take side with our Atlantic rather than our Missipi descendants? It is the elder and the younger son differing. God bless them both, & keep them in union, if it be for their good, but separate them, if it be better. The inhabited part of Louisiana, from Point Coupée to the sea, will of course be immediately a territorial government, and soon a State. But above that, the best use we can make of the country for some time, will be to give establishments in it to the Indians on the East side of the Missipi, in exchange for their present country, and open land offices in the last, & thus make this acquisition the means of filling up the Eastern side, instead of drawing off it's population. When we shall be full on this side, we may lay off a range of States on the Western bank from the head to the mouth, & so, range after range, advancing compactly as we multiply.  This treaty must of course be laid before both Houses, because both have important functions to exercise respecting it. They, I presume, will see their duty to their country in ratifying & paying for it, so as to secure a good which would otherwise probably be never again in their power. But I suppose they must then appeal to *the nation* for an additional article to the Constitution, approving & confirming an act which the nation had not previously authorized. The constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The Executive in seizing the fugitive occurrence which so much advances the good of their country, have done an act beyond the Constitution. The Legislature in casting behind them metaphysical subtleties, and risking themselves like faithful servants, must ratify & pay for it, and throw themselves on their country for doing for them unauthorized what we know they would have done for themselves had they been in a situation to do it. It is the case of a guardian, investing the money of his ward in purchasing an important adjacent territory; & saying to him when of age, I did this for your good; I pretend to no right to bind you: you may disavow me, and I must get out of the scrape as I can: I thought it my duty to risk myself for you. But we shall not be disavowed by the nation, and their act of indemnity will confirm & not weaken the Constitution, by more strongly marking out its lines.  We have nothing later from Europe than the public papers give. I hope yourself and all the Western members will make a sacred point of being at the first day of the meeting of Congress; for *vestra res agitur*.  Accept my affectionate salutations & assurances of esteem & respect.  **Thomas Jefferson to Wilson Cary Nicholas**  *Monticello, Sep. 7, 1803* DEAR SIR,-Your favor of the 3d was delivered me at court; but we were much disappointed at not seeing you here, Mr. Madison & the Gov. being here at the time. I enclose you a letter from Monroe on the subject of the late treaty. You will observe a hint in it, to do without delay what we are bound to do. There is reason, in the opinion of our ministers, to believe, that if the thing were to do over again, it could not be obtained, & that if we give the least opening, they will declare the treaty void. A warning amounting to that has been given to them, & an unusual kind of letter written by their minister to our Secretary of State, direct. Whatever Congress shall think it necessary to do, should be done with as little debate as possible, & particularly so far as respects the constitutional difficulty. I am aware of the force of the observations you make on the power given by the Constn to Congress, to admit new States into the Union, without restraining the subject to the territory then constituting the U S. But when I consider that the limits of the U S are precisely fixed by the treaty of 1783, that the Constitution expressly declares itself to be made for the U S, I cannot help believing the intention was to permit Congress to admit into the Union new States, which should be formed out of the territory for which, & under whose authority alone, they were then acting. I do not believe it was meant that they might receive England, Ireland, Holland, &c. into it, which would be the case on your construction. When an instrument admits two constructions, the one safe, the other dangerous, the one precise, the other indefinite, I prefer that which is safe & precise. I had rather ask an enlargement of power from the nation, where it is found necessary, than to assume it by a construction which would make our powers boundless. Our peculiar security is in possession of a written Constitution. Let us not make it a blank paper by construction. I say the same as to the opinion of those who consider the grant of the treaty making power as boundless. If it is, then we have no Constitution. If it has bounds, they can be no others than the definitions of the power which that instrument gives. It specifies & delineates the operations permitted to the federal government, and gives all the powers necessary to carry these into execution. Whatever of these enumerated objects is proper for a law, Congress may make the law; whatever is proper to be executed by way of a treaty, the President & Senate may enter into the treaty; whatever is to be done by a judicial sentence, the judges may pass the sentence. Nothing is more likely than that their enumeration of powers is defective. This is the ordinary case of all human works. Let us go on then perfecting it, by adding, by way of amendment to the Constitution, those powers which time & trial show are still wanting. But it has been taken too much for granted, that by this rigorous construction the treaty power would be reduced to nothing. I had occasion once to examine its effect on the French treaty, made by the old Congress, & found that out of thirty odd articles which that contained, there were one, two, or three only which could not now be stipulated under our present Constitution. I confess, then, I think it important, in the present case, to set an example against broad construction, by appealing for new power to the people. If, however, our friends shall think differently, certainly I shall acquiesce with satisfaction; confiding, that the good sense of our country will correct the evil of construction when it shall produce ill effects.  No apologies for writing or speaking to me freely are necessary. On the contrary, nothing my friends can do is so dear to me, & proves to me their friendship so clearly, as the information they give me of their sentiments & those of others on interesting points where I am to act, and where information & warning is so essential to excite in me that due reflection which ought to precede action. I leave this about the 21st, and shall hope the District Court will give me an opportunity of seeing you.  Accept my affectionate salutations, & assurances of cordial esteem & respect.  **Thomas Paine to John C. Breckinridge**  I know little and can learn but little of the extent and present population of Louisiana. After the cession be completed and the territory annexed to the United States it will, I suppose, be formed into states, one, at least, to begin with. The people, as I have said, are new to us and we to them and a great deal will depend on a right beginning. As they have been transferred backward and forward several times from one European Government to another it is natural to conclude they have no fixed prejudices with respect to foreign attachments, and this puts them in a fit disposition for their new condition. The established religion is roman; but in what state it is as to exterior ceremonies (such as processions and celebrations), I know not. Had the cession to France continued with her, religion I suppose would have been put on the same footing as it is in that country, and there no ceremonial of religion can appear on the streets or highways; and the same regulation is particularly necessary now or there will soon be quarrells and tumults between the old settlers and the new. The Yankees will not move out of the road for a little wooden Jesus stuck on a stick and carried in procession nor kneel in the dirt to a wooden Virgin Mary. As we do not govern the territory as provinces but incorporated as states, religion there must be on the same footing it is here, and Catholics have the same rights as Catholics have with us and no others. As to political condition the Idea proper to be held out is, that we have neither conquered them, nor bought them, but formed a Union with them and they become in consequence of that union a part of the national sovereignty.  The present Inhabitants and their descendants will be a majority for some time, but new emigrations from the old states and from Europe, and intermarriages, will soon change the first face of things, and it is necessary to have this in mind when the first measures shall be taken. Everything done as an expedient grows worse every day, for in proportion as the mind grows up to the full standard of sight it disclaims the expedient. America had nearly been ruined by expedients in the first stages of the revolution, and perhaps would have been so, had not *Common Sense* broken the charm and the Declaration of Independence sent it into banishment. |  |

**[Andrew Jackson, First Annual Message (1829)](#TOC)**

*Jackson’s First Annual Message (1829) to the Congress, nine months after his inauguration to the presidency. In addition to serving as a state of the union address, this message outlines Jackson’s policies on a number of important issues. He expresses his desire to keep government in the hands of the people with his proposal to amend the Constitution to allow for more popular election of the president and the vice-president. He also favors keeping the majority of legislative power in the hands of the states. Jackson further outlines his policy for Indian removal and states his opposition to renewing the charter of the National Bank.*

December 8, 1829

*Fellow-Citizens of the Senate and House of Representa­tives:* It affords me pleasure to tender my friendly greetings to you on the occasion of your assembling at the seat of Government to enter upon the important duties to which you have been called by the voice of our countrymen. The task devolves on me, under a provision of the Constitution, to present to you, as the Federal Legislature of twenty-four sovereign States and 12,000,000 happy people, a view of our affairs, and to propose such measures as in the dis­charge of my official functions have suggested themselves as necessary to promote the objects of our Union.

In communicating with you for the first time it is to me a source of unfeigned satisfaction, calling for mutual gratulation and devout thanks to a benign Providence, that we are at peace with all mankind, and that our country exhib­its the most cheering evidence of general welfare and pro­gressive improvement. Turning our eyes to other nations, our great desire is to see our brethren of the human race secured in the blessings enjoyed by ourselves, and advanc­ing in knowledge, in freedom, and in social happiness.

Our foreign relations, although in their general char­acter pacific and friendly, present subjects of difference between us and other powers of deep interest as well to the country at large as to many of our citizens. To effect an adjustment of these shall continue to be the object of my earnest endeavors, and notwithstanding the difficulties of the task, I do not allow myself to apprehend unfavorable results. Blessed as our country is with everything which constitutes national strength, she is fully adequate to the maintenance of all her interests. In discharging the responsible trust confided to the Executive in this respect it is my settled purpose to ask nothing that is not clearly right and to submit to nothing that is wrong; and I flatter myself that, supported by the other branches of the Gov­ernment and by the intelligence and patriotism of the people, we shall be able, under the protection of Providence, to cause all our just rights to be respected.

Of the unsettled matters between the United States and other powers, the most prominent are those which have for years been the subject of negotiation with England, France, and Spain. The late periods at which our ministers to those Governments left the United States render it impos­sible at this early day to inform you of what has been done on the subjects with which they have been respectively charged. Relying upon the justice of our views in relation to the points committed to negotiation and the reciprocal good feeling which characterizes our intercourse with those nations, we have the best reason to hope for a satisfactory adjustment of existing differences.

With Great Britain, alike distinguished in peace and war, we may look forward to years of peaceful, honorable, and elevated competition. Everything in the condition and his­tory of the two nations is calculated to inspire sentiments of mutual respect and to carry conviction to the minds of both that it is their policy to preserve the most cordial relations. Such are my own views, and it is not to be doubted that such are also the prevailing sentiments of our constituents. Although neither time nor opportunity has been afforded for a full development of the policy which the present cab­inet of Great Britain designs to pursue toward this country, I indulge the hope that it will be of a just and pacific char­acter; and if this anticipation be realized we may look with confidence to a speedy and acceptable adjustment of our affairs.

Under the convention for regulating the reference to arbitration of the disputed points of boundary under the fifth article of the treaty of Ghent, the proceedings have hitherto been conducted in that spirit of candor and lib­erality which ought ever to characterize the acts of sov­ereign States seeking to adjust by the most unexceptionable means important and delicate subjects of contention. The first statements of the parties have been exchanged, and the final replication on our parts is in a course of prepara­tion. This subject has received the attention demanded by its great and peculiar importance to a patriotic member of this Confederacy. The exposition of our rights already made is such as, from the high reputation of the commis­sioners by whom it has been prepared, we had a right to expect. Our interests at the Court of the Sovereign who has evinced his friendly disposition by assuming the deli­cate task of arbitration have been committed to a citizen of the State of Maine, whose character, talents, and intimate acquaintance with the subject eminently qualify him for so responsible a trust. With full confidence in the justice of our cause and in the probity, intelligence, and uncom­promising independence of the illustrious arbitrator, we can have nothing to apprehend from the result.

From France, our ancient ally, we have a right to expect that justice which becomes the sovereign of a powerful, intelligent, and magnanimous people. The beneficial effects produced by the commercial convention of 1822, limited as are its provisions, are too obvious not to make a salutary impression upon the minds of those who are charged with the administration of her Government. Should this result induce a disposition to embrace to their full extent the wholesome principles which constitute our commercial pol­icy, our minister to that Court will be found instructed to cherish such a disposition and to aid in conducting it to use­ful practical conclusions. The claims of our citizens for depredations upon their property, long since committed under the authority, and in many instances by the express direction, of the then existing Government of France, remain unsatisfied, and must therefore continue to furnish a subject of unpleasant discussion and possible collision between the two Governments. I cherish, however, a lively hope, founded as well on the validity of those claims and the established policy of all enlightened governments as on the known integrity of the French Monarch, that. the injurious delays of the past will find redress in the equity of the future. Our minister has been instructed to press these demands on the French Government with all the earnestness which is called for by their importance and irrefutable justice, and in a spirit that will evince the respect which is due to the feelings of those from whom the satisfaction is required.

Our minister recently appointed to Spain has been au­thorized to assist in removing evils alike injurious to both countries, either by concluding a commercial convention upon liberal and reciprocal terms or by urging the accept­ance in their full extent of the mutually beneficial pro­visions of our navigation acts. He has also been instructed to make a further appeal to the justice of Spain, in behalf of our citizens, for indemnity for spoliations upon our com­merce committed under her authority—an appeal which the pacific and liberal course observed on our part and a due confidence in the honor of that Government authorize us to expect will not be made in vain.

With other European powers our intercourse is on the most friendly footing. In Russia, placed by her territorial limits, extensive population, and great power high in the rank of nations, the United States have always found a steadfast friend. Although her recent invasion of Turkey awakened a lively sympathy for those who were exposed to the desolations of war, we can not but anticipate that the result will prove favorable to the cause of civilization and to the progress of human happiness. The treaty of peace between these powers having been ratified, we can not be insensible to the great benefit to be derived by the com­merce of the United States from unlocking the navigation of the Black Sea, a free passage into which is secured to all merchant vessels bound to ports of Russia under a flag at peace with the Porte. This advantage, enjoyed upon conditions by most of the powers of Europe, has hitherto been withheld from us. During the past summer an ante­cedent but unsuccessful attempt to obtain it was renewed under circumstances which promised the most favorable results. Although these results have fortunately been thus in part attained, further facilities to the enjoyment of this new field for the enterprise of our citizens are, in my opin­ion, sufficiently desirable to insure to them our most zeal­ous attention.

Our trade with Austria, although of secondary impor­tance, has been gradually increasing, and is now so extended as to deserve the fostering care of the Govern­ment. A negotiation, commenced and nearly completed with that power by the late Administration, has been con­summated by a treaty of amity, navigation, and commerce, which will be laid before the Senate.

During the recess of Congress our diplomatic relations with Portugal have been resumed. The peculiar state of things in that country caused a suspension of the recog­nition of the representative who presented himself until an opportunity was had to obtain from our official organ there information regarding the actual and, as far as prac­ticable, prospective condition of the authority by which the representative in question was appointed. This in­formation being received, the application of the estab­lished rule of our Government in like cases was no longer withheld.

Considerable advances have been made during the pres­ent year in the adjustment of claims of our citizens upon Denmark for spoliations, but all that we have a right to demand from that Government in their behalf has not yet been conceded. From the liberal footing, however, upon which this subject has, with the approbation of the claim­ants, been placed by the Government, together with the uni­formly just and friendly disposition which has been evinced by His Danish Majesty, there is a reasonable ground to hope that this single subject of difference will speedily be removed.

