

MVB Senate remarks on the Panama mission, 14 March 1826

SENATE.

Tuesday, MARCH 14, 1826.

A motion was made by Mr. VAN BUREN, of New York, to amend the resolution, by adding thereto the following:

Resolved, That the Constitution of the United States, in authorizing the President of the United States to nominate, and, by and with the advice and consent of the Senate, to appoint, "Ambassadors, and other public Ministers," authorizes the nomination and appointment to offices of a diplomatic character only, existing by virtue of international laws; and does not authorize the nomination and appointment, (under the name of Ministers,) of Representatives to an Assembly of Nations, like the proposed Congress of Panama, who, from the nature of their appointment, must be mere deputies, unknown to the law of Nations, and without diplomatic character or privilege.

Resolved, That the power of forming or entering, (in any manner whatever,) into new political associations, or confederacies, belongs to the People of the United States, in their sovereign character, being one of the powers which, not having been delegated to the Government, is reserved to the States or People; and that it is not within the Constitutional power of the Federal Government to appoint Deputies or Representatives of any description, to represent the United States in the Congress of Panama, or to participate in the deliberation, or discussion, or recommendation, of acts of that Congress.

Resolved, As the opinion of the Senate, that (waiving the question of Constitutional power,) the appointment of Deputies to the Congress of Panama, by the United States, according to the invitation given, and its conditional acceptance, would be a departure from that wise and settled policy by which the intercourse of the United States with foreign nations has hitherto been regulated, and may endanger the friendly relations which now happily exist between us and the Spanish American States, by creating expectations that engagements will be entered into by us, at that

Congress, which the Senate could not ratify, and of which the People of the United States would not approve.

Resolved, That the advantages of the proposed mission to the Congress of Panama, (if attainable) would, in the opinion of the Senate, be better obtained, without such hazard, by the attendance of one of our present Ministers near either of the Spanish Governments, authorized to express the deep interest we feel in their prosperity, and instructed fully to explain, (when requested) the great principles of our policy, but without being a member of that Congress, and without power to commit the United States to any stipulated mode of enforcing those principles, in any supposed or possible state of the world.

And, on the question to agree thereto, it was determined in the negative—yeas 19, nays 24.

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Benton, Berrien, Branch, Chandler, Cobb, Dickerson, Eaton, Findlay, Hayne, Holmes, Kane, King, Macon, Randolph, Rowan, Van Buren, White, Williams, Woodbury.—19.

Those who voted in the negative, are,

Messrs. Barton, Bell, Boulogny, Chambers, Chase, Clayton, Edwards, Harrison, Hendricks, Johnson, of Kentucky, Johnston, of Louisiana, Knight, Lloyd, Marks, Mills, Noble, Robbins, Ruggles, Sanford, Seymour, Smith, Thomas, Van Dyke, Willey.—24.

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