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**INDEPENDENCE OF HAYTI AND LIBERIA.**

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**SPEECH**

**OF**

**HON. CHARLES SUMNER,**  
**OF MASSACHUSETTS,**

**ON**

**THE BILL TO AUTHORIZE THE APPOINTMENT OF DIPLOMATIC REPRESENTATIVES TO THE REPUBLICS OF HAYTI AND LIBERIA,**

**WITH THE DEBATE THEREON;**

**IN THE SENATE OF THE UNITED STATES, APRIL 23 AND 24, 1862.**

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**WASHINGTON:**  
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**1862.**

*Leed: Q*



## SPEECH.

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The Senate, as in Committee of the Whole, proceeded to consider the bill (S. No. 184) to authorize the President of the United States to appoint diplomatic representatives to the republics of Hayti and Liberia, respectively.

The bill proposes to authorize the President of the United States, by and with the advice and consent of the Senate, to appoint diplomatic representatives of the United States to the republics of Hayti and Liberia, respectively. Each of the representatives so appointed is to be accredited as commissioner and consul general, and is to receive, out of any money in the Treasury not otherwise appropriated, the compensation of commissioners provided for by the act of Congress approved August 18, 1856; but the compensation of the representative at Liberia is not to exceed \$4,000.

Mr. SUMNER. Mr. President, before proceeding with the statement which I am about to make, I desire to move one or two small amendments in the bill. In the eighth and ninth lines, I move to strike out the words "out of any money in the Treasury not otherwise appropriated." If these words do not amount to an appropriation, they are superfluous; if they do amount to an appropriation, I have no desire to have them in the bill; therefore, I move to strike them out.

The motion was agreed to.

Mr. SUMNER. In line ten, instead of the words "provided for by," I move to substitute the words "according to." It is merely a verbal amendment.

The PRESIDENT *pro tempore*. That alteration will be made according to the suggestion of the Senator from Massachusetts, it being a mere verbal amendment.

Mr. SUMNER. In line twelve, after the word "the," and before "compensation," I move to insert the word "annual;" so that the sentence shall read, "that the annual compensation of the representative at Liberia shall not exceed \$4,000."

The amendment was agreed to.

Mr. SUMNER. Mr. President, the independence of Hayti and Liberia has never yet been acknowledged by our Government. It would at any time be within the province of the President to do this, either by receiving a diplomatic representative from these republics, or by sending one to them. The action of Congress is not necessary, except so far as an appropriation may be needed to sustain a mission. But the President has seen fit, in his annual message, to invite such action. By this bill Congress will associate itself with him in the acknowledgment, which, viewed only as an act of justice, comity, and good neighborhood, must commend itself to all candid minds.

But, in proposing to appoint diplomatic representatives, we necessarily contemplate the negotiation of treaties and the establishment of friendly relations with these two republics under the sanctions of international law and according to the usage of nations. If it be important that such treaties should be negotiated, and such relations be established, then the present bill is entitled to your support. Thus far our Government, habitually hospitable to all newly-formed republics, has turned aside from Hayti and Liberia, although the former has been an independent Power for nearly sixty years, and the latter for nearly fifteen. Of course, our national character has suffered from this conduct, while our important commercial relations with these countries have continued without the customary support of treaties or the active protection afforded by the presence of an honored representative of our Government. It is time to put an end to this anomalous state of things.

\* It was my purpose, originally, to consider this question at length in some of its general aspects; to trace the character and history of the two republics; to exhibit the struggles in our own country for the acknowledgment of their independence, and to vindicate this act in all its manifest relations to civilization. But such a discussion is, I trust, unnecessary, and I shall content myself with a few

considerations of a practical character—especially in reply to the suggestion that diplomatic representatives are not needed in our concerns with these two republics.

Hayti is one of the most beautiful and important islands in the world, possessing remarkable advantages in size, situation, climate, soil, productions, and mineral wealth. It is about three hundred and thirty-eight miles in length from east to west, and in breadth, from north to south, varies from one hundred and forty-five miles to seventeen. Its circumference, without including bays, measures eight hundred and forty-eight miles. Its surface, exclusive of adjacent islands, is estimated at thirty thousand five hundred and twenty-eight square miles, being about the area of Ireland. In size it is so considerable as to attract attention among the islands of the world. In situation it is commanding, being at the entrance to the Gulf of Mexico, and within easy reach of all the islands there. In climate, it is salubrious, with its natural heats tempered by sea breezes. In soil, it is rich with tropical luxuriance; various with mountains and plains; watered by numerous rivers, and dotted with lakes. In productions, it is abundant beyond even the ordinary measure of such favored regions. The mountains yield mahogany, satin-wood, and lignumvitæ, while the plains yield all the bountiful returns of the tropics, including bananas, oranges, pine-apples, coffee, cocoa, sugar, indigo, and cotton. Among the minerals are gold, silver, platinum, mercury, copper, iron, sulphur, and several kinds of precious stones. Such, in brief, is the physical character of this wonderful island, which, like Ireland, is a "gem of the sea."

Originally discovered by Christopher Columbus, who named it Hispaniola, or Little Spain, this island was for a long time among the most valued possessions of Spain, from which Power it passed to France. Throwing off the Government of the latter country, it has for nearly sixty years maintained its independence before the world, and performed honorably all its duties in the family of nations. The republic of Hayti once embraced the whole of the island. At present it occupies a portion only, with a population of six hundred thousand souls.

The republic of Liberia extends along the western coast of Africa for a space of five hundred miles, beginning at the British colony of Sierra Leone, with an average breadth of fifty miles, between latitude  $40^{\circ} 20'$  and  $70^{\circ} 30'$  north, embracing an area of thirty thousand square miles, being almost precisely the area of Hayti; so that these two regions—one an island, and the other a strip of African sea-coast—are of the same size. I say nothing of the origin of this republic, although it cannot be contemplated without the conviction that it is, perhaps, one of the most important colonies ever planted. At last civilization has obtained a foothold in Africa, almost under the equator.

In soil and productions, if not in climate, this region seems hardly less favored than Hayti. Though so near the equator, the mercury seldom rises above ninety degrees in the shade, and never falls below sixty degrees. Most of the productions which are found in the one are also found

in the other. But Liberia abounds in iron ore, and it is said that copper and other metals exist in the interior. It is, however, in sugar, cotton, coffee, and palm-oil that Liberia seems destined to excel. It has been said by a person familiar with the country that it "bids fair to become one of the greatest sugar-producing countries in the world." The population embraces some fifteen thousand persons, emigrants or their children, from the United States, with a large native population, held in subjection and already won toward civilization, amounting to more than two hundred thousand souls.