Our relations with the Barbary Powers continue as they have long been, of the most favorable character. The policy of keeping an adequate force in the Mediterranean, as security for the continuance of this tranquillity, will be persevered in, as well as a similar one for the protection of our commerce and fisheries in the Pacific.

The southern Republics of our own hemisphere have not yet realized all the advantages for which they have been so long struggling. We trust, however, that the day is not distant when the restoration of peace and internal quiet, under permanent systems of government, securing the lib­erty and promoting the happiness of the citizens, will crown with complete success their long and arduous efforts in the cause of self-government, and enable us to salute them as friendly rivals in all that is truly great and glorious.

The recent invasion of Mexico, and the effect thereby produced upon her domestic policy, must have a controlling influence upon the great question of South American emancipation. We have seen the fell spirit of civil dis­sension rebuked, and perhaps forever stifled, in that Repub­lic by the love of independence. If it be true, as appear­ances strongly indicate, that the spirit of independence is the master spirit, and if a corresponding sentiment pre­vails in the other States, this devotion to liberty can not be without a proper effect upon the counsels of the mother country. The adoption by Spain of a pacific policy toward her former colonies—.-an event consoling to humanity, and a blessing to the world, in which she herself can not fail largely to participate-may be most reasonably expected.

The claims of our citizens upon the South American Gov­ernments generally are in a train of settlement, while the principal part of those upon Brazil have been adjusted, and a decree in council ordering bonds to be issued by the min­ister of the treasury for their amount has received the sanction of His Imperial Majesty. This event, together with the exchange of the ratifications of the treaty nego­tiated and concluded in *1828,* happily terminates all serious causes of difference with that power.

Measures have been taken to place our commercial rela­tions with Peru upon a better footing than that upon which they have hitherto rested, and if met by a proper dispo­sition on the part of that Government important benefits may be secured to both countries.

Deeply interested as we are in the prosperity of our sister Republics, and more particularly in that of our immediate neighbor, it would be most gratifying to me were I per­mitted to say that the treatment which we have received at her hands has been as universally friendly as ‘the early and constant solicitude manifested by the United States for her success gave us a right to expect. But it becomes my duty to inform you that prejudices long indulged by a portion of the inhabitants of Mexico against the envoy extraordinary and minister Plenipotentiary of the United States have had an unfortunate influence upon the affairs of the two coun­tries, and have diminished that usefulness to his own which was justly to be expected from his talents and zeal. To this cause, in a great degree, is to be imputed the failure of several measures equally interesting to both parties, but Particularly that of the Mexican Government to ratify a treaty negotiated and concluded in its own capital and under its own eye. Under these circumstances it appeared expe­dient to give to Mr. Poinsett the option either to return or not, as in his judgment the interest of his country might require, and instructions to that end were prepared; but before they could be dispatched a communication was received from the Government of Mexico, through its charge d'affaires here, requesting the recall of our minister. This was promptly complied with, and a representative of a rank corresponding with that of the Mexican diplomatic agent near this Government was appointed. Our conduct toward that Republic has been uniformly of the most friendly character, and having thus removed the only alleged obstacle to harmonious intercourse, I can not but hope that an advantageous change will occur in our affairs.

In justice to Mr. Poinsctt it is proper to say that my immediate compliance with the application for his recall and the appointment of a successor are not to be ascribed to any evidence that the imputation of an improper inter­ference by him in the local politics of Mexico was well founded, nor to a want of confidence in his talents or integ­rity, and to add that the truth of that charge has never been affirmed by the federal Government of Mexico in its com­munications with this.

I consider it one of the most urgent of my duties to bring to your attention the propriety of amending that part of our Constitution which relates to the election of President and Vice-President. Our system of government was by its framers deemed an experiment, and they therefore con­sistently provided a mode of remedying its defects.

To the people belongs the rights of electing their Chief Magistrate; it was never designed that their choice should in any case be defeated, either by the intervention of elec­toral colleges or by the agency confided, under certain con­tingencies, to the House of Representatives. Experience proves that in proportion as agents to execute the will of the people are multiplied there is danger of their wishes being frustrated. Some may be unfaithful; all are liable to err. So far, therefore, as the people can with conven­ience speak, it is safer for them to express their own will.

The number of aspirants to the Presidency and the diversity of the interests which may influence their claims leave little reason to expect a choice in the first instance, and in that event the election must devolve on the House of Representatives, where it is obvious the will of the people may not be always ascertained, or, if ascertained, may not be regarded. From the mode of voting by States the choice is to be made by 24 votes, and it may often occur that one of these will be controlled by an individual Representative.

Honors and offices are at the disposal of the successful can­didate. Repeated ballotings may make it apparent that a single individual holds the cast in his hand. May he not be tempted to name his reward? But even without corruption, supposing the probity of the Representative to be proof against the powerful motives by which it may be assailed, the will of the people is still constantly liable to be misrepre­sented. One may err from ignorance of the wishes of his constituents; another from a conviction that it is his duty to be governed by his own judgment of the fitness of the candidates; finally, although all were inflexibly honest, all accurately informed of the wishes of their constituents, yet under the present mode of election a minority may often elect a President, and when this happens it may reasonably be expected that efforts will be made. on the part of the majority to rectify this injurious operation of their insti­tutions. But although no evil of this character should result from such a perversion of the first principle of our system—that *the majority is to govern—it* must be very certain that a President elected by a minority can not enjoy the confidence necessary to the successful discharge of his duties.

In this as in all other matters of public concern policy requires that as few impediments as possible should exist to the free operation of the public will. Let us, then, endeavor so to amend our system that the office of Chief Magistrate may not be conferred upon any citizen but in pursuance of a fair expression of the will of the majority.

I would therefore recommend such an amendment of the Constitution as may remove all intermediate agency in the election of the President and Vice-President. The mode may be so regulated as to preserve to each State its present relative weight in the election, and a failure in the first attempt may be provided for by confining the second to a choice between the two highest candidates. In connection with such an amendment it would seem advisable to limit the service of the Chief Magistrate to a single term of either four or six years. If, however, it should not be adopted, it is worthy of consideration whether a provision disqualifying for office the Representatives in Congress on whom such an election may have devolved would not be proper.

While members of Congress can be constitutionally ap­pointed to offices of trust and profit it will be the practice, even under the most conscientious adherence to duty, to select them for such stations as they are believed to be bet­ter qualified to fill than other citizens; but the purity of our Government would doubtless be promoted by their exclusion from all appointments in the gift of the President, in whose election they may have been officially concerned. The nature of the judicial office and the necessity of secur­ing in the Cabinet and in diplomatic stations of the highest rank the best talents and political experience should, per­haps, except these from the exclusion.

There are, perhaps, few men who can for any great length of time enjoy office and power without being more or less under the influence of feelings unfavorable to the faithful discharge of their public duties. Their integrity may be proof against improper considerations immediately addressed to themselves, but they are apt to acquire a habit of looking with indifference upon the public interests and of tolerating conduct from which an unpracticed man would revolt. Office is considered as a species of property, and government rather as a means of promoting individual in­terests than as an instrument created solely for the service of the people. Corruption in some and in others a per­version of correct feelings and principles divert govern­ment from its legitimate ends and make it an engine for the support of the few at the expense of the many. The duties of all public officers are, or at least admit of being made, so plain and simple that men of intelligence may readily qualify themselves for their performance; and I can not but believe that more is lost by the long continuance of men in office than is generally to be gained by their experi­ence. I submit, therefore, to your consideration whether the efficiency of the Government would not be promoted and official industry and integrity better secured by a gen­eral extension of the law which limits appointments to four years.

In a country where offices are created solely for the ben­efit of the people no one man has any more intrinsic right to official station than another. Offices were not established to give support to particular men at the public expense. No individual wrong is, therefore, done by removal, since neither appointment to nor continuance in office is matter of right. The incumbent became an officer with a view to public benefits, and when these require his removal they are not to be sacrificed to private interests. It is the people, and they alone, who have a right to complain when a bad officer is substituted for a good one. He who is removed has the same means of obtaining a living that are enjoyed by the millions who never held office. The proposed lim­itation would destroy the idea of property now so gen­erally connected with official station, and although indi­vidual distress may be sometimes produced, it would, by promoting that rotation which constitutes a leading prin­ciple in the republican creed, give healthful action to the system.

No very considerable change has occurred during the recess of Congress in the condition of either our agri­culture, commerce, or manufactures. The operation of the tariff has not proved so injurious to the two former or as beneficial to the latter as was anticipated. Importations of foreign goods have not been sensibly diminished, while domestic competition, under an illusive excitement, has increased the production much beyond the demand for home consumption. The consequences have been low prices, temporary embarrassment, and partial loss. That such of our manufacturing establishments as are based upon capital and are prudently managed will survive the shock and be ultimately profitable there is no good reason to doubt.

To regulate its conduct so as to promote equally the prosperity of these three cardinal interests is one of the most difficult tasks of Government; and it may be regretted that the complicated restrictions which now embarrass the intercourse of nations could not by common consent be abolished, and commerce allowed to flow in those channels to which individual enterprise, always its surest guide, might direct it. But we must ever expect selfish legislation in other nations, and are therefore compelled to adapt our own to their regulations in the manner best calculated to avoid serious injury and to harmonize the conflicting in­terests of our agriculture, our commerce, and our manu­factures. Under these impressions I invite your attention to the existing tariff, believing that some of its provisions require modification.

The general rule to be applied in graduating the duties upon articles of foreign growth or manufacture is that which will place our own in fair competition with those of other countries; and the inducements to advance even a step beyond this point are controlling in regard to those articles which are of primary necessity in time of war When we reflect upon the difficulty and delicacy of this operation, it is important that it should never be attempted but with the utmost caution. Frequent legislation. in regard to any branch of industry, affecting its value, and by which its capital may be transferred to new channels, must always be productive of hazardous speculation and loss.

In deliberating, therefore, on these interesting subjects local feelings and prejudices should be merged in the pa­triotic determination to promote the great interests of the whole. All attempts to connect them with the party con­flicts of the day are necessarily injurious, and should be discountenanced. Our action upon them should be under the control of higher and purer motives. Legislation sub­jected to such influences can never be just, and will not long retain the sanction of a people whose active patriotism is not bounded by sectional limits nor insensible to that spirit of concession and forbearance which gave life to our political compact and still sustains it. Discarding all cal­culations of political ascendency, the North, the South, the East, and the West should unite in diminishing any burthen of which either may justly complain.

The agricultural interest of our country is so essentially connected with every other and so superior in importance to them all that it is scarcely necessary to invite to it your particular attention. It is principally as manufactures and commerce tend to increase the value of agricultural pro­ductions and to extend their application to the wants and comforts of society that they deserve the fostering care of Government.

Looking forward to the period, not far distant, when a sinking fund will no longer be required, the duties on those articles of importation which can not come in compe­tition with our own productions are the first that should engage the attention of Congress in the modification of the tariff. Of these, tea and coffee are the most prominent. They enter largely into the consumption of the country, and have become articles of necessity to all classes. A reduction, therefore, of the existing duties will be felt as a common benefit, but like all other legislation connected with commerce, to be efficacious and not injurious it should be gradual and certain.

The public prosperity is evinced in the increased revenue arising from the sales of the public lands and in the steady maintenance of that produced by imposts and tonnage, not­withstanding the additional duties imposed by the act of 19th May, 1828**,** and the unusual importations in the early part of that year. The balance in the Treasury on January 1, 1829, was $5,972,435.81. The receipts of the current year are esti­mated at $24,602,230 and the expenditures for the same time at $26,164,595, leaving a balance in the Treasury on the st of January next of $4,410,070.81.

There will have been paid on account of the public debt during the present year the sum of $12,405,005.80, redu­cing the whole debt of the Government on the 1st of Jan­uary next to $48,565,406.50, including seven millions of 5 per cent stock subscribed to the Bank of the United States. The payment on account of public debt made on the 1st of July last was $8,715,462.87. It was apprehended that the sudden withdrawal of so large a sum from the banks in which it was deposited, at a time of unusual pressure in the money market, might cause much injury to the interests dependent on bank accommodations. But this evil was wholly averted by an early anticipation of it at the Treas­ury, aided by the judicious arrangements of the officers of the Bank of the United States.

This state of the finances exhibits the resources of the nation in an aspect highly flattering to its industry and auspicious of the ability of Government in a very short time to extinguish the public debt. When this shall be done our population will be relieved from a considerable portion of its present burthens, and will find not only new motives to patriotic affection, but additional means for the display of individual enterprise. The fiscal power of the States will also be increased, and may be more extensively exerted in favor of education and other public objects, while ample means will remain in the Federal Government to promote the general weal in all the modes permitted to its authority.

After the extinction of the public debt it is not probable that any adjustment of the tariff upon principles satisfac­tory to the people of the Union will until a remote period, if ever, leave the Government without a considerable sur­plus in the Treasury beyond what may be required for its current service. As, then, the period approaches when the application of the revenue to the payment of debt will cease, the disposition of the surplus will present a subject for the serious deliberation of Congress; and it may be fortunate for the country that it is yet to be decided. Considered in connection with the difficulties which have heretofore at­tended appropriations for purposes of internal improve­ment, and with those which this experience tells us will certainly arise whenever power over such subjects may be exercised by the General Government, it is hoped that it may lead to the adoption of some plan which will reconcile the diversified interests of the States and strengthen the bonds which unite them. Every member of the Union, in peace and in war, will be benefited by the improvement of inland navigation and the construction of highways in the several States. Let us, then, endeavor to attain this bene­fit in a mode which will be satisfactory to all. That hither­to adopted has by many of our fellow-citizens been depre­cated as an infraction of the Constitution, while by others it has been viewed as inexpedient. All feel that it has been employed at the expense of harmony in the legislative councils.

