

Article of the Treaty of the 9th of August, with respect to the disputed Right of Visit of American vessels.

Annexed to the President's Message are the following documents :—first, a Report from Mr. Webster, reciting the substance of a part of your Lordship's despatch to me of the 18th of January of this year, which, according to your Lordship's directions, I had read to Mr. Webster: secondly, extracts of correspondence between Mr. Everett and Mr. Webster; and thirdly, a copy of your Lordship's official note to Mr. Everett, of the 20th of December, 1841, together with his brief acknowledgment of the receipt of the same. Your Lordship's note to Mr. Everett, though long since published in the newspapers of this country, had not before been officially communicated to Congress.

I have the honour herewith to inclose a printed copy of the above Message, with the documents annexed.

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Inclosure in No. 6.

No. 1.—*Message from the President of the United States, transmitting a report from the Secretary of State in answer to the resolution of the House of the 22nd of February, 1843.*

[February 28, 1843. Read, and laid upon the table.]

*To the House of Representatives :*

IN compliance with the resolution of the House of Representatives of the 22d instant, requesting me to communicate to the House "whatever correspondence or communication may have been received from the British Government respecting the President's construction of the late British Treaty concluded at Washington, as it concerns an alleged right to visit American vessels," I herewith transmit a report made to me by the Secretary of State.

I have also thought proper to communicate copies of Lord Aberdeen's letter of the 20th December, 1841, to Mr. Everett; Mr. Everett's letter of the 23d December in reply thereto; and extracts from several letters of Mr. Everett to the Secretary of State.

I cannot forego the expression of my regret at the apparent purport of a part of Lord Aberdeen's despatch to Mr. Fox. I had cherished the hope that all possibility of misunderstanding as to the true construction of the 8th article of the Treaty lately concluded between Great Britain and the United States was precluded by the plain and well-weighed language in which it is expressed. The desire of both Governments is to put an end as speedily as possible to the slave trade; and that desire, I need scarcely add, is as strongly and as sincerely felt by the United States as it can be by Great Britain. Yet it must not be forgotten that the trade, though now universally reprobated, was, up to a late period, prosecuted by all who chose to engage in it; and there were unfortunately but very few Christian powers whose subjects were not permitted, and even encouraged to share in the profits of what was regarded as a perfectly legitimate commerce. It originated at a period long before the United States had become independent, and was carried on within our borders, in opposition to the most earnest remonstrances and expostulations of some of the colonies in which it was most actively prosecuted. Those engaged in it were as little liable to inquiry or interruption as any others. Its character, thus fixed by common consent and general practice, could only be changed by the positive assent of each and every nation, expressed either in the form of municipal law or conventional arrangement. The United States led the way in efforts to suppress it. They claimed no right to dictate to others, but they resolved, without waiting for the co-operation of other powers, to prohibit it to their own citizens, and to visit its perpetration by them with condign punishment. I may safely affirm that it never occurred to this Government that any new maritime right accrued to it from the position it had thus assumed in regard to the Slave Trade. If, before our laws for its suppression, the flag of every nation might traverse the ocean unquestioned by our cruisers, this freedom was not, in our opinion, in the least abridged by our municipal legislation.

Any other doctrine, it is plain, would subject to an arbitrary and ever-varying