The argument for treaties with two countries like these is strong, without pursuing the inquiry further. But it becomes irresistible when we consider the positive demands of our commerce in these quarters. Even in spite of coldness, neglect, and injustice, our commercial relations with these countries have grown to a great importance. If assured of the customary protection afforded by treaties and the watchful presence of a diplomatic representative, they must become of greater importance still.

I have in my hands a tabular statement of the commerce and navigation of the United States with foreign countries, arranged in order according to their amount, so that the country with the largest commercial intercourse stands first. This authentic statement has been prepared under my directions at the Treasury Department for this occasion. It will be found most interesting and instructive. It is, however, too minute to be read in debate. Here, under one head, will be found the exports from the United States; under another head the imports; and under other heads the number of ships and tonnage; the whole so classified that we may see at a glance the relative importance of foreign countries in their commercial relations with the United States. Such a statement is in itself an argument.

It is in order to exhibit the precise position of Hayti and Liberia in the scale that I have introduced this table. When it is said that out of sixty countries Hayti stands the *twenty-seventh*, and Liberia at least helps to make the *twenty-ninth*, this is not enough. It must be observed that there are no less than nine countries, like Canada and Cuba, which, though enumerated separately, yet belong to other nationalities. If these are excluded, or added to their proper nationalities, Hayti will rank as the *sixteenth*, and Liberia will take her place under the *eighteenth*. But if we examine this table in its details, we shall find the important relative position of these two countries amply sustained. Confining ourselves for the present to Hayti, we have these remarkable results.

Hayti, in the exports which she receives from us, stands next to Russia. The exports to Hayti are \$2,673,682; while those to Russia amount to \$2,744,219. But the imports from Hayti are \$2,062,723, while those from Russia are only \$1,532,190. In the number of vessels employed Hayti is much the most important to us. Only 88 vessels are employed between the United States and Russia, while 490 vessels, with corresponding tonnage, are employed between the United States and Hayti. So that, in the importance of



commercial relations, Hayti stands above Russia, where we have always been represented by a minister plenipotentiary of the highest class, with a secretary of legation, and have at this moment no less than eight consuls besides.

It appears from the table that there are no less than thirteen countries with which the United States maintain diplomatic relations, although lower than Hayti in the scale of commerce and navigation. But this is not all. In point of fact, there are no less than eight other countries, where we are now represented by a minister resident, which do not appear in any commercial tables. I refer to Switzerland, Nicaragua, Costa Rica, Guatemala, Honduras, the Argentine Confederation, Paraguay, and Bolivia. So that there are twenty-one countries of less commercial importance than Hayti, with which the United States are now in diplomatic relations.

The exports to Austria, (including Venice,) where we are represented by a minister plenipotentiary of the first class, with a secretary of legation, and four consuls, are less than one half of our exports to Hayti, while the number of ships in this commerce is only 45, being 450 less than in our commerce with Hayti. The exports to Peru, where we are represented also by a minister of the first class, with a secretary of legation and five consuls, are still less than those to Austria.

Hayti, in this scale of commerce and navigation, stands above Sweden, Turkey, Central America, Portugal, the Papal States, Japan, Denmark, Prussia, and Ecuador, where we are represented by ministers resident. It also stands above the Sandwich Islands, where we are represented by a commissioner. Out of these countries there are several whose united commerce with the United States is inferior to that of Hayti. This is the case with Turkey, Portugal, Denmark, and Prussia, which altogether do not equal Hayti in commercial relations with our country.

Our exports to Turkey in Europe and Turkey in Asia combined are nearly two millions less than to Hayti; and yet, with this Mohammedan Government we have felt it important within a few weeks to negotiate a treaty of commerce.

The commerce with China is among the most valuable we possess, and the ships engaged in it are of a large size; but in number they are inferior to those engaged in the trade with Hayti. And yet at China we have a minister of the first class, with a salary of \$12,000, an interpreter with a salary of \$5,000, two consuls, with salaries each of \$4,000, one other consul, with a salary of \$3,500, two other consuls with salaries each of \$3,000, and two other consuls paid by fees.

Perhaps the comparison between Hayti and the Sandwich Islands is the most instructive. Both are islands, independent in government. Hayti has a population of 600,000; the Sandwich Islands have a population of little more than 70,000. The exports to Hayti, as we have already seen, are \$2,673,682, while the exports to the Sandwich Islands are only \$747,462. And the difference in navigation is as great. In commerce with Hayti there are 489 ships, with an aggregate of 82,360 tons, while in commerce with the Sandwich Islands there are only 85 ships, with an aggregate

of 35,368 tons. And yet, at the Sandwich Islands, with this inferior population, inferior commerce, and inferior navigation, we are represented by a commissioner, with a salary of \$7,500, one consul with a salary of \$4,000, another consul with a salary of \$3,000, and still another who is paid by fees.

Nor is the interest in the trade with Hayti confined to any particular State or section of the United States. From other authentic tables it appears that the New England States send fish and cheap cottons; Pennsylvania and the western States send pork; Vermont, New York, Ohio, and Illinois send beef, butter, and cheese; Philadelphia and Boston send soap and candles; while Maine sends lumber, and southern States, in times past, have sent rice and tobacco.

Of fish, Hayti took from us in 1860, 55,652 cwt., being much more than was taken by any other country except Cuba, which took 59,719 cwt.; and much more than was taken by all the rest of the West Indies. Of cotton manufactures, Hayti took from us goods to the value of \$228,000, being more than was taken by many other countries together, and much more than was taken by Cuba and Porto Rico together, the two remaining, but most valuable American possessions of Spain. Of butter, Hayti took 211,644 pounds; of cheese, 121,137 pounds; of lard, 675,163 pounds. But of soap she took 2,602,132 pounds, being more than twice as much as was taken by any other country. Cuba, which stands next, took only 867,823 pounds, while Mexico took only 66,874 pounds.

Such are some of the articles, and I mention them that you may see the distribution of this commerce in our own country, as well as the extent to which, though pursued under difficulties, it has already gone. (See Report of Secretary of Treasury on Commerce and Navigation for 1860, Statement No. 1.)