To avoid these evils it appears to me that the most safe, just, and federal disposition which could be made of the surplus revenue would be its apportionment among the sev­eral States according to their ratio of representation, and should this measure not be found warranted by the Con­stitution that it would be expedient to propose to the States an amendment authorizing it. I regard an appeal to the source of power in cases of real doubt, and where its exer­cise is deemed indispensable to the general welfare, as among the most sacred of all our obligations. Upon this country more than any other has, in the providence of God, been cast the special guardianship of the great principle of adherence to written constitutions. If it fail here, all hope in regard to it will be extinguished. That this was in­tended to be a government of limited and specific, and not general, powers must be admitted by all, and it is our duty to preserve for it the character intended by its framers. If experience points out the necessity for an enlargement of these powers, let us apply for it to those for whose bene­fit it is to be exercised, and not undermine the whole sys­tem by a resort to overstrained constructions. The scheme

has worked well. It has exceeded the hopes of those who devised it, and become an object of admiration to the world. We are responsible to our country and to the glo­rious cause of self-government for the preservation of so great a good. The great mass of legislation relating to our internal affairs was intended to be left where the Federal Convention found it—in the State governments. Nothing is clearer, in my view, than that we are chiefly indebted for the success of the Constitution under which we are now acting to the watchful and auxiliary operation of the State authorities. This is not the reflection of a day, but belongs to the most deeply rooted convictions of my mind. I can not, therefore, too strongly or too earnestly, for my own sense of its importance, warn you against all encroachments upon the legitimate sphere of State sovereignty. Sustained by its healthful and invigorating influence the federal sys­tem can never fall.

In the collection of the revenue the long credits au­thorized on goods imported from beyond the Cape of Good Hope are the chief cause of the losses at present sustained. If these were shortened to six, nine, and twelve months, and warehouses provided by Government sufficient to receive the goods offered in deposit for security and for debenture, and if the right of the United States to a prior­ity of payment out of the estates of its insolvent debtors were more effectually secured, this evil would in a great measure be obviated. An authority to construct such houses is therefore, with the proposed alteration of the credits, recommended to your attention.

It is worthy of notice that the laws for the collection and security of the revenue arising from imposts were chiefly framed when the rates of duties on imported goods pre­sented much less temptation for illicit trade than at present exists. There is reason to believe that these laws are in some respects quite insufficient for the proper security of the revenue and the protection of the interests of those who are disposed to observe them. The injurious and demoral­izing tendency of a successful system of smuggling is so obvious as not to require comment, and can not be too carefully guarded against. I therefore suggest to Congress the propriety of adopting efficient measures to prevent this evil, avoiding, however, as much as possible, every unnec­essary infringement of individual liberty and embarrass­ment of fair and lawful business.

On an examination of the records of the Treasury I have been forcibly struck with the large amount of public money which appears to be outstanding. Of the sum thus due from individuals to the Government a considerable portion is undoubtedly desperate, and in many instances has prob­ably been rendered so by remissness in the agents charged with its collection. By proper exertions a great part, how­ever, may yet be recovered; ‘and whatever may be the por­tions respectively belonging to these two classes, it be­hooves the Government to ascertain the real state of the fact. This can be done only by the prompt adoption of judicious measures for the collection of such as may be made available. It is believed that a very large amount has been lost through the inadequacy of the means provided for the collection of debts due to the public, and that this inad­equacy lies chiefly in the want of legal skill habitually and constantly employed in the direction of the agents engaged in the service. It must, I think, be admitted that the su­pervisory power over suits brought by the public, which is now vested in an *accounting* officer of the Treasury, not selected with a view to his legal knowledge, and encum­bered as he is with numerous other duties, operates un­favorably to the public interest.

It is important that this branch of the public service should be subjected to the supervision of such professional skill as will give it efficiency. The expense attendant upon such a modification of the executive department would be justified by the soundest principles of economy. I would recommend, therefore, that the duties now assigned to the agent of the Treasury, so far as they relate to the super­intendence and management of legal proceedings on the part of the United States, be transferred to the Attorney-General, and that this officer be placed on the same footing in all respects as the heads of the other Departments, receiv­ing like compensation and having such subordinate officers provided for his Department as may be requisite for the discharge of these additional duties. The professional skill of the Attorney-General, employed in directing the conduct of marshals and district attorneys, would hasten the col­lection of debts now in suit and hereafter save much to the Government. It might be further extended to the superin­tendence of all criminal proceedings for offenses against the United States. In making this transfer great care should be taken, however, that the power necessary to the Treasury Department be not impaired, one of its greatest securities consisting in a control over all accounts until they are audited or reported for suit.

In connection with the foregoing views I would sug­gest also an inquiry whether the provisions of the act of Congress authorizing the discharge of the persons of debt­ors to the Government from imprisonment may not, con­sistently with the public interest, be extended to the re­lease of the debt where the conduct of the debtor is wholly exempt from the imputation of fraud. Some more liberal policy than that which now prevails in reference to this unfortunate class of citizens is certainly due to them, and would prove beneficial to the country. The continuance of the liability after the means to discharge it have been ex­hausted can only serve to dispirit the debtor; or, where his resources are but partial, the want of power in the Gov­ernment to compromise and release the demand instigates to fraud as the only resource for securing a support to his family. He thus sinks into a state of apathy, and be­comes a useless drone in society or a vicious member of it, if not a feeling witness of the rigor and inhumanity of his country. All experience proves that oppressive debt is the bane of enterprise, and it should be the care of a re­public not to exert a grinding power over misfortune and poverty.

Since the last session of Congress numerous frauds on the Treasury have been discovered, which I thought it my duty to bring under the cognizance of the United States court for this district by a criminal prosecution. It was my opinion and that of able counsel who were consulted that the cases came within the penalties of the act of the Seventeenth Congress approved 3d March, 1823***,*** providing for the punishment of frauds committed on the Govern­ment of the United States. Either from some defect in the law or in its administration every effort to bring the accused to trial under its provisions proved ineffectual, and the Government was driven to the necessity of resorting to the vague and inadequate provisions of the common law. It is therefore my duty to call your attention to the laws which have been passed for the protection of the Treasury. If, indeed, there be no provision by which those who may be unworthily intrusted with its guardianship can be punished for the most flagrant violation of duty, extending even to the most fraudulent appropriation of the public funds to their own use, it is time to remedy so dangerous an omission; or if the law has been perverted from its original purposes, and criminals deserving to be punished under its provisions have been rescued by legal subtleties, it ought to be made so plain by amendatory provisions as to baffle the arts of perversion and accomplish the ends of its original enactment.

In one of the most flagrant cases the court decided that the prosecution was barred by the statute which limits pros­ecutions for fraud to two years. In this case all the evi­dences of the fraud, and, indeed, all knowledge that a fraud had been committed, were in possession of the party accused until after the two years had elapsed. Surely the statute ought not to run in favor of any man while he retains all the evidences of his ~ his own possession, and least of all in favor of a public officer who continues to defraud the Treasury and conceal the transaction for the brief term of two years. I would therefore recommend such an alter­ation of the law as will give the injured party and the Government two years after the disclosure of the fraud or after the accused is out of office to commence their prose­cution.

In connection with this subject I invite the attention of Congress to a general and minute inquiry into the condition of the Government, with a view to ascertain what offices can be dispensed with, what expenses retrenched, and what improvements may be made in the organization of its various parts to secure the proper responsibility of public agents and promote efficiency and justice in all its operations.

The report of the Secretary of War will make you acquainted with the condition of our Army, fortifications, arsenals, and Indian affairs. The proper discipline of the Army, the training and equipment of the militia, the edu­cation bestowed at West Point, and the accumulation of the means of defense applicable to the naval force will tend to prolong the peace we now enjoy, and which every good citizen, more especially those who have felt the miseries of even a successful warfare, must ardently desire to perpet­uate.

The returns from the subordinate branches of this service exhibit a regularity and order highly creditable to its char­acter. Both officers and soldiers seem imbued with a proper sense of duty, and conform to the restraints of exact discipline with that cheerfulness which becomes the profession of arms. There is need, however, of further leg­islation to obviate the inconveniences specified in the report under consideration, to some of which it is proper that I should call your particular attention.

The act of Congress of the 2d March, 1821, to reduce and fix the military establishment, remaining unexecuted as it regards the command of one of the regiments of artil­lery, can not now be deemed a guide to the Executive in making the proper appointment. An explanatory act, des­ignating the class of officers out of which this grade is to be filled—whether from the military list as existing prior to the act of 1821 or from it as it has been fixed by that act— would remove this difficulty. It is also important that the laws regulating the pay and emoluments of officers gen­erally should be more specific than they now are. Those, for example, in relation to the Paymaster and Surgeon General assign to them an annual salary of $2,500**,** but are silent as to allowances which in certain exigencies of the service may be deemed indispensable to the discharge of their duties. This circumstance has been the authority for extending to them various allowances at different times under former Administrations, but no uniform rule has been observed on the subject. Similar inconveniences exist in other cases, in which the construction put upon the laws by the public accountants may operate unequally, produce confusion, and expose officers to the odium of claiming what is not their due.

I recommend to your fostering care, as one of our safest means of national defense, the Military Academy This institution has already exercised the happiest influence upon the moral and intellectual character of our Army; and such of the graduates as from various causes may not pursue the profession of arms will be scarcely less useful as citizens. Their knowledge of the military art will be advantageously employed in the militia service, and in a measure secure to that class of troops the advantages which in this respect belong to standing armies.

I would also suggest a review of the pension law, for the purpose of extending its benefits to every Revolutionary soldier who aided in establishing our liberties, and who is unable to maintain himself in comfort. These relics of the War of Independence have strong claims upon their country’s gratitude and bounty. The law is defective in not embracing within its provisions all those who were dur­ing the last war disabled from supporting themselves by manual labor. Such an amendment would add but little to the amount of pensions, and is called for by the sym­pathies of the people as well as by considerations of sound policy. It will be perceived that a large addition to the list of pensioners has been occasioned by an order of the late Administration, departing materially from the rules which had previously prevailed. Considering it an act of legislation, I suspended its operation as soon as I was informed that it had commenced. Before this period, how­ever, applications under the new regulation had been pre­ferred to the number of 154**,** of which, on the 27th March, the date of its revocation, 87 were admitted. For the amount there was neither estimate nor appropriation; and besides this deficiency, the regular allowances, according to the rules which have heretofore governed the Department, exceed the estimate of its late Secretary by about $50,000**,** for which an appropriation is asked.

Your particular attention is requested to that part of the report of the Secretary of War which relates to the money held in trust for the Seneca tribe of Indians. It will be perceived that without legislative aid the Executive can not obviate the embarrassments occasioned by the dimi­nution of the dividends on that fund, which originally amounted to $100,000**,** and has recently been invested in United States 3 per cent stock.

The condition and ulterior destiny of the Indian tribes within the limits of some of our States have become objects of much interest and importance. It has long been the policy of Government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy has, however, been coupled with another wholly incompatible with its success. Pro­fessing a desire to civilize and settle them, we have at the same time lost no opportunity to purchase their lands and thrust them farther into the wilderness. By this means they have not only been kept in a wandering state, but been led to look upon us as unjust and indifferent to their fate. Thus, though lavish in its expenditures upon the subject, Government has constantly defeated its own policy, and the Indians in general, receding farther and farther to the west, have retained their savage habits. A portion, however, of the Southern tribes, having mingled much with the whites and made some progress in the arts of civilized life, have lately attempted to erect an independent government within the limits of Georgia and Alabama. These States, claim­ing to be the only sovereigns within their territories, extended their laws over the Indians, which induced the latter to call upon the United States for protection.

Under these circumstances the question presented was whether the General Government had a right to sustain those people in their pretensions. The Constitution declares that “no new State shall be formed or erected within the jurisdiction of any other State” without the consent of its legislature. If the General Government is not permitted to tolerate the erection of a confederate State within the territory of one of the members of this Union against her consent, much less could it allow a foreign and independ­ent government to establish itself there. Georgia became a member of the Confederacy which eventuated in our Fed­eral Union as a sovereign State, always asserting her claim to certain limits, which, having been originally defined in her colonial charter and subsequently recognized in the treaty of peace, she has ever since continued to enjoy, except as they have been circumscribed by her own volun­tary transfer of a portion of her territory to the United States in the articles of cession of 1802**.** Alabama was admitted into the Union on the same footing with the original States, with boundaries which were prescribed by. Congress. There is no constitutional, conventional, or legal provision which allows them less power over the In­dians within their borders than is possessed by Maine or New York. Would the people of Maine permit the Penob­scot tribe to erect an independent government within their State? And unless they did would it not be the duty of the General Government to support them in resisting such a measure? Would the people of New York permit each rem­nant of the Six Nations within her borders to declare itself an independent people under the protection of the United States? Could the Indians establish a separate republic on each of their reservations in Ohio? And if they were so disposed would it be the duty of this Government to pro­tect them in the attempt? If the principle involved in the obvious answer to these questions be abandoned, it will follow that the objects of this Government are reversed, and that it has become a part of its duty to aid in destroy­ing the States which it was established to protect.

Actuated by this view of the subject, I informed the Indians inhabiting parts of Georgia and Alabama that their attempt to establish an independent government would not be countenanced by the Executive of the United States, and advised them to emigrate beyond the Mississippi or sub­mit to the laws of those States.

Our conduct toward these people is deeply interesting to our national character. Their present condition, contrasted with what they once were, makes a most powerful appeal to our sympathies. Our ancestors found them the uncon­trolled possessors of these vast regions. By persuasion and force they have been made to retire from river to river and from mountain to mountain, until some of the tribes have become extinct and others have left but remnants to pre­serve for a while their once terrible names. Surrounded by whites with their arts of civilization, which by destroying the resources of the savage doom him to weakness and decay, the fate of the Mohegan, the Narragansett, and the Delaware is fast overtaking the Choctaw, the Cherokee, and the Creek. That this fate surely awaits them if they remain within the limits of the States does not admit a doubt. Humanity and national honor demand that every effort should be made to avert so great a calamity. It is too late to inquire whether it was just in the United States to include them and their territory within the bounds of new States, whose limits they could control. That step can not be retraced. A State can not be dismembered by Congress or restricted in the exercise of her constitutional power. But the people of those States and of every State, actuated by feelings of justice and a regard for our national honor, submit to you the interesting question whether something can not be done, consistently with the rights of the States, to preserve this much-injured race.

As a means of effecting this end I suggest for your consideration the propriety of setting apart an ample district west of the Mississippi, and without the limits of any State **or** Territory now formed, to be guaranteed to the Indian tribes as long as they shall occupy it, each tribe hav­ing a distinct control over the portion designated for its use. There they may be secured in the enjoyment of gov­ernments of their own choice, subject to no other control from the United States than such as may be necessary to preserve peace on the frontier and between the several tribes. There the benevolent may endeavor to teach them the arts of civilization, and, by promoting union and har­mony among them, to raise up an interesting common­wealth, destined to perpetuate the race and to attest the humanity and justice of this Government.

This emigration should be voluntary, for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers and seek a home in a distant land. But they should be distinctly informed that if they remain within the limits of the States they must be subject to their laws. In return for their obedience as individuals they will without doubt be protected in the enjoyment of those pos­sessions which they have improved by their industry. But it seems to me visionary to suppose that in this state of things claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen them from the mountain or passed them in the chase. Submitting to the laws of the States, and receiving, like other citizens, protection in their per­sons and property, they will ere long become merged in the mass of our population.

The accompanying report of the Secretary of the Navy will make you acquainted with the condition and useful employment of that branch of our service during the pres­ent year. Constituting as it does the best standing security of this country against foreign aggression, it claims the especial attention of Government. In this spirit the meas­ures which since the termination of the last war have been in operation for its gradual enlargement were adopted, and

it should continue to be cherished as the offspring of our national experience. It will be seen, however, that not­withstanding the great solicitude which has been manifested for the perfect organization of this arm and the liberality of the appropriations which that solicitude has suggested, this object has in many important respects not been secured.

In time of peace we have need of no ‘more ships of war than are requisite to the protection of our commerce. Those not wanted for this object must lay in the harbors, where without proper covering they rapidly decay, and even under the best precautions for their preservation must soon become useless. Such is already the case with many of our finest vessels, which, though unfinished, will now require immense sums of money to be restored to the con­dition in which they were when committed to their proper element. On this subject there can be but little doubt that our best policy would be to discontinue the building of ships of the first and second class, and look rather to the possession of ample materials, prepared for the emergencies of war, than to the number of vessels which we can float in a season of peace, as the index of our naval power. Judicious deposits in navy-yards of timber and other materials, fash­ioned under the hands of skillful workmen and fitted for prompt application to their various purposes, would enable us at all times to construct vessels as fast as they can be manned, and save the heavy expense of repairs, except to such vessels as must be employed in guarding our com­merce. The proper points for the establishment of these yards are indicated with so much force in the report of the Navy Board that in recommending it to your attention I deem it unnecessary to do more than express my hearty con­currence in their views. The yard in this District, being already furnished with most of the machinery necessary for shipbuilding, will be competent to the supply of the two selected by the Board as the best for the concentration of materials, and, from the facility and certainty of communi­cation between them, it will be useless to incur at those depots the expense of similar machinery, especially that used in preparing the usual metallic and wooden furniture of vessels.

Another improvement would be effected by dispensing altogether with the Navy Board as now constituted, and substituting in its stead bureaus similar to those already existing in the War Department. Each member of the Board, transferred to the head of a separate bureau charged with specific duties, would feel in its highest degree that wholesome responsibility which can not be divided without a far more than proportionate diminution of its force. Their valuable services would become still more so when separately appropriated to distinct portions of the great interests of the Navy, to the prosperity of which each would be impelled to devote himself by the strongest motives. Under such an arrangement every branch of this important service would assume a more simple and precise character, its efficiency would be increased, and scrupulous economy in the expenditure of public money promoted.

I would also recommend that the Marine Corps be merged in the artillery or infantry, as the best mode of cur­ing the many defects in its organization. But little exceed­ing in number any of the regiments of infantry, that corps has, besides it lieuteant-colonel commandant, five brevet lieutenant-colonels, who receive the full pay and emolu­ments of their brevet rank, without rendering proportionate service. Details for marine service could as well be made from the artillery or infantry, there being no peculiar train­ing requisite for it.

With these improvements, and such others as zealous watchfulness and mature consideration may suggest, there can be little doubt that under an energetic administration of its affairs the Navy may soon be made everything that the nation wishes it to be. Its efficiency in the suppression of piracy in the West India seas, and wherever its squad­rons have been employed in securing the interests of the country, will appear from the report of the Secretary, to which I refer you for other interesting details. Among  these I would bespeak the attention of Congress for the views presented in relation to the inequality between the Army and Navy as to the pay of officers. No such in­equality should prevail between these brave defenders of their country, and where it does exist it is submitted to Congress whether it ought not to be rectified.

The report of the Postmaster-General is referred to as exhibiting a highly satisfactory administration of that De­partment. Abuses have been reformed, increased expedi­tion in the transportation of the mail secured, and its rev­enue much improved. In a political point of view this Department is chiefly important as affording the means of diffusing knowledge. It is to the body politic what the veins and arteries are to the natural~conveying rapidly and regularly to the remotest parts of the system correct information of the operations of the Government, and bringing back to it the wishes and feelings of the people. Through its agency we have secured to ourselves the full enjoyment of the blessings of a free press.

In this general survey of our affairs a subject of high importance presents itself in the present organization of the judiciary. An uniform operation of the Federal Govern­ment in the different States is certainly desirable, and exist­ing as they do in the Union on the basis of perfect equality, each State has a right to expect that the benefits conferred on the citizens of others should be extended to hers. The judicial system of the United States exists in all its effi­ciency in only fifteen members of the Union; to three others the circuit courts, which constitute an important part of that system, have been imperfectly extended, and to the remaining six altogether denied. The effect has been to withhold from the inhabitants of the latter the advantages afforded (by the Supreme Court) to their fellow-citizens in other States in the whole extent of the criminal and much of the civil authority of the Federal judiciary. That this state of things ought to be remedied, if it can be done con­sistently with the public welfare, is not to be doubted. Neither is it to be disguised that the organization of our ju­dicial system is at once a difficult and delicate task. To extend the circuit courts equally throughout the different parts of the Union, and at the same time to avoid such a multiplication of members as would encumber the supreme appellate tribunal, is the object desired. Perhaps it might be accomplished by dividing the circuit judges into two classes, and providing that the Supreme Court should be held by these classes alternately, the Chief Justice always presiding.

If an extension of the circuit-court system to those States which do not now enjoy its benefits should be determined upon, it would of course be necessary to revise the present arrangement of the circuits; and even if that system should not be enlarged, such a revision is recommended.

A provision for taking the census of the people of the United States will, to insure the completion of that work within a convenient time, claim the early attention of Con­gress.

The great and constant increase of business in the De­partment of State forced itself at an early period upon the attention of the Executive. Thirteen years ago it was, in Mr. Madison’s last message to Congress, made the subject of an earnest recommendation, which has been repeated by both of his successors; and my comparatively limited experi­ence has satisfied me of its justness. It has arisen from many causes, not the least of which is the large addition that has been made to the family of independent nations and the proportionate extension of our foreign relations. The remedy proposed was the establishment of a home de­partment—a measure which does not appear to have met the views of Congress on account of its supposed tendency to increase, gradually and imperceptibly, the already too strong bias of the federal system toward the exercise of authority not delegated to it. I am not, therefore, dis­posed to revive the recommendation, but am not the less Impressed with the importance of so organizing that De­partment that its Secretary may devote more of his time to our foreign relations. Clearly satisfied that the public   good would be promoted by some suitable provision on the subject, I respectfully invite your attention to it.

The charter of the Bank of the United States expires in 1836, and its stockholders will most probably apply for a renewal of their privileges. In order to avoid the evils re­sulting from precipitancy in a measure involving such im­portant principles and such deep pecuniary interests, I feel that I can not, in justice to the parties interested, too soon present it to the deliberate consideration of the Legislature and the people. Both the constitutionality and the expe­diency of the law creating this bank are well questioned by a large portion of our fellow-citizens, and it must be ad­mitted by all that it has failed in the great end of establish­ing a uniform and sound currency.

Under these circumstances, if such an institution is deemed essential to the fiscal operations of the Government, I submit to the wisdom of the Legislature whether a na­tional one, founded upon credit of the Government and its revenues, might not be devised which would avoid all con­stitutional difficulties and at the same time secure all the advantages to the Government and country that were ex­pected to result from the present bank.

I can not close this communication without bringing to your view the just claim of the representatives of Com­modore Decatur, his officers and crew, arising from the recapture of the frigate *Philadelphia* under the heavy bat­teries of Tripoli. Although sensible, as a general rule, of the impropriety of Executive interference under a Govern­ment like ours, where every individual enjoys the right of directly petitioning Congress, yet, viewing this case as one of very peculiar character, I deem it my duty to recommend it to your favorable consideration. Besides the justice of this claim, as corresponding to those which have been since recognized and satisfied, it is the fruit of a deed of patriotic and chivalrous daring which infused life and confidence into our infant Navy and contributed as much as any ex­ploit in its history to elevate our national character. Pub­lic gratitude, therefore, stamps her seal upon it, and the need should not be withheld which may hereafter operate as a stimulus to our gallant tars.

I now recommend you, fellow-citizens, to the guidance of Almighty God, with a full reliance on His merciful provi­dence for the maintenance of our free institutions, and with an earnest supplication that whatever errors it may be my lot to commit in discharging the arduous duties which have devolved on me will find a remedy in the harmony and wisdom of your counsels.

From: Francis Newton Thorpe, ed. *The Principles of American Statesmanship, The Theory, Development and Administration of Government in America as shown in the Writings of American Statesmen*, 1909.

**[Fort Laramie Treaty, 1868](#TOC)**

**ARTICLES OF A TREATY  
MADE AND CONCLUDED BY AND BETWEEN**

Lieutenant General William T. Sherman, General William S. Harney, General Alfred H. Terry, General O. O. Augur, J. B. Henderson, Nathaniel G. Taylor, John G. Sanborn, and Samuel F. Tappan, duly appointed commissioners on the part of the United States, and the different bands of the Sioux Nation of Indians, by their chiefs and headmen, whose names are hereto subscribed, they being duly authorized to act in the premises.

**ARTICLE I**.  
From this day forward all war between the parties to this agreement shall for ever cease. The government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they now pledge their honor to maintain it.

If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent, and forwarded to the Commissioner of Indian Affairs at Washington city, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also reimburse the injured person for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of nay one, white, black, or Indian, subject to the authority of the United States, and at peace therewith, the Indians herein named solemnly agree that they will, upon proof made to their agent, and notice by him, deliver up the wrongdoer to the United States, to be tried and punished according to its laws, and, in case they willfully refuse so to do, the person injured shall be reimbursed for his loss from the annuities, or other moneys due or to become due to them under this or other treaties made with the United States; and the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper, but no one sustaining loss while violating the provisions of this treaty, or the laws of the United States, shall be reimbursed therefor.

**ARTICLE II.**  
The United States agrees that the following district of country, to wit, viz: commencing on the east bank of the Missouri river where the 46th parallel of north latitude crosses the same, thence along low-water mark down said east bank to a point opposite where the northern line of the State of Nebraska strikes the river, thence west across said river, and along the northern line of Nebraska to the 104th degree of longitude west from Greenwich, thence north on said meridian to a point where the 46th parallel of north latitude intercepts the same, thence due east along said parallel to the place of beginning; and in addition thereto, all existing reservations of the east back of said river, shall be and the same is, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons, except those herein designated and authorized so to do, and except such officers, agents, and employees of the government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article, or in such territory as may be added to this reservation for the use of said Indians, and henceforth they will and do hereby relinquish all claims or right in and to any portion of the United States or Territories, except such as is embraced within the limits aforesaid, and except as hereinafter provided.

**ARTICLE III.**  
If it should appear from actual survey or other satisfactory examination of said tract of land that it contains less than 160 acres of tillable land for each person who, at the time, may be authorized to reside on it under the provisions of this treaty, and a very considerable number of such persons hsall be disposed to comence cultivating the soil as farmers, the United States agrees to set apart, for the use of said Indians, as herein provided, such additional quantity of arable land, adjoining to said reservation, or as near to the same as it can be obtained, as may be required to provide the necessary amount.

**ARTICLE IV.**  
The United States agrees, at its own proper expense, to construct, at some place on the Missouri river, near the centre of said reservation where timber and water may be convenient, the following buildings, to wit, a warehouse, a store-room for the use of the agent in storing goods belonging to the Indians, to cost not less than $2,500; an agency building, for the residence of the agent, to cost not exceeding $3,000; a residence for the physician, to cost not more than $3,000; and five other buildings, for a carpenter, farmer, blacksmith, miller, and engineer-each to cost not exceeding $2,000; also, a school-house, or mission building, so soon as a sufficient number of children can be induced by the agent to attend school, which shall not cost exceeding $5,000.

The United States agrees further to cause to be erected on said reservation, near the other buildings herein authorized, a good steam circular saw-mill, with a grist-mill and shingle machine attached to the same, to cost not exceeding $8,000.

**ARTICLE V.**  
The United States agrees that the agent for said Indians shall in the future make his home at the agency building; that he shall reside among them, and keep an office open at all times for the purpose of prompt and diligent inquiry into such matters of complaint by and against the Indians as may be presented for investigation under the provisions of their treaty stipulations, as also for the faithful discharge of other duties enjoined on him by law. In all cases of depredation on person or property he shall cause the evidence to be taken in writing and forwarded, together with his findings, to the Commissioner of Indian Affairs, whose decision, subject to the revision of the Secretary of the Interior, shall be binding on the parties to this treaty.

**ARTICLE VI.**  
If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation, not exceeding three hundred and twenty acres in extent, which tract, when so selected, certified, and recorded in the "Land Book" as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her, for purposes of cultivation, a quantity of land, not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above directed.

For each tract of land so selected a certificate, containing a description thereof and the name of the person selecting it, with a certificate endorsed thereon that the same has been recorded, shall be delivered to the party entitled to it, by the agent, after the same shall have been recorded by him in a book to be kept in his office, subject to inspection, which said book shall be known as the "Sioux Land Book."