The practical advantages to be derived from the recognition of Hayti were directly urged upon our Government by one of its agents, even under the unfriendly administration of President Pierce. I refer to the consular return of John L. Wilson, commercial agent at Cape Haytien, under date of June 5, 1854, as follows:

"By a recognition of the independence of Hayti, our commerce would be likely to advance still more. Our citizens trading there would enjoy more privileges, besides standing on a better footing. Many decided advantages might also be obtained through treaty, and our own Government exercise a wholesome influence over theirs, of which it stands much in need."—*Commercial Relations*, vol. 4, p. 509.

Of course, this is to be regarded as testimony; and, when we consider his political relations, testimony from an unwilling witness. But there is other testimony of a similar character. In the text of the elaborate report by the Department of State, from which the above is taken, will be found the following weighty opinion:

"There being no treaty between the United States and Hayti, the commerce between the two countries is governed by such local laws and regulations as may from time to time be enacted. These are always subject to changes and alterations, sometimes so sudden—decrees of to-day superseding the laws in force but yesterday—that commercial interests, especially those of the United States, have been in many instances most seriously affected."—*Commercial Relations*, vol. 1, p. 559.

It appears that as late as June 25, 1850, a law was in force subjecting the vessels of all countries that had not acknowledged the independence of Hayti to an additional duty of ten percent. American vessels, being within the operation of this law, could not compete with the vessels of other nations which had satisfied its requirements, even in exporting to Hayti our own staples. Then, again, there was a tariff, which took effect in January, 1850, according to which certain articles were not to be sold above certain fixed prices, the effect of which was to make a most injurious discrimination against our trade. A dispatch from Aux Cayes at that period to the Department of State, says: "While the citizens of France are scarcely affected in their importations to Hayti, the Americans here import, and our merchants at home export, scarcely any article that is free." (Commercial Relations, vol. 1, p. 560.) And yet, in the face of these annoyances, and notwithstanding the embarrassments which they must have occasioned, our merchants have secured at least one moiety of the foreign trade of Hayti. With the same encouragements which we give to our relations with other countries, it cannot be doubted that we shall enjoy a much larger proportion.

If any additional motive were needed, it might be found in the political condition of the West India Islands, and the present movements in Mexico. Spain, quickened by ancient pride, has begun to recover her former foothold, and it is sometimes supposed that France is willing to profit by an imagined change of sentiment in her favor. Thus far the republic of Hayti has been left without sympathy or support from our country. That it has been able to sustain itself so well gives assurance of still greater strength when surrounded by more auspicious circumstances. Nor is the influence of Hayti to be neglected in adjusting that balance of power which is becoming of daily importance in the West Indies. It may be of value to us that this republic should be among our friends, while it cannot be doubted that our friendship will contribute to its security against danger from any quarter whatsoever. It will be remembered that Mr. Canning boasted somewhat grandly that he called a new world into existence to recover the balance of the old—alluding in this way to the acknowledgment of the independence of the Spanish colonies. In the same spirit and without any exaggeration it may be said that by the acknowledgment of Hayti, we shall provide a check to the schemes of ambition at a distance, which have latterly seemed to menace an undue predominance in the West Indies. In this view, the present proposition has a political importance which it is difficult to measure. It becomes a pledge of permanent peace, as well as of commerce; but it can have this character only if made effective, sincerely and honestly, according to the usage of nations.

Of the many colonies who, following our example, have declared their independence, Hayti was the first; and yet, by a strange perversity, it is not yet recognized by our Government. We are told that the last shall be first and the first shall be last. This surely is a case where the first is the last. But it remains to be seen if, under

the genial influence of such a recognition, Hayti may not become, among all independent colonies, first in importance to us, as it was first in following our example.

In acknowledging the independence of Hayti, we follow too tardily the example of other nations. France for a long time hesitated, as Spain hesitated, to acknowledge the independence of its colonial possessions. But in 1825 this concession was made under Charles X, while Hayti, on its part, by treaty, stipulated to pay 150,000,000*fr.*, as well on account of the recognition as for an indemnification to colonial proprietors. It was natural that the mother country should hesitate; but when France abandoned all claims, every objection to the recognition by other nations ceased. Accordingly, this republic has been recognized, if not cordially welcomed, by Great Britain, Spain, Denmark, Holland, Belgium, Portugal, Sweden, Hanover, and even by Austria, all of whom have representatives there, duly chronicled in the *Almanach de Gotha*.

Thus far I have confined myself to the case of Hayti. But Liberia has claims of its own. If our commercial relations with this interesting country are less important, they are nevertheless of such consequence as to require protection, while this republic may properly look to us for parental care.

The commercial tables by which I have illustrated so completely the relative importance of Hayti, are less precise with regard to Liberia, inasmuch as this republic, owing to unhappy prejudices in recent Administrations, was not allowed a separate place in the tables, but was concealed under the head of "other ports in Africa." But from authentic sources I learn that the exports from the single port of Monrovia for the year 1850, amounted to near \$200,000, while those from the whole republic amounted to as much as \$400,000.

I forbear from entering into details with regard to the commerce of Liberia. It is enough that it is already considerable, and that it is increasing in value. Already Great Britain, by a treaty, and the cultivation of friendly relations, has done something to divert this commerce from the United States. But it is not too late for us also to enter into a treaty, and to establish similar friendly relations. If beyond the impulse of self-interest we needed anything to quicken us, we should find it in the example of Henry Clay, who, in a letter dated Ashland, October 18, 1851, uses these positive words:

"I have thought for years that the independence of Liberia ought to be recognized by our Government, and I have frequently urged it upon persons connected with the Administration, and I shall continue to do so if I have suitable opportunities."

In taking this step, and entering into a treaty with Liberia, we shall only follow the example of the larger part of the commercial nations of the globe. Nor can I doubt that we shall in this way essentially promote our own commercial interests. Liberia is so situated, that, with the favor of our Government, it may become the metropolitan Power on the whole African coast, so that the growing commerce of that continent will be to a great degree in its hands.



I do not dwell at length on the advantages which will proceed from the recognition of these two Governments, nor do I enlarge on the motives of justice. I mean to state the case simply, without introducing any topic which can justly cause debate in this body. It is enough that the acknowledgment is required for our own good. Happily, in benefiting ourselves, we shall promote the interests of others.