The President may, at any time, order a survey of the reservation, and, when so surveyed, Congress shall provide for protecting the rights of said settlers in their improvements, and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property between the Indians and their descendants as may be thought proper. And it is further stipulated that any male Indians over eighteen years of age, of any band or tribe that is or shall hereafter become a party to this treaty, who now is or who shall hereafter become a resident or occupant of any reservation or territory not included in the tract of country designated and described in this treaty for the permanent home of the Indians, which is not mineral land, nor reserved by the United States for special purposes other than Indian occupation, and who shall have made improvements thereon of the value of two hundred dollars or more, and continuously occupied the same as a homestead for the term of three years, shall be entitled to receive from the United States a patent for one hundred and sixty acres of land including his said improvements, the same to be in the form of the legal subdivisions of the surveys of the public lands. Upon application in writing, sustained by the proof of two disinterested witnesses, made to the register of the local land office when the land sought to be entered is within a land district, and when the tract sought to be entered is not in any land district, then upon said application and proof being made to the Commissioner of the General Land Office, and the right of such Indian or Indians to enter such tract or tracts of land shall accrue and be perfect from the date of his first improvements thereon, and shall continue as long as be continues his residence and improvements and no longer. And any Indian or Indians receiving a patent for land under the foregoing provisions shall thereby and from thenceforth become and be a citizen of the United States and be entitled to all the privileges and immunities of such citizens, and shall, at the same time, retain all his rights to benefits accruing to Indians under this treaty.

**ARTICLE VII.**  
In order to insure the civilization of the Indians entering into this treaty, the necessity of education is admitted, especially of such of them as are or may be settled on said agricultural reservations, and they, therefore, pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school, and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages, who can be induced or compelled to attend school, a house shall be provided, and a teacher competent to teach the elementary branches of an English education shall be furnished, who will reside among said Indians and faithfully discharge his or her duties as a teacher. The provisions of this article to continue for not less than twenty years.

**ARTICLE VIII.**  
When the head of a family or lodge shall have selected lands and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year, not exceeding in value one hundred dollars, and for each succeeding year he shall continue to farm, for a period of three years more, he shall be entitled to receive seeds and implements as aforesaid, not exceeding in value twenty-five dollars. And it is further stipulated that such persons as commence farming shall receive instruction from the farmer herein provided for, and whenever more than one hundred persons shall enter upon the cultivation of the soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be needed.

**ARTICLE IX.**  
At any time after ten years fro the making of this treaty, the United States shall have the privilege of withdrawing the physician, farmer, blacksmith, carpenter, engineer, and miller herein provided for, but in case of such withdrawal, an additional sum thereafter of ten thousand dollars per annum shall be devoted to the education of said Indians, and the Commissioner of Indian Affairs shall, upon careful inquiry into their condition, make such rules and regulations for the expenditure of said sums as will best promote the education and moral improvement of said tribes.

**ARTICLE X.**  
In lieu of all sums of money or other annuities provided to be paid to the Indians herein named under any treaty or treaties heretofore made, the United States agrees to deliver at the agency house on the reservation herein named, on or before the first day of August of each year, for thirty years, the following articles, to wit:

For each male person over 14 years of age, a suit of good substantial woollen clothing, consisting of coat, pantaloons, flannel shirt, hat, and a pair of home-made socks.

For each female over 12 years of age, a flannel shirt, or the goods necessary to make it, a pair of woollen hose, 12 yards of calico, and 12 yards of cotton domestics.

For the boys and girls under the ages named, such flannel and cotton goods as may be needed to make each a suit as aforesaid, together with a pair of woollen hose for each.

And in order that the Commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census of the Indians, on which the estimate from year to year can be based.

And in addition to the clothing herein named, the sum of $10 for each person entitled to the beneficial effects of this treaty shall be annually appropriated for a period of 30 years, while such persons roam and hunt, and $20 for each person who engages in farming, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper. And if within the 30 years, at any time, it shall appear that the amount of money needed for clothing, under this article, can be appropriated to better uses for the Indians named herein, Congress may, by law, change the appropriation to other purposes, but in no event shall the amount of the appropriation be withdrawn or discontinued for the period named. And the President shall annually detail an officer of the army to be present and attest the delivery of all the goods herein named, to the Indians, and he shall inspect and report on the quantity and quality of the goods and the manner of their delivery. And it is hereby expressly stipulated that each Indian over the age of four years, who shall have removed to and settled permanently upon said reservation, one pound of meat and one pound of flour per day, provided the Indians cannot furnish their own subsistence at an earlier date. And it is further stipulated that the United States will furnish and deliver to each lodge of Indians or family of persons legally incorporated with the, who shall remove to the reservation herein described and commence farming, one good American cow, and one good well-broken pair of American oxen within 60 days after such lodge or family shall have so settled upon said reservation.

**ARTICLE XI.**  
In consideration of the advantages and benefits conferred by this treaty and the many pledges of friendship by the United States, the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy permanently the territory outside their reservations as herein defined, but yet reserve the right to hunt on any lands north of North Platte, and on the Republican Fork of the Smoky Hill river, so long as the buffalo may range thereon in such numbers as to justify the chase. And they, the said Indians, further expressly agree:

1st. That they will withdraw all opposition to the construction of the railroads now being built on the plains.

2d. That they will permit the peaceful construction of any railroad not passing over their reservation as herein defined.

3d. That they will not attack any persons at home, or travelling, nor molest or disturb any wagon trains, coaches, mules, or cattle belonging to the people of the United States, or to persons friendly therewith.

4th. They will never capture, or carry off from the settlements, white women or children.

5th. They will never kill or scalp white men, nor attempt to do them harm.

6th. They withdraw all pretence of opposition to the construction of the railroad now being built along the Platte river and westward to the Pacific ocean, and they will not in future object to the construction of railroads, wagon roads, mail stations, or other works of utility or necessity, which may be ordered or permitted by the laws of the United States. But should such roads or other works be constructed on the lands of their reservation, the government will pay the tribe whatever amount of damage may be assessed by three disinterested commissioners to be appointed by the President for that purpose, one of the said commissioners to be a chief or headman of the tribe.

7th. They agree to withdraw all opposition to the military posts or roads now established south of the North Platte river, or that may be established, not in violation of treaties heretofore made or hereafter to be made with any of the Indian tribes.

**ARTICLE XII.**  
No treaty for the cession of any portion or part of the reservation herein described which may be held in common, shall be of any validity or force as against the said Indians unless executed and signed by at least three-fourths of all the adult male Indians occupying or interested in the same, and no cession by the tribe shall be understood or construed in such manner as to deprive, without his consent, any individual member of the tribe of his rights to any tract of land selected by him as provided in Article VI of this treaty.

**ARTICLE XIII.**The United States hereby agrees to furnish annually to the Indians the physician, teachers, carpenter, miller, engineer, farmer, and blacksmiths, as herein contemplated, and that such appropriations shall be made from time to time, on the estimate of the Secretary of the Interior, as will be sufficient to employ such persons.

**ARTICLE XIV.**  
It is agreed that the sum of five hundred dollars annually for three years from date shall be expended in presents to the ten persons of said tribe who in the judgment of the agent may grow the most valuable crops for the respective year.

**ARTICLE XV.**  
The Indians herein named agree that when the agency house and other buildings shall be constructed on the reservation named, they will regard said reservation their permanent home, and they will make no permanent settlement elsewhere; but they shall have the right, subject to the conditions and modifications of this treaty, to hunt, as stipulated in Article XI hereof.

**ARTICLE XVI.**  
The United States hereby agrees and stipulates that the country north of the North Platte river and east of the summits of the Big Horn mountains shall be held and considered to be unceded. Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of the same; or without the consent of the Indians, first had and obtained, to pass through the same; and it is further agreed by the United States, that within ninety days after the conclusion of peace with all the bands of the Sioux nation, the military posts now established in the territory in this article named shall be abandoned, and that the road leading to them and by them to the settlements in the Territory of Montana shall be closed.

**ARTICLE XVII.**  
It is hereby expressly understood and agreed by and between the respective parties to this treaty that the execution of this treaty and its ratification by the United States Senate shall have the effect, and shall be construed as abrogating and annulling all treaties and agreements heretofore entered into between the respective parties hereto, so far as such treaties and agreements obligate the United States to furnish and provide money, clothing, or other articles of property to such Indians and bands of Indians as become parties to this treaty, but no further.

In testimony of all which, we, the said commissioners, and we, the chiefs and headmen of the Brule band of the Sioux nation, have hereunto set our hands and seals at Fort Laramie, Dakota Territory, this twenty-ninth day of April, in the year one thousand eight hundred and sixty-eight.

N. G. TAYLOR,

W. T. SHERMAN,  
Lieutenant General

WM. S. HARNEY,  
Brevet Major General U.S.A.

JOHN B. SANBORN,

S. F. TAPPAN,

C. C. AUGUR,  
Brevet Major General

ALFRED H. TERRY,  
Brevet Major General U.S.A.

Attest:

A. S. H. WHITE, Secretary.

Executed on the part of the Brule band of Sioux by the chiefs and headman whose names are hereto annexed, they being thereunto duly authorized, at Fort Laramie, D. T., the twenty-ninth day of April, in the year A. D. 1868.

MA-ZA-PON-KASKA, his X mark, Iron Shell.

WAH-PAT-SHAH, his X mark, Red Leaf.

HAH-SAH-PAH, his X mark, Black Horn.

ZIN-TAH-GAH-LAT-WAH, his X mark, Spotted Tail.

ZIN-TAH-GKAH, his X mark, White Tail.

ME-WAH-TAH-NE-HO-SKAH, his X mark, Tall Man.

SHE-CHA-CHAT-KAH, his X mark, Bad Left Hand.

NO-MAH-NO-PAH, his X mark, Two and Two.

TAH-TONKA-SKAH, his X mark, White Bull.

CON-RA-WASHTA, his X mark, Pretty Coon.

HA-CAH-CAH-SHE-CHAH, his X mark, Bad Elk.

WA-HA-KA-ZAH-ISH-TAH, his X mark, Eye Lance.

MA-TO-HA-KE-TAH, his X mark, Bear that looks behind.

BELLA-TONKA-TONKA, his X mark, Big Partisan.

MAH-TO-HO-HONKA, his X mark, Swift Bear.

TO-WIS-NE, his X mark, Cold Place.

ISH-TAH-SKAH, his X mark, White Eye.

MA-TA-LOO-ZAH, his X mark, Fast Bear.

AS-HAH-HAH-NAH-SHE, his X mark, Standing Elk.

CAN-TE-TE-KI-YA, his X mark, The Brave Heart.

SHUNKA-SHATON, his X mark, Day Hawk.

TATANKA-WAKON, his X mark, Sacred Bull.

MAPIA SHATON, his X mark, Hawk Cloud.

MA-SHA-A-OW, his X mark, Stands and Comes.

SHON-KA-TON-KA, his X mark, Big Dog.

Attest:

ASHTON S. H. WHITE, Secretary of Commission.

GEORGE B. WITHS, Phonographer to Commission.

GEO. H. HOLTZMAN.

JOHN D. HOWLAND.

JAMES C. O'CONNOR.

CHAR. E. GUERN, Interpreter.

LEON T. PALLARDY, Interpreter.

NICHOLAS JANIS, Interpreter.

Executed on the part of the Ogallalla band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized, at Fort Laramie, the 25th day of May, in the year A. D. 1868.

TAH-SHUN-KA-CO-QUI-PAH, his + mark,

Man-afraid-of-his-horses.

SHA-TON-SKAH, his + mark, White Hawk.

SHA-TON-SAPAH, his + mark, Black Hawk.

EGA-MON-TON-KA-SAPAH, his + mark, Black Tiger

OH-WAH-SHE-CHA, his + mark, Bad Wound.

PAH-GEE, his + mark, Grass.

WAH-NON SAH-CHE-GEH, his + mark, Ghost Heart.

COMECH, his + mark, Crow.

OH-HE-TE-KAH, his + mark, The Brave.

TAH-TON-KAH-HE-YO-TA-KAH, his + mark, Sitting Bull.

SHON-KA-OH-WAH-MEN-YE, his + mark, Whirlwind Dog.

HA-KAH-KAH-TAH-MIECH, his + mark, Poor Elk.

WAM-BU-LEE-WAH-KON, his + mark, Medicine Eagle.

CHON-GAH-MA-HE-TO-HANS-KA, his + mark, High Wolf.

WAH-SECHUN-TA-SHUN-KAH, his + mark, American Horse.

MAH-KAH-MAH-HA-MAK-NEAR, his + mark,

Man that walks under the ground.

MAH-TO-TOW-PAH, his + mark, Four Bears.

MA-TO-WEE-SHA-KTA, his + mark,

One that kills the bear.

OH-TAH-KEE-TOKA-WEE-CHAKTA, his + mark,

One that kills in a hard place.

TAH-TON-KAH-TA-MIECH, his + mark, The Poor Bull.

OH-HUNS-EE-GA-NON-SKEN, his + mark, Mad Shade.

SHAH-TON-OH-NAH-OM-MINNE-NE-OH-MINNE,

his + mark, Whirling hawk.

MAH-TO-CHUN-KA-OH, his + mark, Bear's Back.

CHE-TON-WEE-KOH, his + mark, Fool Hawk.

WAH-HOH-KE-ZA-AH-HAH, his + mark,

EH-TON-KAH, his + mark, Big Mouth.

MA-PAH-CHE-TAH, his + mark, Bad Hand.

WAH-KE-YUN-SHAH, his + mark, Red Thunder.

WAK-SAH, his + mark, One that Cuts Off.

CHAH-NOM-QUI-YAH, his + mark,

One that Presents the Pipe.

WAH-KE-KE-YAN-PUH-TAH, his + mark, Fire Thunder.

MAH-TO-NONK-PAH-ZE, his + mark,

Bear with Yellow Ears.

CON-REE-TEH-KA, his + mark, The Little Crow.

HE-HUP-PAH-TOH, his + mark, The Blue War Club.

SHON-KEE-TOH, his + mark, The Blue Horse.

WAM-BALLA-OH-CONQUO, his + mark, Quick Eagle.

TA-TONKA-SUPPA, his + mark, Black Bull.

MOH-TOH-HA-SHE-NA, his + mark, The Bear Hide.

Attest:

S. E. WARD.

JAS. C. O'CONNOR.

J. M. SHERWOOD.

W. C. SLICER.

SAM DEON.

H. M. MATHEWS.

JOSEPH BISS

NICHOLAS JANIS, Interpreter.

LEFROY JOTT, Interpreter.

ANTOINE JANIS, Interpreter.

Executed on the part of the Minneconjou band of Sioux by the chiefs and headmen whose names are hereunto subscribed, they being thereunto duly authorized.

HEH-WON-GE-CHAT, his + mark, One Horn.