But there is one consequence which I cannot forbear to specify. Emigrants to these republics will be multiplied by such a recognition. But every emigrant, when happily established, will create an additional demand for the productions of our commerce, and contribute to the number of American keels which plow the ocean.

And there is yet one other consequence, which ought expressly to be presented. Our commerce will at once be put under the solemn safeguard of treaties, so that it will enjoy that security which is essential to its perfect prosperity, and can no longer suffer from discriminating duties or hostile legislation, aroused by a just sensibility at our persevering illiberality. If you would have such treaties, you must begin by an acknowledgment of independence.

Sir, there is one business only which can suffer by this measure. I mean that of counterfeit money. You know, sir, that by a familiar rule of international law, declared by the Supreme Court of the United States, (*Kensett vs. Chambers*, 14 Howard's Reports, 38,) it belongs exclusively to the political department of the Government to determine our relations with a foreign country. And, since our Government has refused to acknowledge Hayti, our courts of justice have been obliged to do so likewise; and when criminals have been arraigned for counterfeiting the money of Hayti, they have declined all jurisdiction of the offense. As Hayti was not a nation, it could not have money. Such has been the reasoning, and the counterfeiters have gone free. It is said that during the past thirty years millions of false dollars have in this way been put in circulation. A case has occurred only recently, where the counterfeiter was promptly discharged, while the witness seemed alone to be in danger. Surely, it is time that such an outrage should be stopped.

It may be said that the same objects might be obtained by consuls, instead of commissioners. But it is clear that it has not been the habit of the United States to enter upon negotiations and open friendly relations with foreign States through consuls. And it is also clear that, according to the usage of nations, consuls would not be entitled to the same consideration with diplomatic representatives. Their influence would be less, whether in dealing with the Government to which they were addressed, or with the representatives of other Powers at the same place. On this point I content myself by reading the words of Mr. Wheaton:

"Consuls are not public ministers. Whatever protection they may be entitled to in the discharge of their official du-

ties, and whatever special privileges may be conferred upon them by the local laws and usages, or by international compact, they are not entitled, by the general law of nations, to the peculiar immunities of ambassadors. No State is bound to permit the residence of foreign consuls, unless it has stipulated, by convention, to receive them. They are to be approved and admitted by the local sovereign, and, if guilty of illegal or improper conduct, are liable to have the *exequatur* which is granted them withdrawn, and may be punished by the laws of the State where they reside, or sent back to their own country, at the discretion of the Government which they have offended. In civil and criminal cases, they are subject to the local law in the same manner with other foreign residents owing a temporary allegiance to the State."—*Wheaton's Elements of International Law*, p. 304.

It may be true that negotiations have sometimes been conducted by consuls, but very rarely; and the exceptions testify to the prevailing policy. Ministers are the received agents of diplomacy. Any other agent must be inferior in weight and character. If this be true, and it is undeniable, it is obvious that the objects now proposed can be most fitly and effectively accomplished only by diplomatic representatives. And since what is worth doing is worth well doing, I hope there will be no hesitation on the present occasion. Here again the example of the great Powers of Europe may properly influence us. England, France, and Spain all have diplomatic representatives at Hayti, who are reputed to discharge their responsible duties with activity and ability. But all these have already the advantage of subsisting treaties. Our treaty remains to be negotiated. To do this in such a way as to secure for our various interests all proper advantages must be our special aim. Surely any further neglect to do this can be nothing less than an open abandonment of these various interests. Too long already this sacrifice has been made.

Mr. President, a full generation has passed since the acknowledgment of Hayti was urged upon Congress. As an act of justice too long deferred, it aroused even then the active sympathy of multitudes, while as an act for the benefit of our commerce it was ably commended by eminent merchants of Boston and New York without distinction of party. It received the authoritative support of John Quincy Adams, whose vindication of Hayti was associated with his best labors in the other House. The right of petition, which he steadfastly maintained, was long ago established. Slavery in the national capital is now abolished. It remains that this other triumph shall be achieved. Petitioners, who years ago united in this prayer, and statesmen who presented the petitions, are dead. But they will all live again in the good work which they generously began.

Mr. President, this is the statement I have to make on this important question. As I know that the Senator from Kentucky [Mr. DAVIS] desires to move an amendment to this bill, I shall not ask a vote upon it to-day; but I move that its further consideration be postponed until to-morrow at half past twelve o'clock, when I hope we may have a vote upon it.

The motion was agreed to.

43	<i>Turkey in Europe</i> .....	477,347	11,657	489,034	28,083	2	800	15	4,843	.....	3	851
44	Dutch West Indies.....	294,665	8,766	303,431	396,644	71	14,110	34	6,723	.....	1	186