OH-PON-AH-TAH-E-MANNE, his + mark,

The Elk that Bellows Walking.

HEH-HO-LAH-ZEH-CHA-SKAH, his + mark,

Young White Bull.

WAH-CHAH-CHUM-KAH-COH-KEEPAH, his + mark,

One that is Afraid of Shield.

HE-HON-NE-SHAKTA, his + mark, The Old Owl.

MOC-PE-A-TOH, his + mark, Blue Cloud.

OH-PONG-GE-LE-SKAH, his + mark, Spotted Elk.

TAH-TONK-KA-HON-KE-SCHUE, his + mark, Slow Bull.

SHONK-A-NEE-SHAH-SHAH-ATAH-PE, his + mark,

The Dog Chief.

MA-TO-TAH-TA-TONK-KA, his + mark, Bull Bear.

WOM-BEH-LE-TON-KAH, his + mark, The Big Eagle.

MATOH, EH-SCHNE-LAH, his + mark, The Lone Bear.

MA-TOH-OH-HE-TO-KEH, his + mark, The Brave Bear.

EH-CHE-MA-KEH, his + mark, The Runner.

TI-KI-YA, his + mark, The Hard.

HE-MA-ZA, his + mark, Iron Horn.

Attest:

JAS. C O'CONNOR,

WM. D. BROWN,

NICHOLAS JANIS,

ANTOINE JANIS,

Interpreters.

Executed on the part of the Yanctonais band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized:

MAH-TO-NON-PAH, his + mark, Two Bears.

MA-TO-HNA-SKIN-YA, his + mark, Mad Bear.

HE-O-PU-ZA, his + mark, Louzy.

AH-KE-CHE-TAH-CHE-KA-DAN, his + mark, Little Soldier.

MAH-TO-E-TAN-CHAN, his + mark, Chief Bear.

CU-WI-TO-WIA, his + mark, Rotten Stomach.

SKUN-KA-WE-TKO, his + mark, Fool Dog.

ISH-TA-SAP-PAH, his + mark, Black Eye.

IH-TAN-CHAN, his + mark, The Chief.

I-A-WI-CA-KA, his + mark, The One who Tells the Truth.

AH-KE-CHE-TAH, his + mark, The Soldier.

TA-SHI-NA-GI, his + mark, Yellow Robe.

NAH-PE-TON-KA, his + mark, Big Hand.

CHAN-TEE-WE-KTO, his + mark, Fool Heart.

HOH-GAN-SAH-PA, his + mark, Black Catfish.

MAH-TO-WAH-KAN, his + mark, Medicine Bear.

SHUN-KA-KAN-SHA, his + mark, Red Horse.

WAN-RODE, his + mark, The Eagle.

CAN-HPI-SA-PA, his + mark, Black Tomahawk.

WAR-HE-LE-RE, his + mark, Yellow Eagle.

CHA-TON-CHE-CA, his + mark, Small Hawk,

or Long Fare.

SHU-GER-MON-E-TOO-HA-SKA, his + mark, Fall Wolf.

MA-TO-U-TAH-KAH, his + mark, Sitting Bear.

HI-HA-CAH-GE-NA-SKENE, his + mark, Mad Elk.

Arapahoes.

LITTLE CHIEF, his + mark.

TALL BEAR, his + mark.

TOP MAN, his + mark.

NEVA, his + mark.

THE WOUNDED BEAR, his + mark.

WHIRLWIND, his + mark.

THE FOX, his + mark.

THE DOG BIG MOUTH, his + mark.

SPOTTED WOLF, his + mark.

SORREL HORSE, his + mark.

BLACK COAL, his + mark.

BIG WOLF, his + mark.

KNOCK-KNEE, his + mark.

BLACK CROW, his + mark.

THE LONE OLD MAN, his + mark.

PAUL, his + mark.

BLACK BULL, his + mark.

BIG TRACK, his + mark.

THE FOOT, his + mark.

BLACK WHITE, his + mark.

YELLOW HAIR, his + mark.

LITTLE SHIELD, his + mark.

BLACK BEAR, his + mark.

WOLF MOCASSIN, his + mark.

BIG ROBE, his + mark.

WOLF CHIEF, his + mark.

Witnesses:

ROBERT P. MCKIBBIN,  
Captain 4th Infantry, and Bvt. Lieut. Col. U. S. A.,  
Commanding Fort Laramie.

WM. H. POWELL,  
Brevet Major, Captain 4th Infantry.

HENRY W. PATTERSON,  
Captain 4th Infantry.

THEO E. TRUE,  
Second Lieutenant 4th Infantry.

W. G. BULLOCK.

FORT LARAMIE, WYOMING TERRITORY  
November 6, 1868.

MAH-PI-AH-LU-TAH, his + mark, Red Cloud.

WA-KI-AH-WE-CHA-SHAH, his + mark, Thunder Man.

MA-ZAH-ZAH-GEH, his + mark, Iron Cane.

WA-UMBLE-WHY-WA-KA-TUYAH, his + mark, High Eagle.

KO-KE-PAH, his + mark, Man Afraid.

WA-KI-AH-WA-KOU-AH, his + mark, Thunder Flying Running.

Witnessess:

W. MCE. DYE,  
Brevet Colonel U. S. Army, Commanding.

A. B. CAIN,  
Captain 4th Infantry, Brevet Major U. S. Army.

ROBT. P. MCKIBBIN,  
Captain 4th Infantry, Bvt. Lieut. Col. U. S. Army.

JNO. MILLER,  
Captain 4th Infantry.

G. L. LUHN,  
First Lieutenant 4th Infantry, Bvt. Capt. U. S. Army.

H. C. SLOAN,  
Second Lieutenant 4th Infantry.

Amendment XIII

Section 1.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2.

Congress shall have power to enforce this article by appropriate legislation

Amendment XIV

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2.

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the [male](http://www.law.cornell.edu/constitution/amendmentxix) inhabitants of such state, [being twenty-one years of age](http://www.law.cornell.edu/constitution/amendmentxxvi), and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Section 3.

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4.

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5.

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Amendment XV

Section 1.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.

Section 2.

The Congress shall have power to enforce this article by appropriate legislation.

**[Acquisition of Territory](#TOC).  
Speech of Mr. D. S. Dickinson,  
of New York,  
In the Senate of the United States,  
January 12, 1848.**

*Senator Donald S. Dickinson’s Speech, justifying the U.S. acquisition of territory, was delivered on January 12, 1848. The speech lays out the rationale for the U.S. acquisition of Texas, California, and other western lands settled by Americans. He contends that such lands were too distant for Mexico to govern them effectively. Dickinson was a leader of the conservative wing of the Democratic Party in New York State. He delivered his speech shortly before peace negotiations ended the Mexican War.*

The following Resolutions, submitted by Mr. DICKINSON on the 14th ultimo, came up:

Resolved, That the policy requires the Government of the United States to strengthen its political and commercial relations upon this continent, by the annexation of such contiguous territory as may conduce to that end, and can be justly obtained; and that neither in such acquisition nor in the territorial organization thereof can any conditions be constitutionally imposed, or institutions be provided for or established, inconsistent with the right of the people thereof to form a free sovereign State, with the powers and privileges of the original members of the Confederacy.

Resolved, That in organizing a territorial government for territories belonging to the United States, the principles of self-government upon which our federative system rests will be best promoted, the true spirit and meaning of the Constitution be observed, and the Confederacy strengthened, by having all questions concerning the domestic policy therein to the Legislatures chosen by the people thereof.

Mr. DICKINSON said:

We are admonished by the exigencies of the times and the prevailing sentiment of the American people, to strengthen our political and commercial relations upon this continent by the annexation of such contiguous territory as can be justly obtained, as well for the positive benefits the acquisition may confer, as to shut out forever, as far as practicable, the pernicious influences, and impertinent hinter — meddlings of European monarchy. And while the circumstances under which this policy may pro­perly be enforced, are too varied and contingent to be enumerated or suggested, the state of our rela­tions, both foreign and domestic, demand that it be fully declared before the world. We have been compelled by misguided Mexico to resort to the *ultima ratio* of nations for an adjustment of griev­ances. With her capital, her pores, her fortifications and principal towns in our possession, she spurns all proposals for accommodation, and we have no al­ternative left, consistent with national spirit or self ­respect, but to retain of time possessions allotted us by the tribunal of her own selection, ample indem­nity for the wrongs she huts heaped upon our Gov­ernment soul people. But should she in some sane monument consent to negotiate, she can furnish in­demnity only in territory, and this Government can accept of no terms but such as give full compensa­tion; so that whether we have peace or war, treaty or no treaty, the question of territorial Requisition cannot be avoided. Had we remained at peace with Mexico, the same policy of acquisition would sooner or later have been presented; and should a treaty of peace be negotiated, and a full indemnity be paid in money, of which there is no prospect, the question of extending our possessions could not lung be postponed. Although clearly demand­ed by national interests and almost universally favored by the American people, this policy has been embarrassed by an element of irritation calculated to arrest, if not defeat it altogether. Some who profess to favor it, do so only upon condition that domestic slavery shall be prohibited by Congress in any acquired territory; others, with marked determination, oppose any increase with such restrictions; and both these classes propose to cooperate with the opponents of acquisition unless their peculiar views respectively are adopted.

Believing that a policy so eminently national should not thus be defeated or put at hazard; that the legislation of Congress can have little influence over the domestic regulation of territory; that its temporary government is a matter of secondary importance compared with the policy of acquisi­tion; and that its domestic regulation maybe safely entrusted to those most deeply interested in the institutions they may establish, I have introduced these resolutions. They were presented that the Senate might form and pronounce its judgment before the country, upon the two great questions embraced therein, which engage so large a share of the public consideration. They do not, as is supposed by sonic, bring here, with its profitless discussions and exciting consequences, the vexed question of slavery, for it was here before them;. but they propose to transfer it hence, and leave under the Constitution all questions concerning the erection or prohibition of this institution in the territories, to the inhabitants thereof; that its intrusion may not hereafter arrest the policy, defeat the measures, or disturb the councils of the nation. They were offered in the hope that all who believe in the great cardinal principle of freedom — the capacity of man for his own government, would harmonize conflicting opinions, and unite upon this common ground of justice and equality.

The people of the original States declared that to form a more perfect union, establish justice, en­sure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity, they established the Constitution; Al­though the Articles of Confederation which gave place to this instrument, provided for the admis­sion of Canada to the Union, and the comprehen­sive terms employed to explain the objects of the Constitution, show that no narrow territorial boundaries were contemplated, it is apparent that few statesmen at that early period foresaw the early growth we were destined to attain. The wisest and ablest of the time timidly negotiated for years, at the close of the last century, for the right of navigating the Mississippi, and proposed to fix upon that river as the western boundary of the United States forever.

And in negotiating for the territory of Louisiana, our Government sought to procure only a portion, and the greatest share was virtually taken upon compulsion. The policy which from one acquisi­tin0 has already given to this Union four sover­eign States, and holds others in reserve, was at the time assailed with a virulence and denunciation, and threats of disunion, which may be profitably consulted rather than copied ‘by those who are alarmed by, or propose to repeat, the cry of territo­rial aggrandizement.

Louisiana, too, was a Spanish province, con­tained a foreign population, strangers to our form of government, and was transferred with its peo­ple from Spain to France, and from France to-the United States, within a few hours; and yet, what State has been more faithful to the Union, or more ably represented?

Territory beyond the Mississippi was then re­garded as almost without the pale of probable civ­ilization, and the expedition of Lewis and Clark to the mouth of the Columbia, where the mail of the United States is now regularly distributed, was hailed as an epoch in the history of North Ameri­can enterprise and daring.

But the tide of emigration and the course of em­pire have since been westward. Cities and towns have sprung tip upon the shores of the Pacific, and the river we essayed to fix as our western, now passes nearest to our eastern boundary. From three, our population has increased to twenty mil­lions — from thirteen, to twenty-nine States, with others in the process of formation and on their way to the Union. Two great European Powers have withdrawn from the continent, yielding us their possessions; and from the northern lakes to the Gulf of Mexico, from the St. Lawrence to the Mississippi, numerous aboriginal nations have been displaced before the resistless tide of our pre­vailing arts, arms, and free principles; said whoever will look back upon the past, and forward upon the future, must see, that, allured by the jus­tice of our institutions, before the close of the present century, this continent wilt teem with a free population of upwards of a hundred million souls. Nor have we yet fulfilled the destiny allotted us. New territory is spread out for us to subdue and fertilize; new races are presented for us to civ­ilize, educate and absorb; new triumphs for us to achieve for the cause of freedom.

North America presents to the eye one great geo­graphical system, every portion of which, under the present facilities for communication, may be made more accessible to every other than were the original States to each other at the time they form­ed the Confederacy; it is soon to become the com­mercial centre of the world. And the period is by no means remote, when man, regarding his own wants and impulses, and yielding to the in­fluences of laws more potent than those which prescribe artificial boundaries, will ordain that it shall be united in political as well as natural bonds, and form but one political system, and that a free, confederated, self-governed republic, represented in a common hall in the great valley of the west — exhibiting to an admiring world the mighty results which have been achieved for freedom in the west­ern hemisphere. Then will a more perfect Union be formed, and justice be established upon ensur­ing foundations — the domestic tranquillity ensured, the common defence be provided for, the general welfare promoted, and the blessings of liberty se­cured to posterity.

Our form of government is admirably adapted to extended empire. Founded in the virtue and intelligence of the people, and deriving its just powers from the consent of the governed, its in­fluences are as powerful for good at the remotest limits as at the political centre.

We are unlike all communities which have gone before us, and illustrations drawn from comparing us with them, are unjust and erroneous. The so­cial order which characterizes our system is as unlike the military republics of other times, as is the religion of the Saviour of men to the imposi­tions of Mahomet. Our system wins by its jus­tice, while theirs sought to terrify by its power. Our territorial boundary may span the continent, our population be quadrupled, and the number of our States be doubled, without inconvenience or danger. Every member of the Confederacy would still sustain itself, and contribute its influences for the general good; every pillar would stand erect, and impart strength and beauty to the edifice. In matters of national legislation, a numerous popu­lation, extended territory, and diversified interests, would tend to reform abuses which would other­wise remain unredressed, to preserve the rights of the States, and to bring hack the course of legis­lation from the centralism to which it is hasten­ing. One-half the legislation now brought before Congress would be left undone, as it should be; a large portion of the residue would be presented to the consideration of State Legislatures; and Con­gress. would tie enabled to dispose of all matters within the scope of its legitimate functions with­out inconvenience or delay.