45	Dutch Guiana.....	284,009	37,907	321,916	351,895	25	5,954	25	5,743	6	993	4	577
46	British Honduras.....	325,181	19,272	344,453	347,108	54	10,147	45	6,980	20	2,145	17	2,067
47	Central Republic.....	191,534	28,164	149,698	331,258	14	2,451	18	3,548	5	879	5	1,025
48	San Domingo.....	156,054	13,246	169,300	983,098	20	3,516	17	3,068	23	4,056	24	4,345
49	Portugal.....	206,704	6,285	212,989	146,813	2	985	14	5,042	12	2,869	11	2,719
50	Papal States.....	206,758	.....	206,758	6,889	.....	.....	3	1,617	1	170	24	4,617
51	French North American possessions.....	109,291	31,220	140,511	144,473	2	245	8	1,257	20	3,164	24	4,617
52	Japan.....	89,856	48,918	138,774	55,091	5	1,180	8	1,982	1	125	8	956
53	Other ports in the Pacific.....	58,277	6,997	65,274	112,401	31	16,038	23	9,972	6	780	8	956
54	Other ports in Asia.....	97,442	11,527	108,969	49,634	1	421	1	421	3	3,648	8	956
55	Swedish West Indies.....	97,135	83	97,218	18,793	13	1,418	9	1,565	1	122	8	956
56	French Guiana.....	86,794	6,660	93,454	27,252	14	2,873	16	2,871	4	1,039	8	2,547
57	Canary Islands.....	79,426	975	80,401	18,886	8	2,342	7	1,518	3	659	8	2,547
58	Egypt.....	36,420	.....	36,420	71,709	1	299	2	1,894	6	1,241	2	425
59	Greece.....	.....	590	65,713	71,754	1	248	.....	.....	2	1,474	2	425
60	French possessions in Africa.....	65,123	.....	65,123	16,509	5	5,182	1	1,041	2	1,301	5	1,301
61	Denmark.....	65,124	.....	65,124	62,897	.....	.....	.....	297	.....	.....	.....	.....
62	Ionian Republic.....	.....	.....	.....	36,001	9	7,414	3	637	4	2,868	2	515
63	Malta.....	58,699	3,047	61,746	44,029	13	5,061	13	3,802	4	1,415	13	2,707
64	Azores.....	51,016	2,428	53,444	51,825	9	2,885	4	890	4	1,660	1	436
65	Cape de Verde Islands.....	40,203	849	41,142	49,250	.....	.....	.....	.....	.....	.....	4	436
66	Other German ports.....	46,991	2,259	49,250	12,704	.....	.....	1	75	5	2,377	4	1,405
67	Russian possessions in North America.....	11,148	35,342	46,490	12,974	4	1,374	3	881	2	764	3	1,735
68	Asiatic Russia.....	29,268	13,348	42,616	36,464	.....	.....	.....	.....	1	310	2	383
69	Prussia.....	.....	.....	.....	23,773	1	259	3	486	2	677	2	383
70	Madeira.....	34,708	20	34,728	93,773	.....	.....	.....	.....	.....	.....	.....	.....
71	Ecuador.....	19,545	.....	19,545	.....	4	1,311	4	1,311	1	310	2	383
72	Whale Fisheries.....	110,604	1,659	112,263	595,922	119	36,077	137	41,464	.....	.....	.....	.....
73	Uncertain places.....	.....	.....	.....	168,330	1	395	.....	.....	.....	.....	.....	.....
Total.....		373,189,274	26,933,022	400,122,296	362,166,354	12,206	5,921,285	12,682	6,165,924	10,725	2,353,911	10,912	2,624,005

TREASURY DEPARTMENT, REGISTER'S OFFICE, April 21, 1862.

L. E. CHITTENDEN, Register.

[The capitals and italics in the list are introduced by Mr. SUMNER. The countries having diplomatic representatives of the United States are italicized.]

## DEBATE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. No. 184) to authorize the President of the United States to appoint diplomatic representatives to the republics of Hayti and Liberia respectively.

Mr. DAVIS. I move an amendment in the nature of a substitute to the bill, to strike out all after the enacting clause, and insert:

That the President of the United States be, and hereby is, authorized, by and with the advice and consent of the Senate, to appoint a consul to the republic of Liberia, and a consul general to the republic of Hayti, respectively, with powers to negotiate treaties of amity, friendship, and commerce between the United States and those republics.

Mr. President, I am weary, sick, disgusted, despondent with the introduction of the subject of slaves and slavery into the Chamber; and if I had not happened to be a member of the committee from which this bill was reported, I should not have opened my mouth upon the subject.

I opposed in committee the form of the bill which has been reported, and then gave notice that I would resist the bill in the Senate; but at the same time I signified my willingness to do something, and, indeed, offered a measure in substance the same as the bill the committee reported, so far as commercial relations are concerned. In ordinary times this bill would have no particular interest, and it is only as a series of a system of measures that manifest a deliberate purpose to assail the institution of slavery in the slave States everywhere, and to push that assault to final success, that this measure has any interest, according to any opinion which I can form of it. What does the bill propose to do in addition to what is offered to be done by the substitute which I have presented? It is to establish diplomatic relations between the negro republics of Liberia and Hayti and the United States. I have not the least objection to the recognition by our Government of the existence of those two republics as independent Powers, and I have no objection to any extent of commercial relations between our country and those two republics. I have no objection to the negotiation of a treaty of amity and commerce and friendship between our Government and the Governments of those countries; but I oppose the sending of ambassadors of any class from our Government to theirs, upon this consideration: it would establish, diplomatically, terms of mutual and equal reciprocity between the two countries and us. If, after such a measure should take effect,

the republic of Hayti and the republic of Liberia were to send their ministers plenipotentiary or their chargés d'affaires to our Government, they would have to be received by the President and by all the functionaries of the Government upon the same terms of equality with similar representatives from other Powers. If a full-blooded negro were sent in that capacity from either of those countries, by the laws of nations he could demand that he be received precisely on the same terms of equality with the white representatives from the Powers of the earth composed of white people. When the President opened his saloons to the reception of the diplomatic corps, when he gave his entertainments to such diplomats, the representatives, of whatever color, from those countries would have the right to demand admission upon terms of equality with all other diplomats; and if they had families consisting of negro wives and negro daughters, they would have the right to ask that their families also be invited to such occasions, and that they go there and mingle with the whites of our own country and of other countries that happened to be present. We recollect that a few years ago the refined French court admitted and received the representative of Soulouque, who then denominated himself or was called the Emperor of Dominica, I think.

Mr. SUMNER. Of Hayti.

Mr. DAVIS. Well, a great big negro fellow, dressed out with his silver or gold lace clothes in the most fantastic and gaudy style, presented himself in the court of Louis Napoleon, and, I admit, was received. Now, sir, I want no such exhibition as that in our capital and in our Government. The American minister, Mr. Mason, was present on that occasion, and he was sleeved by some Englishman—I have forgotten his name—who was present, who pointed him to the ambassador of Soulouque, and said, "What do you think of him?" Mr. Mason turned round and said, "I think, clothes and all, he is worth \$1,000." [Laughter.]

Now, Mr. President, I am friendly to both these infant negro republics. Both of them are, to a greater or less extent, mixed. I see it announced in the papers this morning that England has brought over Spain to her view in relation to the attack upon Mexico, by promising not to interfere in the enterprise of Spain in the reconquest and subjugation of the whole island of San Domingo. In such a controversy, my sympathies would be with the negro and against Spain. I



should want the present power and government of that island to maintain its independence. That would be my judgment and my feeling in relation to the matter. I am not less, but a great deal more, friendly to the republic of Liberia. I consider that an offshoot from our country. I have long contemplated the enterprise of establishing a negro republic upon the western coast of Africa with feelings of the greatest interest and hope. I have contributed my money towards the enterprise, and I expect still to do so. I want this Government and the people of the United States to extend all sympathy and all aid consistent with our power under the Constitution to that infant republic, in building it up, and developing it to a great degree of power and of civilization, if it be practicable. I would want our Government, like a true mother does to her own natural offspring, when it is crawling upon the floor, to take that offspring by the hand and lift it upon its feet and teach it to walk. I would want our Government to tend and to nurse that republic in its infancy, and to give it all the assistance and protection that it possibly can, except upon the terms of equality. If that republic should be menaced by a foreign Power or by foreign attack, or should desire to suppress the slave trade, I should want our ships and our cruisers, and our arms, if need be, to be sent there to give it all assistance to protect it against such aggression. I do not believe that the scheme will ever succeed to the extent of the hopes of the benevolent and great founders of the enterprise. I trust that I may be disappointed, and more than disappointed, in the opinion which I have formed. The growth of that colony has been slow, but nearly as rapid as that of Plymouth, and that of the colony in Virginia when it was planted at Williamsburgh first. It may be that the slowness of this growth will give it a more vigorous and a protracted existence when it has reached somewhat to maturity. I hope so. I wish as many colored people, to use the mild term, as can be induced to go there, to go and to cast their destinies in the land of their fathers. If they and their friends can succeed in building up a self-sustaining negro republic or empire, that will bear back to the benighted and pagan regions of Africa the civilization and the Christianity of their masters, be it so. It would be a noble retribution to that race. But any legitimate assistance which we can render to such an enterprise and such a philanthropic object, we can render without the passage of the measure under consideration to place these two republics on a perfect equality diplomatically with our own. I therefore propose, with a view not to excite prejudice anywhere in the United States against these republics, that the measure shall pass in the form of the amendment which I have offered. The independence of these republics can be recognized as well in that form as in that proposed by the original bill, and every friendship, every favor, every protection that they can properly receive from our country can be given under the substitute as well as under the original bill.

Mr. President, I regret to have felt myself forced to speak the words upon this subject I have. I do begin to nauseate the subject of slaves and sla-

very in debate in this Chamber; and it was only because this measure has been perseveringly and uniformly opposed from the slave States heretofore, and I know is distasteful, to a very considerable extent, to the people of those States, and because the measure, in the form in which it has been reported, would have the effect, in my opinion, to increase this feeling, that I have thought it incumbent on me to say a word. I have not any idea that the measure which I have offered will in the present Senate receive such a vote as will cause it to be adopted. Perhaps it will receive no vote at all of any consequence between the two extremes. I have discharged what I have felt I was required to do under the force of the opposition which I gave to the measure when it was under consideration in the Committee on Foreign Relations, and my pledge then to oppose it when it came into the Senate.

Mr. SUMNER. Mr. President, the Senate will bear me witness that in presenting this important question yesterday, I made no allusion to the character of the population of the two republics. I made no appeal for them on account of their color. I did not allude to the unhappy circumstance in their history, that they had once been slaves. It is the Senator from Kentucky who has introduced this topic into debate. And not only this, sir, he has followed it by alluding to some possible difficulties—I hardly know how to characterize them—which may occur here in social life, should the Congress of the United States undertake at this late day, simply in harmony with the law of nations, and following the policy of civilized communities, to pass the bill now under discussion. I shall not follow the Senator on those sensitive topics. I content myself with a single remark. I have more than once had the opportunity of meeting citizens of these republics, and I say nothing more than truth when I add that I have found them so refined and so full of self-respect that I am led to believe no one of them charged with a mission from his Government will seek any society where he will not be entirely welcome. Sir, the Senator from Kentucky may banish all anxiety on that account. No representative from Hayti or Liberia will trouble him.

But the proposition of the Senator makes a precise objection to the bill, which I am ready to meet. He insists that we shall be represented at these two republics by consuls only, and not by diplomatic agents. Yesterday, in the remarks I had the honor of addressing to the Senate, I anticipated this very objection. I quoted then the authoritative words of Mr. Wheaton in his work on the law of nations, where he sets forth the distinction between ministers and consuls, and shows the greater advantage to be derived from a representation by one rather than by the other. I follow up that quotation now by reading a passage from another work. It is a treatise on international law and the laws of war, by General Halleck; and as I quote this authority, which is not yet much known, I venture to remark that I doubt if there is any recent contribution to the literature of the law of nations which, upon the whole, is of more practical value. In a few words he states

the character of consuls. I quote from him as follows:

"Consuls have neither the representative nor diplomatic character of public ministers. They have no right of exterritoriality; and therefore cannot claim either for themselves, their families, houses, or property, the privileges of exemption which, by this fiction of law, are accorded to diplomatic agents who are considered as representing, in a greater or less degree, the sovereignty of the State which appoints them. They, however, are officers of a foreign State, and when recognized as such by the *exequatur* of the State in which they exercise their functions, they are under the special protection of the law of nations. Consuls are sometimes made also *chargés d'affaires*, in which cases they are furnished with credentials, and enjoy diplomatic privileges; but these result only from their character as *chargés*, and not as consuls."—*International Law or Rules Regulating the Intercourse of States in Peace and War*, by H. W. Halleck, A. M., p. 242.

The committee who had the subject in charge, taking it into most careful consideration, as I believe the Senator from Kentucky will confess, deliberately reached the conclusion that it was advisable for the United States at this moment to be represented at each of those republics by a person of diplomatic character. The committee put aside the proposition that we should be represented merely by a consul. It was felt that such an officer would not adequately do all that our country might justly expect to have done. Nor was this all. We were guided also by the precedents of our Government. There are twenty-three different States lower down in the scale of commerce and navigation with the United States, where we are now represented by diplomatic agents. One of these, as I explained yesterday, is the Sandwich Islands, with a population of only eighty thousand people, and with a commerce and navigation vastly inferior to that between the United States and Hayti.

Mr. DAVIS. I think we have too many.

Mr. SUMNER. Possibly. I go into no inquiry on that point. Suffice it to say we already have these twenty-three diplomatic representatives, and one of these is at the Sandwich Islands, with a population, a commerce, and navigation inferior to that of Hayti. Besides, at the Sandwich Islands we have three consuls highly paid. If we have too many, let us reduce the list, but do not commence our economies on Hayti and Liberia.

Nor is this all, sir. The committee in their conclusion followed the usage of nations, and also the example of the great Powers at this moment, at Hayti. In presenting this measure, I make no appeal on account of an oppressed race. I urge it simply as an act for our own good. We go about the world hunting up the smaller Powers, where to enter into treaties and to place diplomatic representatives, under the temptation of petty commercial advantages. Thus far we have stood aloof from two important opportunities, as I would characterize them, of extending and strengthening our influence. It is time to change.