The present political relations of this continent cannot long continue, and it becomes this nation to be prepared for the change which awaits it. If the subjects of the British Crown shall consent to be ruled through all time by a distant cabinet, Mexico cannot long exist under the misrule of marauders and their pronunciamentos; and this was as clearly apparent before as since the exist­ence of the war. If, then, just acquisition is the true policy of this Government, as it clearly is, it should be pursued by a steady and unyielding pur­pose, and characterized by the sternest principles of national justice, it should not rashly anticipate the great results which are in progress, nor thrust aside the fruits when they are produced and presented. The national existence of Mexico is in her own keeping, but is more endangered at this time by her own imbecility and stubbornness — her national -ignorance and brutality than from the war we are prosecuting and all its consequences. She has been hastening to ruin for years upon the flood-tide of profligacy and corruption; and if she is now rescued, and her downfall arrested and postponed for a season, it may justly bit attributed to the salutary influences of the chastisement she has received. But a majority of her people belong to the fated aboriginal races, who can neither up­hold government or be restrained by it**;** who flour­ish only amid the haunts of savage indolence, and perish under, if they do not recede before, the influences of civilization. Like their doomed breth­ren, who were once spread over the several States of the Union, they are destined, by laws above human agency, to give way to a stronger race from this continent or another. What has been the national progress of Mexico? When our pop­ulation was three millions, hers was five; and when ours is twenty, hers is eight; and while we have attained the highest rank among the nations of the earth, she has fallen so low that there is little left to wound her feelings or degrade her character. She has existed as an independent government, if her fretful and confused being may be thus digni­fied, almost a quarter of a century, and has changed her government by military revolution, during that period, as many times as she has existed years. She has an extended and somewhat populous territory, without an authorized government or the means of instituting one, or the virtue or intel­ligence to uphold it. The rights of her people are ill defined and worse protected. She has now neither army or navy, or means of national defence — no treasury or system of revenue. She has na­tional antipathies and resentments, but neither national spirit nor national virtue; and has thus far dragged out her wretched existence, like the eagle of mythology chained to the Pock, gnawing at her own vitals. Her valuable mines, rich agri­cultural regions, and Pacific harbors, present a tempting occasion for European rapacity to revive upon this continent their execrable proposal to regulate the balance of power, in furtherance of which, England has already commenced seizing upon South American possessions.

And should our army now be withdrawn, leav­ing her deluded people the prey of the ferocious spirits who have hastened her downfall, we may expect to see some supernumerary of the House of Bourbon placed at their head to play automa­ton to the British Cabinet. The policy of extend­ing our jurisdiction over any portion of Mexican territory, is a question between Europe and Amer­ica — between monarchy and freedom — and not between the United States and the Republic of Mexico; and we should not hesitate to extend our protection to such provinces as are held by us in undisturbed possession now, and patiently await the development of the future. Should the pro­gress of events, without injustice on our part, open to the enterprise of our citizens the rich mining and agricultural districts of that country, and in­fuse among this semi-barbarous people the bless­ings of civilization; should the valuable trade which has been monopolized by England be en­joyed by the States, and our mint coin the money of the; and should a passage across the Isthmus he obtained, placing the mouth of the Co­lumbia within two weeks sail of New Orleans, and valuable Pacific harbors be permanently secured, so indispensable to the protection of our vast trade in that sea, and our settlements upon that coast, there would he no occasion for lamentation or alarm. The day is not far distant when all this and much more will be realized, through a process as fixed and unyielding as the laws of gravitation. And whenever the period which determines whether entire Mexico shall coma within the jurisdiction of the United States, or become a colonial depend-ant upon European power, the duty of this Govern­ment will admit of neither doubt or hesitation. But we have the question of territorial extension directly presented for our consideration. The Pres­ident, in his annual message, recommends that the provinces of New Mexico and California, now quietly held by us, be permanently retained as in­demnity, and subjected to the civil jurisdiction of the United States. Upon this just recommenda­tion of the Executive we shall soon be called to act; and while the great mass of the American people will approve the suggestion, some will crave our sympathies while they mourn over what they are pleased to term the “dismemberment of Mex­ico.” Let those who may, indulge this misplaced and sickly sentiment. Such of the Mexican people as may have the good fortune to fall within our jurisdiction, should it be the entire, will be objects of envy rather than of commisseration, and may regard it as a special interposition of Providential favor. They will find a repose which they have never experienced, and a protection for life, liberty, and property, to which. they are strangers. They would exchange a lawless and irresponsible despotism for a government of opin­ion; wild and debasing habits for rational civiliza­tion; the precarious subsistence of savage life for the wholesome rewards of productive industry; the devastations of war for the arts of peace. Our Government would rear in their midst the genial influences of equality, and secure to the hand of industry the bread of its earning. It would elevate their condition in the scale of moral and social being, and infuse amongst them the vigilant and manly spirit which actuates our people. It would leave them with all just relations to each other, enjoying the religion they venerate, and the altars where they are wont to worship. To them, the consequences of a “dismemberment” would be such as were experienced by the inhabitants of Louisiana and Florida, when France and Spain were respectively ” dismembered” of these fertile territories. Russia “dismembered’’ Poland, that the order of despotism might reign at Warsaw. But America “dismembered” monarchy, that the blessings of civil liberty might he extended upon the continent. While the object of the Government is not “dismemberment,” our troops cannot be withdrawn without fatal consequences, and deep and lasting dishonor; and if Mexico per­sists in her course of blind injustice, the results are easily anticipated. The war with Mexico is not a war of conquest. Conquests were not its ob­jects; and yet, they may be amongst its fortunate incidents. A nation engaged in war may, by the law of nations, rightfully conquer all the territory it can subdue, and hold it as its own. So much are conquests deemed the property of the con­queror, that when a treaty of peace is made, the territory conquered is deemed the property of the conqueror, unless the treaty stipulates for the sur­render; nor does this conquest extinguish a debt due the conqueror before the commencement of the war. The conquests we have gained in Mexico are ours, without yielding to her any equivalent. We have won the sovereignty over them honestly, fairly, and legally, by the law of nations; and in treating with her, she is entitled to just what we may think proper to give her for relinquishing her right to re-conquer them, and it is worth just what good judgment may dictate. And whenever she proposes to treat upon this principle, we are mor­ally bound to treat with her. We cannot virtuously continue the war for the mere purpose os making further conquests; but we can virtuously continue i4to the subjection of the whole of Mex­ico, if she will not make peace with us upon just and honorable terms, or, if we choose, upon such terms as shall have due reference to the territory we have acquired by conquest. The question of boundary was a fair subject of negotiation. We proposed negotiation, which she refused. She proffered war, which we accepted, and she has no right to complain of the result of the issue she herself tendered us, and we have a right to enjoy what the chances of war have thrown into our hands. The disparity of force has been in favor of Mexico. What we have brought into the field has had no influence in producing results. The strength was immeasurably on her side, when, upon her own soil, her population, or even her forces in the field, are compared with our invading army. Under like circumstances, when we were only three millions strong, we contended success­fully against the power of Great Britain; and Spain contended in like manner against the forces of Na­poleon.

Neither national justice nor national morality requires us tamely to surrender our Mexican con­quests; nor should such be the policy of the Gov­ernment, if it would advance the cause of national freedom, or secure its enjoyment to the people of Mexico. But, whatever may be the policy touch­ing Mexican conquests, we cannot, if we would, restore New Mexico and California to that Gov­ernment, for the reason that they will not be re­stored. The laws which control the policy of ter­ritorial acquisition are beyond the control of legis­lation. Fountains-of tears may be shed over the dismemberment of Mexico; supplies to our gal­lant army may be refused, and it may be called back from its field of glory or compelled to retreat therefrom to a “defensive line,” or be disbanded and dismissed; and the people holding these provinces will not consent to go where there is only anarchy, violence, and oppression. Give back these provinces! As well return to Great Britain what was once her colonial possessions; give back Louisiana to France, Florida to Spain, Texas to Mexico.

Neither the solemnities of legislative enactments nor the sanctions of the treaty-making power can compel them to return; and if it is attempted by strength of arms, it will require a greater force than has yet been engaged in the Mexican war. These provinces are ours by every principle of justice and of international law. They have been purchased upon the battle-fields of Mexico by a bravery which finds no parallel in the history of mankind. The consideration has been too dearly p aid, and our title-deeds are written in the best blood of our sons. Let, then, the laws of human­ity and peace be extended over them, and they dedicated forever to the cause of freedom.

The principle declared by the last clause of the first resolution, that no conditions can be constitu­tionally imposed upon any territorial acquisition, in­consistent with the right of the people thereof to form a free, sovereign State, with the powers and privi­leges of the original members of the Confederacy, I deem too obvious for serious argument. What­ever laws Congress may constitutionally enact for the regulation of the territories of the United States, are subject to he altered or repealed at pleasure. This ancient Medes and Persians declared their edicts unalterable; but no such power is vested in the American Congress; and those who propose to have it enact “unalterable and fundamental” laws, employ terms which, if they have duly consider­ed, they do not comprehend. Every State admit­ted to the Union, from the moment of its admis­sion, enjoys all the rights of sovereignty common to every other member of the Confederacy. The constitution carries along with it its own defini­tions of sovereignty, and if any State is prohib­ited from all the rights of every other, then it is not, in the sense contemplated, a sovereign State. If it is admitted with a constitution au­thorizing domestic slavery, it may change its con­stitution so as to prohibit it at its pleasure. If its constitution at the time of its admission pro­hibits slavery, it may change so as to authorize it, and this, too, regardless of any legislation upon the subject by Congress or otherwise, before its ad­mission to the Union. In other words, every State, after its admission, may, in virtue of its own sov­ereign power, establish or abolish this institution, whatever may have been the conditions imposed, or attempted to be imposed, upon it during its ter­ritorial existence.

The second resolution declares that the principle of self-government upon which the federative sys­tem rests will be best promoted, the true spirit and meaning of the Constitution be observed, and the Confederacy strengthened, by leaving all questions concerning the domestic regulation of territory to the legislatures chosen by the people thereof.

It must be conceded by all, that Congress has no inherent power over this subject, and no mare right to legislate concerning it than the British Parliament, unless such authority is delegated by the Constitution. The only clause of the Constitution which is supposed to confer upon Congress the right to legislate for the people of territory, is as follows:

“The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States,” &c.

In providing legislation for the District of Columbia, and for places occupied by the Government of the United States for fortifications and other erections required by the public service, the Constitution thus confers the power upon Congress:

“To exercise exclusive legislation in all cases whatever, in such district (not exceeding ten miles square) as may by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise the authority over all places purchased by the consent of the Legislature of the United States in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings”

By the clause of the Constitution first above cited, it is evident that territory is mentioned in its material, and not in its political sense, for it is classed with “other property,” and Congress is authorized to dispose of and make all needful rules and regulations respecting built. In the oilier sec­tion they are separated, and Congress is authorized to legislate over all places occupied for public structures, but un such authority is extended to territory. The language of the Constitution is that of great precision — free from repetition — and every word was well weighed in its positive and relative sense. And if its framers had supposed the phrase “needful rules and regulations” authorized legis­lation over places belonging to the United States, and used for public service, they would scarcely have authorized legislation over such places in express language in another section. Again, in providing legislation for the District of Columbia, Congress is authorized to “exercise exclusive legis­lation” over it. Now, if the words ” needful rules and regulations” were deemed proper and apt language to confer legislative authority over the internal affairs of a territory, why were they tint employed to authorize legislation over the Dis­trict? And to reverse the order of the inquiry, if it was intended to confer upon Congress the power to legislate over territory, why was it not given in the same express terms as in authorizing legisla­tion for the District? From this view, there is little doubt that a strict construction would deny to Con­gress the right to legislate for the domestic affairs of the people of territory without their consent.

Congress has, however, upon various occasions, exercised legislative power over the subject, espe­cially in incorporating into the law organizing ter­ritories the provisions of the ordinance of 1787; and this has been acquiesced in by the people of the territory. This ordinance was framed under the old Confederacy, for the government of the Northwestern Territory, and the sixth article for­bade slavery or involuntary servitude therein. Its validity has often been questioned, and its adoption was pronounced by Mr. Madison to be “without the least color of constitutional law.” But whether authorized or not, having been passed before the adoption of the Constitution, the act has no au­thority as a precedent for like practice under it. In erecting territorial governments since the adop­tion of the Constitution, the action of Congress has not been uniform. In organizing the Northwest­ern Territories, the provisions of the ordinance relating to slavery have been extended to some, and withheld from others standing in the same geographical relation to the States, and such forms of organization as have been proposed by Con­gress have met with general acquiescence. But this has neither given the right to Congress nor taken it from the people of the territory. The Missouri compromise cannot be regarded as an ordinary act of legislation, upon the majority prin­ciple. It was rather in the nature of a compact, not adopted as such to be sure, but assented to or acquiesced in by all the States through their rep­resentatives in Congress or otherwise. Whether it has force in the Territories or not, depends upon the construction of the Constitution already dis­cussed; but it has no binding force upon a State beyond that of moral obligation. In the annexa­tion of Texas, the Missouri compromise line was extended by a majority vote; but it was disregard­ed by that State in her domestic organization, nor has any department of the General Government or any other power, save her own people, any con­trol over it. This furnishes a practical illustration of the value of “unalterable” provisions by Con­gress in the organization of territory. It is not denied that if the people of the territory acquiesce tint, or adopt the form of domestic government pro­posed for them by Congress, it becomes their own, having all the force of law until they “alter ­abolish it’’ But this gives to Congress no consti­tutional right to enforce its legislation upon the people of inline Territories against their will, and touch less does it prohibit the people of inline State in embryo, from exercising their own inherent right of sovereignty in their domestic affairs.

The resolution declares that the domestic policy of this people of a Territory should be left with them; and if that power resides iii Congress, as is contended, it should be delegated to the people of the Territory, and lie exercised by them.