In Hayti we are represented now by what is called a commercial agent, not enjoying even consular powers or privileges, a gentleman of my own State, an intelligent, active, instructed, careful observer of men and of things. I have in my hand a dispatch very recently addressed by him to the Department of State, and as it presents an

idea of the actual condition of things in Hayti at this moment, I shall send it to the desk and ask that it be read. Let the Senate listen to this letter, and they will see something of the embarrassments to which our interests are now exposed from the absence of a diplomatic representative there.

The PRESIDENT *pro tempore*. The hour of one o'clock having arrived the further consideration of this bill is superseded—

Mr. SUMNER. I think we can dispose of this bill in a short time.

The PRESIDENT *pro tempore*. The Chair will state the condition of the question. The hour of one o'clock having arrived, the special order for that hour comes up, which is the bill (S. No 151) to confiscate the property and free the slaves of rebels. The direct question upon that bill is a modification of the original bill, moved as an amendment by the Senator from Ohio, [Mr. SHERMAN.]

Mr. SUMNER. I hope that by general consent we shall proceed with this question now. I think we can come to a vote upon it very soon.

Mr. TRUMBULL. I cannot consent to that.

Mr. SUMNER. I ask the Senator to consent to it for fifteen minutes.

Mr. TRUMBULL. I trust not.

The PRESIDENT *pro tempore*. Senate bill No. 151 is, of its own force, by order of the body, now before the Senate for consideration. It supersedes the previous question without motion.

Mr. SUMNER. I hope the Senator from Illinois will allow us a few minutes to dispose of this bill.

Mr. TRUMBULL. If I was merely asked to allow a vote to be taken, I should not object; but it is evident that will not be arrived at very soon. Other things have crowded the confiscation bill out of place so often, and the Senator from Massachusetts has had it postponed so many days that I do not think it is proper for him to ask that it should be postponed for any other business. I insist on the order of the day.

Mr. SUMNER. Mr. President—

The PRESIDENT *pro tempore*. The Senator from Massachusetts will allow the Chair to state the proper question before the body. The object of the Senator from Massachusetts can only be reached now by a motion to postpone, for the time being, Senate bill No. 151. That is the bill of its own force, under the rule of the Senate, before the body for consideration.

Mr. SUMNER. Should there be any discussion occupying any time, I shall cheerfully allow the bill which has been under debate this morning to go over until to-morrow.

Mr. TRUMBULL. If I am asked simply to yield to allow a vote to be taken, I have no objection to that.

Mr. SUMNER. I merely wish to have the letter read, and then I shall call for a vote; and should there be a promise of discussion after that, I will consent to a postponement.

Mr. TRUMBULL. I am willing, for one, to allow the vote to be taken on this proposition; but I am not willing to allow the discussion to be continued. If the Senate is ready and willing to vote, I have no objection.



The PRESIDENT *pro tempore*. If no objection be interposed, the letter sent to the Secretary's desk by the Senator from Massachusetts will be read, and the question put upon the amendment offered by the Senator from Kentucky to Senate bill No. 184.

Mr. TRUMBULL. That is with the understanding that I may call up the confiscation bill in case the vote cannot be taken, I suppose.

Mr. SAULSBURY. I do not propose to discuss this measure; but I propose to assign, very briefly, some reasons why I shall vote against it.

Mr. TRUMBULL. Then I insist on the order of the day.

Mr. SUMNER. Then I move that the Senate postpone all prior orders, in order to proceed with the consideration of Senate bill No. 184.

The PRESIDENT *pro tempore*. Senate bill No. 151, to confiscate the property and free the slaves of rebels, is the bill before the Senate, by special order of the Senate, at this hour, and the Senator from Massachusetts now moves to postpone that special order for the consideration of the bill indicated by him which has been under debate during the morning.

Mr. TRUMBULL. I trust that will not be done.

The motion was not agreed to.

[After the consideration of the confiscation bill, at a later hour of the day the debate on the Hayti and Liberia bill was resumed.]

Mr. SUMNER. Perhaps the Senate, before proceeding to the consideration of executive business, in which I am interested also as much as the Senator from Illinois, would take the vote on the Hayti bill which we had under discussion during the morning hour.

Mr. BROWNING. I have no objection to that, if it is supposed the vote can be reached.

Mr. SUMNER. I think it can be. The Senator from Delaware [Mr. SAULSBURY] proposes to make a few remarks, but I understood from him it would be only for a moment.

The PRESIDENT *pro tempore*. The pending question must be disposed of before another bill can be taken up for consideration.

Mr. SUMNER. I will move that the present bill be postponed until one o'clock to-morrow and made the special order for that hour.

The motion was agreed to; two thirds of the Senate concurring therein.

Mr. SUMNER. Now, I move that the Senate proceed to consider the bill authorizing diplomatic relations with Hayti and Liberia.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. No. 184) to authorize the President of the United States to appoint diplomatic representatives to the republics of Hayti and Liberia respectively.

Mr. SUMNER. There is a letter from the commercial agent of the United States at Hayti which I sent to the desk to be read just as the discussion closed this morning.

The PRESIDENT *pro tempore*. The question pending is on the amendment, in the form of a substitute, proposed by the Senator from Kentucky, [Mr. DAVIS.] The Senator from Massa-

chusetts sends forward to the desk, as a part of his argument, a letter, which will be read:

The Secretary read it, as follows:

UNITED STATES COMMERCIAL AGENCY,  
PORT AU PRINCE, HAYTI, December 12, 1861.

SIR: Not being in receipt of any of your favors, I have the honor to inform the Department that since the date of my last dispatch this country has been perfectly tranquil. No further sign of insurrection has appeared; the commercial movements of the country have not been disturbed, and the public funds and currency have not fallen.

I deem it my duty to call the earnest attention of the Department to the activity of European Powers in this place, and to the determined and concerted attempt which is apparently being made to drive American trade from the island and to destroy our influence among the Haytien people.

In the first place an almost entire change has just been made in the *personnel* of the foreign legations here. England has just recalled Mr. Spencer St. John from the East Indies, and appointed him *chargé d'affaires* and consul general here. His vice consul is Mr. Henry Byron, who is thoroughly acquainted with Haytien affairs, having been here many years, and identified himself with the country by marrying a Haytien wife. The Marquis de Forbin Janson has just arrived at Port au Prince as French *chargé* and consul general, together with a new chancellor and secretary of legation. Signor Antonio Alvarez, with a new secretary of legation, has likewise just been made *chargé* and consul general for Spain. He has been transferred from St. Domingo City, where he represented Spain when she occupied Dominica.

These are all able men, much more so than their predecessors, and they are acting in union wherever they can, to cripple the power and interest of the United States in Hayti. Their liberal salaries enable them to assume a style of living and a place in the social world of Hayti entirely beyond my reach; and there is nothing, or next to nothing, to counteract their activity.

I must say with frankness to the Department, that I find my position much embarrassed by the failure of our Government to take any step towards acknowledging the nationality of Hayti, or entering into the usual relations of comity which exist between neighboring peoples. The Haytiens believed that when the present Administration came into power in the United States, our former coldness and neglect would cease; and they feel, and do not hesitate to express, a bitter disappointment that nothing has yet been done. This makes itself felt in a thousand ways, difficult to describe, in the intercourse of the Haytien Government with me, though they treat me personally with entire respect.

Our commercial and navigation interests are very large in Hayti, and they are suffering from the present state of things. Apart from the depressing effect of the war, a still greater depression of our Haytien trade has been caused by the circumstances I have named. Few Haytiens will now charter an American vessel, or transact their business with American houses, unless absolutely necessary. And in spite of what little I can do as commercial agent this feeling is increasing. It is a feeling of very recent growth, and one, as I have named, that has been to a great degree stimulated by the foreign representatives here; but, in my judgment, it threatens the most serious consequences to the permanency and stability of our commerce with Hayti, and unless something is done to check it, we shall probably be substantially driven from the island.

As an example of this feeling, I would state that about a month ago our vice commercial agent at Gonaives, who had been in the habit of hoisting an American flag at his country house, just outside the town, on Sundays and holidays, without interruption from the authorities, was ordered to take down his flag-staff at that place, and requested to confine himself, so far as hoisting his flag went, to his consulate in the town. I looked into the matter, and not being able to satisfy myself that, under the former practice and general police regulations of Hayti, he had anything which could be insisted on as a right to have a flag there, I did not make a point of it with the Government. The occurrence is significant, and would not have happened three months ago.

I beg leave to repeat to the Department my conviction that our Government ought to lose no time in acknowledging the independence of Hayti, and sending a diplomatic legation here, to counteract the schemes of foreign Powers.

Situated as I am, merely tolerated, without diplomatic powers, without even consular powers, and cramped in every way by a mere pittance of a salary, in a city which is most expensive to live in, while I promise the Department to use my utmost exertions to protect and extend the commercial and political interests of our country in the island, I can, nevertheless, do little good at present.

I am, with great respect, your obedient servant,  
**SETH WEBB, Jr.,**  
*United States Commercial Agent.*

**Hon. WILLIAM H. SEWARD, Secretary of State.**

The **PRESIDENT pro tempore**. The question is on the amendment of the Senator from Kentucky, in the form of a substitute for the entire bill.

**Mr. POWELL.** On that I demand the yeas and nays.

The yeas and nays were ordered.

**Mr. POWELL.** I will ask to have the amendment reported.

The **PRESIDENT pro tempore**. The Chair will put the question to the Senate. It is not in the province of a single Senator to demand the reading of any paper after it has once been read. The Senator from Kentucky asks for the second reading of the amendment. Shall it be again read?

The question being put, it was decided in the affirmative.

The Secretary read the amendment, to strike out all of the original bill after the enacting clause, and to insert in lieu thereof the following:

That the President of the United States be, and hereby is, authorized, by and with the advice and consent of the Senate, to appoint a consul to the republic of Liberia, and a consul general to the republic of Hayti, respectively, with power to negotiate treaties of amity, friendship, and commerce between the United States and those republics.

The question being taken by yeas and nays, resulted—yeas 8, nays 30; as follows:

**YEAS**—Messrs. Davis, Henderson, Latham, Powell, Saulsbury, Stark, Thomson, and Willey—8.

**NAYS**—Messrs. Anthony, Browning, Chandler, Clark, Collamer, Cowan, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Howard, Howe, King, Lane of Indiana, Lane of Kansas, McDougall, Morrill, Pomeroy, Sherman, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilson of Massachusetts, and Wright—30.

So the amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and it was read the third time.

**Mr. SAULSBURY.** After the vote just taken

in the Senate I shall not trespass upon their attention, as I intended to do, only for a brief period however. It is evident that this bill is going to pass. I want the country, however, to know that according to the rules of the Senate foreign ministers have a right upon this floor, and we have set apart a portion of the gallery for the ministers and their families. If this bill should pass both Houses of Congress and become a law, I predict that in twelve months some negro will walk upon the floor of the Senate of the United States and carry his family into that gallery which is set apart for foreign ministers. If that is agreeable to the taste and feeling of the people of this country it is not to mine; and I only say that I will not be responsible for any such act. With this I will content myself.

**Mr. POWELL.** I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

**Mr. McDOUGALL.** I am not altogether pleased with this bill, for I consider this one of the many measures that I think inopportune; but I must say as the expression of my opinion and the reason that will govern my vote that I do not understand why in the relations of nations the people of Hayti and Liberia may not officially communicate with us. I am not able to find any sentiment or any opinion that justifies my refusing them the privilege of being represented in our Court, if you please to call the President of the United States and his surroundings a Court. I do not know why we have the right to deny to them that privilege; and although I regret that this bill should be brought forward now as a disturbing influence, and I do not think the chairman of the Committee on Foreign Relations has adopted a wise policy; still, at the same time, believing it right in itself, I must sustain the proposition.

The question being taken by yeas and nays, resulted—yeas 32, nays 7; as follows:

**YEAS**—Messrs. Anthony, Browning, Chandler, Clark, Collamer, Cowan, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Henderson, Howard, Howe, King, Lane of Indiana, Lane of Kansas, Latham, McDougall, Morrill, Pomeroy, Sherman, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilson of Massachusetts, and Wright—32.

**NAYS**—Messrs. Bayard, Carlile, Davis, Powell, Saulsbury, Stark, and Thomson—7.

So the bill was passed.





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