From the Declaration of Independence to the adoption of the Constitution, every act of those who erected our system of government indicates a prevailing confidence in the capacity and integrity of the people, and a lively distrust of delegated power-i and if we permit ourselves to depart from the letter of the Constitution in search of its true spirit and meaning, we should keep steadily in view this great popular and controlling feature. But it is not my purpose to discuss further the ab­stract right of Congress to legislate upon this subject.

Whatever power may or may not rest in Congress under the Constitution, that instrument could not take from the people of territories the right to prescribe their own domestic policy; nor has it at­tempted any such office. The principles declared by this resolution are older and stronger than writ­ten laws and paper constitutions — principles which lie at the foundation of free institutions, and from which laws and constitutions emanate — inculcating the doctrine that the inherent, original power of self-government was derived by man from the Sovereign of the universe; and that government is the creature of man, and not man the creature of gov­ernment.

The republican theory teaches that sovereignty resides with the pen pie of a State, and not with its political organization; and the Declaration of Independence recognizes the right of the people to alter or abolish and re-construct their government. If sovereignty resides with the people and not with the organization, it rests as well with the people of a Territory, in all that concerns their, internal condition, as with the people of an organized State. And if it is the right of the peop1e, by vir­tue of their innate sovereignty, to ” alter or abol­ish,” and re-construct their government, it is the right of the inhabitants of Territories, by virtue of the same inborn attribute, in all that appertains to their domestic concerns, to fashion one suited to their condition. And if, in this respect, a form of government is proposed to them by the Federal Government, and adopted or acquiesced in by them, they may afterwards alter or abolish it at pleasure. Although the government of a Territory has not the same, sovereign power as the govern­ment of a State in its political relations, the people of a Territory have, in all that appertains to their internal condition, the same sovereign rights as the people of a State. While Congress may exercise its legislation over territory so far as is necessary to protect the interests of the United States, the legislation for the people should be exercised by them under the Constitution.

The mental and physical organization of man teaches that he is better fitted for self-government than for the government of his neighbor; and if he is incapable of discharging this duty to himself, he should not be intrusted with the destiny of others.

That system of government — whether tempora­ry or permanent, whether applied to States, prov­inces, or territories — is radically wrong, and has within itself all the elements of monarchical op­pression, which permits the representatives of one community to legislate for the domestic regulation of another to which they are not responsible; which practically allows New York and Massa­chusetts, and other Atlantic States, to give local laws to the people of Oregon, Minnesota, and Ne­braska, to whom end whose interests, wishes, and condition, they are strangers.

Nor is this objection raised here for the first time. Prominent in the catalogue of grievances alleged by our fathers against this British king and his ministers, was one “for suspending our own legislatures, and declaring themselves invested with power to legislate for us.”

Whenever or wherever a community of indi­viduals have been subjected to the dominion of some external authority, it has been upon the plea of necessity — the same plea by which tyrants and usurpers have justified their enormities from the foundation of the world; and this was the plea of the British King.

The genius of the federative system is self-gov­ernment. It is the foundation upon which the ark of our political safety rests. Our fathers proclaimed, that to secure the inalienable rights vouchsafed to man, governments were instituted, deriving their just power from the consent of the governed; that whenever any form of government becomes de­structive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

All experience has indicated man’s capacity for the exercise of this exalted attribute, and wherever civilized and intelligent men have been cast together without the benefit of conventional forms of gov­ernment, they have proceeded to enact them. They who planted the germ of a powerful empire upon the Pilgrim’s rock before handing from the Mayflower, drew up and signed the following model charter of liberty:

“Having undertaken for the glory of God, sad the advance­ment of the Christian faith, and the honor and being of our country, a voyage to plant tine first colony in the northern part of Virginia, we do by these presents, solemnly and mutually, to the presence of God, and of one another, covenant and combine ourselves together into a civil body politic, for our better ordering, and preservation, and furtherance of the ends aforesaid. And by virtue hereof, do enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and officers from time to time as shall be thought most meet and convenient for the general good of the colony; unto which we promise all due submission and obedience.”

And the inhabitants of Oregon, three thousand miles distant, in the absence of that guardian care which Congress has been wont to extend to other territories nearer the political centre, established and have in successful operation a provisional gov­ernment, in which, of their own volition, without the assistance of “ordinances,” “provisos,” or “unalterable fundamental articles,” they prohibit­ed domestic slavery throughout the territory.

The great experiment of self-government has been fairly tried, and has either succeeded or fail­ed. If it has taught that, after all, man, by reason of inherent defects of character, is incapable of its successful exercise except in populous communi­ties matured by age, and that he must remain so pupilage until that season has arrived, we should boast no more that the mysterious problem of hu­man government has been solved, but read the Declaration of Independence backwards, and cause the clause which proclaims that gratifying truth, to be expunged, or amended by a “proviso.” We should acknowledge the theory of free government to he a fable; that the darkness of the human in­tellect has been found to predominate, amid that the gloomy sophisms of the timid, and the malignant speculations of the envious, have prevailed.

I have already shown that the whole structure of our system favored the idea of domestic gov­ernment by the people of territories; that it was their right, and the question is fully presented, whether, in view of their capacity for its judicious exercise, it is expedient to leave their internal pol­icy under the Constitution with themselves. Any system which denies this in theory or in practice, or which seeks to withhold it from the primary settlements until they shall become populous and mature States, is founded in the same spirit ~f pop­ular distrust, by which the few have, front the earliest history of man, under the plea of necessity, been endeavoring to restrict the many in the exercise of freedom. It inculcates a system of slavery tenfold more abject than that it professes to dis­countenance. It is the same spirit which has murm­ured its distrust at the extension of our territorial boundaries, and trembled for the perpetuity of the Union on the admission of a new Slate; which looks upon free suffrage with consternation, and with holy horror upon the naturalization of for­eigners: which would itself enslave one race, lest they should tolerate a system which holds in bond­age another. It is the offspring of bigotry and in­tolerance, and should have fulfilled its mission during the middle ages. All experience has shown, that tens of thousands in the sparse settlements are as competent to judge of their own condition, and are as much devoted to the support of law and order, as are the hundreds of thousands in popu­lation towns and cities; and that all questions concerning their domestic policy may be safely confided to them. When our country has been disgraced by violence and disorder, amid disregard of law, it has been confined to the populous towns sad cities, and has tint extended to the border set­tlements. Should the domestic legislation of ter­ritories be left with their local legislatures, it would transfer from the halls of Congress the bootless sectional struggles which have created bitterness at home, and served to degrade our institutions in the eyes of the world. It would leave local communities, territories as well as States, to consult their own interests, wishes, amid sense of propriety, and to erector prohibit, continue or abolish, such institutions as may not he repugnant to the prin­ciples of the Constitution. It would leave the Federal Government free to pursue its onward course, unembarrassed by matters of sectional moment, over which its control is questionable, and must be partial and temporary. It would relieve the benevolent statesman from the strife and irrita­tion which now beset him, and allow his energies to be devoted to the best interests of time nation, and the amelioration of the condition of man. It would harmonize with the genial spirit of the Con­stitution, and uphold its symmetrical frame wont. It would practically acknowledge mail’s capacity for self-government, and vindicate the integrity of his race. The same spirit by which freedom is nourished would be nourished by it, and society he bound together by ties of amity and interest.

Then would our territorial soil he free — not by restrictions, provisions, and the threatening man­dates of Federal legislation, but free and sacred to the cause of freedom; fice for its people to lay the foundations of its government on such principles, and organize its powers in such form as to them shall seem most likely to effect their safety and happiness, freedom of opinion, of the press, of religion, of education, of commercial intercourse. Having vindicated for the people of Territories the same rights of self-government enjoyed by every other political community, I forbear to speculate whether they will be less discreet in its exercise than would those who desire to subject them to tile influences of an external government.

Let those who fear to entrust a free people with their own domestic concerns lest they should prove too weak or wicked to conduct them judiciously, resort to the mistaken and mischievous policy of restrictive legislation — a system founded in blind and selfish conceits, and as impotent in effect as it is narrow in design. Such territory as we acquire will he free, and thus I would leave its people and its domestic government; free as are the people of New York or of Virginia to lay the foundation of their government on such principles, and organize its powers in such form as to them shall seem most likely to effect their safety and happiness. If they shall fail to do this, the experiment of self-govern­ment will fail with them.

It is nought to me how various, crude or incon­sistent are the speculations upon the principles which these resolutions contain, and what would be their effect if established. They stand upon the immutable basis of self-government, and will ultimately be vindicated and sustained by the American people in every section of the Union. But they will be opposed upon grounds as various as the motives by which the opposition is induced. This is already evidenced by sections of the public press which I notice, not as newspaper paragraphs merely, but for the interest they represent. Al­ready the Charleston Mercury, of South Carol ins — a paper of conceded ability and extensive local in­fluence — declares that their effect would be to pro­hibit forever slavery in the acquired territory, and therefore, as a guardian of the slave interest, calls for their rejection: amid papers in other sections which employ the slave question as a political stalking-horse to minister to the appetites of the morbid, and alarm the fears of the timid, discover in them not only the effect, but the design to propagate and extend slavery. But I leave the theories to be adjusted by those who are thus enabled to pen­etrate the future, and draw opposite results from the same premises; I leave the practical tests with those who shall be charged with the high responsi­bilities of their own government — under our glo­rious free system, tinder the Constitution it has framed, and the Providence which has watched over it.

It would doubtless be well for these antagonisms who fear that all newly-acquired territory may be pre-occupied and monopolized, either by free labor on the one hand, or by slave labor on the other, as the case may be, unless their favorite ideas are in­dulged, to remember that there are other dangers, either real or imaginary, to which it may be ex­posed if left to the free government of its own peo­ple. Our institutions invite the children of every chime to sit down under the wide-spreading branch is of the tree of liberty, and we have no prohibit­ory, or even protective impost duties upon social manners and customs, political opinions or reli­gious rites. It may be that the rugged Russian, allured by the gentle breezes of Mexico, may fall down from his hyperborean regions with his serf­dom and his military rule, or the Turk choose to regale himself there with Ii is pipes and mocha, his Georgian Houries — sensual delights and Moham­medan divinity: or, what is equally probable, as our Pacific possessions place us in direct com­munication with Asia, that the plains of Mexico may be desecrated by the trundling of the cur of Juggernaut, or the subjects of the celestial Em­peror — the brother of the sun and moon — may hurry thither and ruin all agricultural interests by converting it into an extensive field of hyson.

But let those who entertain them dismiss all selfish and idle fears, regard others as wise, and as virtuous, and as capable of their own government as themselves, and all will he well. The spirit of freedom will enlarge liner own boundaries and peo­ple — the area, in obedience to laws stronger than the laws of Congress. The rich heritage we en­joy was won by the common blood and treasure of the North and South, the East and the West and was defended and vindicated by the same, in the second war of independence; and in the pres­ent war within a reckless and semi-barbarous foe, thin brave sons of every section of the Union have fought and fallen side by side; the parched sands of Mexico have drunk together the meat blood of New York and South Carolina. These recollections should renew amid strengthen the ties which unite the members of the Confederacy, and cause them to spurn all attempts at provoking sectional jealousies and irritations, calculated to disturb the harmony and shake the stability of the Union. In the language of Mr. Jefferson, they who indulge “this treason against human hope will signalize their epoch in future history as the counterpart of the model of their predecessors.”

From: Speech of Daniel Dickinson (New York), January 12, 1848, 30th Congress, 1st Session, Congressional Globe 16, 1848.

**[The Northwest Ordinance](#TOC)  
July 13, 1787**

*The Northwest Ordinance of 1787 set the regulations for the settlement of the Great Lakes Region. Note how much control the federal government had in fostering and overseeing the westward expansion of the U.S.*

An Ordinance for the government of the Territory of the United States North-West of the River Ohio.

          Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

          Be it ordained by the authority aforesaid, That the estates, both of resident and nonresident proprietors in the said territory, dying intestate, shall descent to, and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall in no case be a distinction between kindred of the whole and half blood; saving, in all cases, to the widow of the intestate her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed and delivered by the person being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery; saving, however to the French and Canadian inhabitants, and other settlers of the Kaskaskies, St. Vincents and the neighboring villages who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance, of property.

          Be it ordained by the authority aforesaid, That there shall be appointed from time to time by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein in 1,000 acres of land, while in the exercise of his office.

          There shall be appointed from time to time by Congress, a secretary, whose commission shall continue in force for four years unless sooner revoked; he shall reside in the district, and have a freehold estate therein in 500 acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings, every six months, to the Secretary of Congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in 500 acres of land while in the exercise of their offices; and their commissions shall continue in force during good behavior.

          The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time: which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards the Legislature shall have authority to alter them as they shall think fit.

          The governor, for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

          Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers in each county or township, as he shall find necessary for the preservation of the peace and good order in the same: After the general assembly shall be organized, the powers and duties of the magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers not herein otherwise directed, shall during the continuance of this temporary government, be appointed by the governor.

          For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

          So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect a representative from their counties or townships to represent them in the general assembly: Provided, That, for every five hundred free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty five; after which, the number and proportion of representatives shall be regulated by the legislature: Provided, That no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same; Provided, also, That a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years residence in the district, shall be necessary to qualify a man as an elector of a representative.

          The representatives thus elected, shall serve for the term of two years; and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

          The general assembly or legislature shall consist of the governor, legislative council, and a house of representatives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the Council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the Governor shall appoint a time and place for them to meet together; and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and, whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when, in his opinion, it shall be expedient.

          The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office; the governor before the president of congress, and all other officers before the Governor. As soon as a legislature shall be formed in the district, the council and house assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating but not voting during this temporary government.

          And, for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory: to provide also for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

          It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original States and the people and States in the said territory and forever remain unalterable, unless by common consent, to wit:

**Art. 1.**

No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

**Art. 2.**

The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature; and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, bona fide, and without fraud, previously formed.

**Art. 3.**

Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

**Art. 4.**

The said territory, and the States which may be formed therein, shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and, in no case, shall nonresident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

**Art. 5.**

There shall be formed in the said territory, not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due North, to the territorial line between the United States and Canada; and, by the said territorial line, to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line, drawn due north from the mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And, whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: Provided, the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

**Art. 6.**

There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

          Be it ordained by the authority aforesaid, That the resolutions of the 23rd of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void.

[Frederick Jackson Turner](#TOC)- *The Significance of the Frontier in American History 1893.*

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